

Industries & Professional Activities Subcommittee

Wednesday, January 28, 2026
9:30 AM – 12:00 PM
Webster Hall (212 Knott)

Daniel Perez
Speaker

Mike Giallombardo
Chair

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Industries & Professional Activities Subcommittee

Start Date and Time: Wednesday, January 28, 2026 09:30 AM

End Date and Time: Wednesday, January 28, 2026 12:00 PM

Location: Webster Hall (212 Knott)

Duration: 2.50 hrs

Consideration of the following bill(s):

HB 221 Minimum Wage Requirements by Chamberlin
HB 1049 Building Permit Requirements by Esposito
HB 1175 Safety Design Standards for Office Surgery Suites by Redondo
HB 1509 Veterinarian Licensure by Endorsement by Johnson
HB 4035 Palm Beach County by Edmonds
HB 4055 City of Lake Wales, Polk County by Albert

NOTICE FINALIZED on 01/26/2026 4:35PM by Marks.Amie

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 221	**COMPANION BILL:** SB 1412 (Martin)
TITLE: Minimum Wage Requirements	**LINKED BILLS:** None
SPONSOR(S): Chamberlin	**RELATED BILLS:** None

Committee References

Industries & Professional Activities ➤ Careers & Workforce ➤ Commerce

SUMMARY

Effect of the Bill:
The bill allows employees to opt out of receiving the state minimum wage for work-study, internship, pre-apprenticeship program, or other similar work-based learning opportunities.

Fiscal or Economic Impact:
The bill does not appear to have a fiscal impact on state or local government. The bill allows certain employees to opt out of receiving minimum wage. The fiscal impact on such employees is indeterminate.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill creates the "On-the-Job Workforce Training Act." (Section 1)

The bill amends the Florida Minimum Wage Act to provide specific exemptions from state minimum wage requirements for certain employees. The bill provides that employers are not required to pay the state minimum wage to employees in a structured work-study, internship, pre-apprenticeship program, or other similar work-based learning opportunity, provided such employees choose to opt out of receiving the state minimum wage. (Section 2)

The bill limits the work-based learning opportunity to last no more than 9 months or 2 full-time semesters consisting of at least 15 credit hours each. (Section 2)

The bill requires an employee to opt out of receiving the state minimum wage by voluntarily signing a waiver. The written waiver must state that the employee acknowledges his or her right to the state minimum wage pursuant to the State Constitution and that the employee is knowingly and voluntarily choosing to receive a lesser amount for his or her work-based learning opportunity. (Section 2)

The bill prohibits an employer from coercing an employee to opt out of receiving the state minimum wage, and provides that if the employee is younger than 18 years of age, in order for the waiver to be effective, the employee's parent or guardian must have agreed and signed the waiver on behalf of the employee at the minor employee's request. (Section 2)

The bill requires such employees to be paid at or above the federal minimum wage, and specifies that an employee's waiver to opt out of the state minimum wage is only valid for 9 months after the date his or her employment with the employer begins. Thereafter, the bill requires the employee to be paid at or above the state minimum wage regardless of his or her position or job title with the employer. (Section 2)

The effective date of the bill is July 1, 2026. (Section 3)

FISCAL OR ECONOMIC IMPACT:

PRIVATE SECTOR:

Indeterminate. The bill allows certain employees to opt out of receiving minimum wage.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Fair Labor Standards Act

The federal Fair Labor Standards Act (FLSA), enacted in 1938, provides covered workers with minimum wage, overtime pay, and child labor protections.[1] In 1938, the FLSA established a minimum wage of $.25 an hour. The current federal minimum wage rate is $7.25 an hour, which went into effect July 24, 2009. The FLSA applies to employment within any state in the U.S., the District of Columbia, or any territory or possession of the U.S.[2]

The FLSA covers most private and public sector **employees**. However, certain employers and employees are exempt from coverage, including individuals with disabilities, youth workers, tipped workers, and executive, administrative, and professional workers. The FLSA covers businesses if the business has annual sales of at least $500,000.[3] It also covers certain individual employees if such employee is engaged in interstate commerce.

The FLSA applies to all:[4]

- **Governments**: Federal, state, or local government agencies.
- **Hospitals**: Hospitals, or institutions primarily engaged in the care of the sick, the aged, or the mentally ill or disabled who live on the premises. It does not matter if the hospital or institution is public or private or is operated for profit or not-for-profit.
- **Schools**: Pre-schools, elementary or secondary schools or institutions of higher learning (e.g., college), or a school for mentally or physically handicapped or gifted children. It does not matter if the school or institution is public or private or operated for profit or not-for-profit.

The FLSA includes several exemptions from the federal minimum wage provisions, including:[5]

- Executive, administrative, and professional employees.
- Employees in certain seasonal amusement or recreational establishments, employees in certain small newspapers, seamen employed on foreign vessels, employees engaged in fishing operations, and employees engaged in newspaper delivery.
- Farm workers employed by certain employers.
- Casual babysitters and persons employed as companions for the elderly or infirm.
- Border patrol agents.[6]

[1] 29 U.S.C. § 201-219 and 29 C.F.R. Ch. V.
[2] Congressional Research Service, CRS Report R42713, *The Fair Labor Standards Act (FLSA): An Overview*, https://crsreports.congress.gov/product/pdf/R/R42713, (last visited Nov. 5, 2026). (The main FLSA provisions and accompanying Department of Labor (DOL) regulations constitute what is commonly known as federal wage and hour laws and federal child labor law.).
[3] The size of an enterprise is measured by its "annual sales or business done." Annual sales or business done includes all business activities that can be measured in dollars. Thus, retailers are covered by the FLSA if their annual sales are at least $500,000. Owners of rental properties are covered if they collect at least $500,000 annually in rent. 29 C.F.R.§§779.258-779.259.
[4] U.S. Department of Labor, Fair Labor Standards Act Advisor, https://webapps.dol.gov/elaws/whd/flsa/scope/screen10.asp, (last visited Nov. 5, 2026).
[5] 29 U.S.C. § 213. (It also includes separate exemptions from overtime pay.)
[6] *See* Border Patrol Agent Pay Reform Act of 2014, S.1691, 113th Cong, (2014).

- **Tipped employees**, as long as their tips, combined with the employer's cash wage, equal at least the federal minimum wage ($7.25). The minimum cash wage for tipped employees is $2.13 per hour, with the employer able to claim a tip credit of up to $5.12 per hour.[7]
- **Learners, apprentices, and messengers employed primarily in delivering letters and messages, under special certificates issued by the Department of Labor**.[8]

The FLSA provides for the employment of certain individuals at wage rates below the minimum wage including student-learners (vocational education students), as well as full-time students employed by retail or service establishments, agriculture, or institutions of higher education. Also included are individuals whose earning or productive capacity is impaired by a physical or mental disability, including those related to age or injury, for the work to be performed. Certificates issued by the Department of Labor's Wage and Hour Division are required for this type of employment.[9]

The FLSA exempts certain people who volunteer to perform services for a state or local government agency or who volunteer for humanitarian purposes for non-profit food banks. There is also a recognized exception for individuals who volunteer their time, freely and without anticipation of compensation, for religious, charitable, civic, or humanitarian purposes to non-profit organizations. Unpaid internships for public sector and non-profit charitable organizations, where the intern volunteers without expectation of compensation, are generally permissible.[10]

The FLSA was amended in 2014, concerning border patrol agents, and again in 2018, to exempt minor league baseball players who are paid at least $290 per week during the 2018 championship season from the federal minimum wage rate and overtime pay. These two amendments were the only amendments made to the minimum wage exemptions provisions of the FLSA since Florida passed its minimum wage law in 2005.[11]

The FLSA provides that if states enact worker protections, including minimum wage rates, that are more protective of employees than what is provided by the FLSA, the state law applies.[12] **Consequently, no state law may weaken the worker protections in the FLSA.** However, state laws that impose greater worker protections will supersede those in the FLSA.[13]

Thirty states plus Washington DC, Guam, Puerto Rico, and the Virgin Islands provide a minimum wage greater than the federal minimum wage. Thirteen states provide a minimum wage that is equal to the federal minimum wage. Five states have not adopted a minimum wage and two states have a minimum wage that is below the federal minimum wage.[14] For those seven states, the federal minimum wage applies, but only to those workers covered by the FLSA.

Florida law does not indicate or allow for wage exceptions for learners, apprentices, or messengers. Thus, the FLSA provisions apply.

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[7] 29 U.S.C. § 203(m)(2)(A).
[8] 29 U.S.C. § 214.
[9] U.S. Department of Labor, Subminimum Wage, https://www.dol.gov/general/topic/wages/subminimumwage (last visited Nov. 5, 2026).
[10] U.S. Department of Labor, Wage and Hour Division, Fact Sheet #71: Internship Programs Under the Fair Labor Standards Act, https://www.dol.gov/agencies/whd/fact-sheets/71-flsa-internships (last visited Nov. 5, 2026).
[11] s. 448.110, F.S., expressly references ss. 213 and 214 of the FLSA, which address minimum wage exemptions and employment under special certificates, respectively. However, s. 214 has not been amended since 1989. (*See* Pub. L. 101–157, § 4(d), Nov. 17, 1989, 103 Stat. 941).
[12] 29 U.S.C. §218.
[13] Congressional Research Service, CRS Report R42713, *The Fair Labor Standards Act (FLSA): An Overview*, *Updated March 8, 2023*, https://crsreports.congress.gov/product/pdf/R/R42713, (last visited Nov. 5, 2026).
[14] U.S. Department of Labor, Consolidated Minimum Wage Table, https://www.dol.gov/agencies/whd/mw-consolidated (last visited Nov. 5, 2026).

Minimum Wage Contained in Article X, Section 24 of the Florida Constitution

On November 2, 2004, Floridians voted to amend the Florida Constitution by adding a minimum wage provision (Art. X, Sec. 24) that established the state minimum wage.[15] Prior to this date, Florida did not have a state minimum wage so the FLSA applied for covered workers. Art. X, Sec. 24 provides the amount of the minimum wage and the procedure for calculating increases in the minimum wage.[16] The amendment also provides that "all working Floridians are entitled to be paid a minimum wage sufficient to provide a decent and healthy life, that protects their employers from unfair low wage competition, and that does not force them to rely on taxpayer-funded public services."[17]

On November 3, 2020, Florida voters again approved a constitutional amendment related to the state's minimum wage, Amendment 2, to gradually increase the state's minimum wage to $15 an hour by the year 2026.[18] Pursuant to the passage of Amendment 2, on September 30, 2021, Florida's minimum wage increased to $10 per hour. Each year, thereafter, Florida's minimum wage will increase by $1 until the minimum wage reaches **$15 per hour on September 30, 2026.** Beginning in 2027, the minimum wage will be adjusted annually for inflation, as it had been done from 2004 to 2021.

Art. X, Sec. 24 specifies that "employers shall pay Employees Wages no less than the Minimum Wage for all hours worked in Florida."[19] Section 24 authorizes persons aggrieved by violations the following remedies:[20]

- A civil action.
- Recovery of the full amount of back wages unlawfully withheld plus the same amount as liquidated damages.
- Reasonable attorney's fees and costs.
- Legal or equitable relief, including, reinstatement in employment and/or injunctive relief.

Art. X, Sec. 24 provides that any employer or other person found liable for willful violations is subject to a $1,000 fine per violation, and the attorney general or other official designated by the state legislature may also bring a civil action.

Art. X, Sec. 24 provides that "implementing legislation is not required in order to enforce this amendment. The state legislature may by statute establish additional remedies or fines for violations of this amendment, raise the applicable Minimum Wage rate, reduce the tip credit, or extend coverage of the Minimum Wage to employers or employees not covered by this amendment."[21]

Employees

Art. X, Sec. 24 references the FLSA and specifically ties the meaning[22] of "employer," "employee," and "wage," to the meanings established under the FLSA and its implementing regulations.[23] It also indicates that case law, administrative interpretations, and other guiding standards developed under the federal FLSA must guide the construction of Florida's Constitution related to Art. X, Sec. 24 and any implementing statutes or regulations.[24]

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[15] Art. X, s. 24, Fla. Const.
[16] Art. X, s. 24(c), Fla. Const.
[17] Art. X, s. 24(a), Fla. Const.
[18] U.S. Department of State, *Notice of Increase to State of Florida's Minimum Wage*, https://www.state.gov/wp-content/uploads/2021/01/2021-01-29-Notice-FL-Minimum-Wage-Increase.pdf (last visited Nov. 5, 2026).
[19] Art. X, s. 24(c), Fla. Const.
[20] Art. X, s. 24(e), Fla. Const.
[21] Art. X, s. 24(f), Fla. Const.
[22] *In re Advisory Opinion to the Atty. Gen. re Fla. Minimum Wage Amend.*, 880 So. 2d 636, 641–42 (Fla. 2004). ("The proposed amendment does not state that it is adopting the FLSA's *definition* of the term "employee," but provides that it is adopting the *meaning* of the term "employee," which is a much broader concept.")
[23] Art. X, s. 24(b), Fla. Const.
[24] Art. X, s. 24(f), Fla. Const.

The FLSA defines:[25]

- "Employer" as "any person acting directly or indirectly in the interest of an employer in relation to an employee and includes a public agency, but does not include any labor organization (other than when acting as an employer) or anyone acting in the capacity of officer or agent of such labor organization."
- "**Employee**" as "any individual employed by an employer."

The FLSA requires "for-profit" employers to pay **employees** for their work. Interns and students, however, may not be "**employees**" under the FLSA—in which case the FLSA does not require compensation for their work. Courts have used the "primary beneficiary test" to determine whether an intern or student is, in fact, an employee under the FLSA.[26] This determination is made on a case-by-case basis.

This test allows courts to examine the "economic reality" of the intern-employer relationship to determine which party is the "primary beneficiary" of the relationship. Courts[27] have identified the following seven factors as part of the test:

- The extent to which the intern and the employer clearly understand that there is no expectation of compensation. Any promise of compensation, express or implied, suggests that the intern is an employee—and vice versa.
- The extent to which the internship provides training that would be similar to that which would be given in an educational environment, including the clinical and other hands-on training provided by educational institutions.
- The extent to which the internship is tied to the intern's formal education program by integrated coursework or the receipt of academic credit.
- The extent to which the internship accommodates the intern's academic commitments by corresponding to the academic calendar.
- The extent to which the internship's duration is limited to the period in which the internship provides the intern with beneficial learning.
- The extent to which the intern's work complements, rather than displaces, the work of paid employees while providing significant educational benefits to the intern.
- The extent to which the intern and the employer understand that the internship is conducted without entitlement to a paid job at the conclusion of the internship.

Courts have described the "primary beneficiary test" as a flexible test, and no single factor is determinative. Accordingly, whether an intern or student is an employee under the FLSA necessarily depends on the unique circumstances of each case.

If analysis of these circumstances reveals that an intern or student is actually an **employee**, then he or she is entitled to both minimum wage and overtime pay under the FLSA. On the other hand, if the analysis confirms that the intern or student is not an employee, then he or she is not entitled to either minimum wage or overtime pay under the FLSA.

Florida Minimum Wage Act

The Act implements the minimum wage provisions in the Art. X, Sec. 24 of the Florida Constitution.[28] The Act designates the Department of Commerce (DC) as the state agency that implements the minimum wage

[25] 29 U.S.C. §203.

[26] E.g., Benjamin v. B & H Educ., Inc., --- F.3d ---, 2017 WL 6460087, at *4-5 (9th Cir. Dec. 19, 2017); Glatt v. Fox Searchlight Pictures, Inc., 811 F.3d 528, 536-37 (2d Cir. 2016); Schumann v. Collier Anesthesia, P.A., 803 F.3d 1199, 1211-12 (11th Cir. 2015); see also Walling v. Portland Terminal Co., 330 U.S. 148, 152-53 (1947); Solis v. Laurelbrook Sanitarium & Sch., Inc., 642 F.3d 518, 529 (6th Cir. 2011).

[27] Schumann v. Collier Anesthesia, PA, 803 F.3d 1199 (11th Cir. 2015) (Adopting a modified version of the "primary beneficiary" test, which examines the "economic reality" of the relationship between the intern and employer to determine who benefits most.)

[28] Ch. 2005-353, Laws of Fla., codified in s. 448.110, F.S.

requirements,[29] establishes procedures with respect to civil actions alleging violations, and provides that it is the exclusive remedy under state law for violations of Art. X, Sec. 24.[30]

The Act provides that, beginning May 2, 2005, employers are required to pay employees a minimum wage at an hourly rate of $6.15 for all hours worked in Florida. Only those individuals entitled to receive the federal minimum wage under the FLSA and its implementing regulations are eligible to receive the state minimum wage pursuant to the Florida Constitution and this statute. The provisions of ss. 213 and 214 of the federal FLSA, as interpreted by applicable federal regulations and implemented by the Secretary of Labor, are incorporated by reference.[31]

The Act requires the DC to calculate an adjusted state minimum wage rate and requires the Department of Revenue (DOR) and the DC to annually publish the amount of the adjusted state minimum wage and the effective date on their websites.[32] The Act authorizes persons to file a complaint or inform any person of his or her potential rights pursuant to Art. X, Sec. 24 regarding unpaid wages.[33] The Act also authorizes the Attorney General (AG) to bring a civil action to enforce these provisions. The AG may seek injunctive relief, and for willful violations, may seek to impose a fine of $1,000 per violation, payable to the state.[34]

As it relates to the federal minimum wage and the FLSA, the Act specifies that:[35]

- **Only those individuals entitled to receive the federal minimum wage under the FSLA, and its implementing regulations, are eligible to receive the state minimum wage; and**
- **Provisions related to federal minimum wage exemptions in the FLSA are considered incorporated in the Act.**

RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/*SENATE* SPONSOR(S)	OTHER INFORMATION
2024	CS/CS/HB 433 - Employment Regulations	Esposito/ *Trumbull*	Became law on July 1, 2024.

OTHER RESOURCES:

U.S. Department of Labor: State Minimum Wage Laws

U.S. Department of Labor: Internship Programs

Florida Department of Commerce: Florida's Minimum Wage

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[29] S. 448.110(2), F.S.
[30] S. 448.110(10), F.S. HB 5 (2023) renames the Department of Economic Opportunity as the Department of Commerce; SB 82 (2024), section 220, makes this conforming change in the Florida Minimum Wage Act.
[31] S. 448.110(3), F.S.
[32] S. 448.110(4), F.S.
[33] S. 448.110(5), F.S.
[34] S. 448.110(7), F.S.
[35] S. 448.110(3), F.S.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Industries & Professional Activities Subcommittee			Anstead	Thompson
Careers & Workforce Subcommittee				
Commerce Committee				

A bill to be entitled

An act relating to minimum wage requirements; providing a short title; amending s. 448.110, F.S.; exempting an employer from state minimum wage requirements for specified employees; prohibiting certain work-based learning opportunities from lasting longer than a specified timeframe; authorizing employees to voluntarily opt out of the state minimum wage requirements by signing a waiver; prohibiting an employer from coercing an employee into opting out of the state minimum wage; providing requirements for the waiver to be effective for a minor employee; requiring employers to pay an employee at or above the federal minimum wage; providing that an employee's waiver to opt out of the state minimum wage is only valid for a specified timeframe; providing an effective date.

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

Section 1. This act may be cited as the "On-the-Job Workforce Training Act."

Section 2. Subsection (3) of section 448.110, Florida Statutes, is amended to read:

448.110 State minimum wage; annual wage adjustment; enforcement.—

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

(3)(a) Employers shall pay employees a minimum wage at an hourly rate of $6.15 for all hours worked in Florida. Only those individuals entitled to receive the federal minimum wage under the federal Fair Labor Standards Act, as amended, and its implementing regulations shall be eligible to receive the state minimum wage pursuant to s. 24, Art. X of the State Constitution and this section. The provisions of ss. 213 and 214 of the federal Fair Labor Standards Act, as interpreted by applicable federal regulations and implemented by the Secretary of Labor, are incorporated herein.

(b) An employer is not subject to the state minimum wage requirements of this section for an employee who is in a structured work-study, internship, preapprenticeship program, or other similar work-based learning opportunity and who opts out of receiving the minimum wage. However, such work-based learning opportunity may not last longer than 9 months or two full-time semesters consisting of at least 15 credit hours each.

(c) An employee may opt out of receiving the state minimum wage by voluntarily signing a waiver of his or her right to the state minimum wage established under this subsection. The waiver must state that the employee acknowledges his or her right to the state minimum wage pursuant to s. 24, Art. X of the State Constitution and this section and that the employee is knowingly and voluntarily choosing to receive a lesser amount for his or her work-based learning opportunity as described in paragraph

(b). An employer may not coerce an employee to opt out of receiving the state minimum wage. If the employee is younger than 18 years of age, in order for the waiver to be effective, the employee's parent or guardian must have agreed and signed the waiver on behalf of the minor employee at the minor employee's request.

(d) Except as provided in paragraphs (b) and (c), an employer must pay an employee a wage at or above the federal minimum wage.

(e) An employee's waiver to opt out of the state minimum wage under this subsection is only valid for 9 months after the date his or her employment with the employer begins. Thereafter, the employee must be paid at or above the state minimum wage regardless of his or her position or job title with the employer.

Section 3. This act shall take effect July 1, 2026.

INDUSTRIES & PROFESSIONAL ACTIVITIES SUBCOMMITTEE

HB 221 by Rep. Chamberlin
Minimum Wage Requirements

AMENDMENT SUMMARY
January 28, 2026

Amendment 329405 by Rep. Chamberlin (lines 36-62):

- For employees under 18 years of age, the amendment provides a shorter timeframe during which such employee can earn less than the minimum wage while participating in a work-based learning opportunity.
- Defines “work-based learning opportunity.”
- Clarifies the timeframes for a work-based learning opportunity.

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	__ (Y/N)
ADOPTED AS AMENDED	__ (Y/N)
ADOPTED W/O OBJECTION	__ (Y/N)
FAILED TO ADOPT	__ (Y/N)
WITHDRAWN	__ (Y/N)
OTHER	_____

Committee/Subcommittee hearing bill: Industries & Professional Activities Subcommittee

Representative Chamberlin offered the following:

Amendment

Remove lines 36-62 and insert:

(b)1. An employer is not subject to the state minimum wage requirements of this section for an employee who is in a structured work-study, internship, or pre-apprenticeship program, or other similar work-based learning opportunity and such employee opts out of receiving the minimum wage.

a. Such work-based learning opportunity may not last longer than 252 days, or two semesters if the employee is earning credit at a school, college, or university, whichever is longer.

b. If the employee is under 18 years of age, such work-based learning opportunity may not last longer than 126 days, or one semester if the employee is earning credit at a school, college, or university, whichever is longer.

2. For purposes of this section, "work-based learning opportunity" means interaction with industry or community professionals that occurs in a workplace setting with the sole purpose of providing the employee with authentic structured learning experiences and on-the-job training that foster in-depth, firsthand engagement with the tasks required in a given career field in order to become qualified and proficient in such given career field. A work-based learning opportunity must meet all of the following criteria:

a. Be developmentally appropriate.

b. Identify learning objectives for the term of experience.

c. Explore multiple aspects of an industry.

d. Develop workplace skills and competencies.

e. Assess performance.

f. Be documented and reported in compliance with state and federal labor laws.

(c) An employee may opt out of receiving the state minimum wage by voluntarily signing a waiver of his or her right to the state minimum wage established under this subsection. The waiver must state that the employee acknowledges his or her right to

the state minimum wage pursuant to s. 24, Art. X of the State Constitution and this section and that the employee is knowingly and voluntarily choosing to receive a lesser amount for his or her work-based learning opportunity as described in paragraph (b). An employer may not coerce an employee to opt out of receiving the state minimum wage. If the employee is younger than 18 years of age, in order for the waiver to be effective, the employee's parent or guardian must have agreed and signed the waiver on behalf of, and in addition to, the minor employee.

(d) Except as provided in paragraphs (b) and (c), an employer must pay an employee a wage at or above the federal minimum wage.

(e) At the expiration of the work-based learning opportunity

HB 1049

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 1049	**COMPANION BILL:** SB 968 (McClain)
TITLE: Building Permit Requirements	**LINKED BILLS:** None
SPONSOR(S): Esposito	**RELATED BILLS:** None

Committee References

Intergovernmental Affairs	➤	Industries & Professional Activities	➤	State Affairs
10 Y, 6 N				

SUMMARY

Effect of the Bill:

The bill creates the following exemptions from building permit requirements for residential properties:

- Certain work valued at less than $7,500 that is performed on a single-family dwelling lot by the owner of the residence or the owner's contractor. The bill requires the contractor to keep records of such work performed.
- The design, installation, relocation, replacement, or repair of backup power systems installed at or serving a one-family or two-family dwelling or townhome for the purpose of providing on-site electrical power if the work is performed by a licensed contractor or a public utility.

The bill prohibits local governments from adopting:

- Any local review or approval process for backup power systems that is the functional equivalent of the permitting processes prohibited by the bill; and
- Standards that regulate backup power systems beyond what is provided in the Florida Building Code and Florida Fire Prevention Code.

The bill allows local governments to require inspections of backup power systems and allows for the use of private providers to conduct the inspection.

Fiscal or Economic Impact:

The bill may have an indeterminate fiscal impact on local governments by prohibiting them from requiring building permits for certain work, which will reduce the amount of permit fees they collect but may also reduce their workload.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

Work Valued at Less than $7,500

The bill provides that a local government may not require a single-family dwelling owner or the owner's contractor to pull a building permit for work that is valued at less than $7,500, on the lot containing the single-family dwelling, however:

- A local government may require a building permit for electrical, plumbing, or structural work, not including the repair or replacement of exterior doors or windows, regardless of the value of such work.
- A contractor who performs work that is exempt from needing a building permit must keep a record in writing of the work he or she performed, the property address where the work was performed, and the value of such work. (Section 2)

Backup Power Systems

The bill provides an exemption from building permit requirements for "backup power systems," which the bill defines as equipment and associated components installed at or serving a one-family or two-family dwelling or townhouse for the purpose of providing on-site electrical power during utility outages, load management, resiliency, or other similar purposes that is capable of providing no more than 50 kilowatts of output to a dwelling or townhome or with an aggregate storage capacity of no more than 100 kilowatt hours, if the system includes energy storage. (Section 3)

The bill prohibits local governments from requiring a building permit, or having a local review or approval process that mirrors the building permit process, for the design, installation, relocation, replacement, or repair of a backup power system installed by a licensed contractor or public utility. The bill further specifies owner installation or other unlicensed contracting is excluded from this exemption. (Section 3)

The bill prohibits local governments from adopting technical amendments to the Florida Building Code (Building Code) that mirror the permitting process for exempt backup power systems. (Section 1)

The bill prohibits a county, municipality, or special district from adopting or enforcing any ordinance, rule, or other measure that regulates the installation, relocation, replacement, or repair beyond enforcing the standards contained in the Building Code and the Florida Fire Prevention Code (FFPC). (Section 3)

The bill provides a local enforcement agency may conduct inspections in person or virtually to ensure compliance with the Building Code and FFPC, but prohibits local governments from conditioning inspection on obtaining a building permit or undergoing an equivalent review process and from requiring a plans review. An owner or the owner's contractor may choose to have the inspection performed by a private provider. The private provider must meet the timelines for emergency inspections and submission requirements of inspection reports and prepare a certificate of compliance to submit to the local building official that all applicable work has been performed to code. (Section 3)

The bill provides that if a local enforcement agency finds an owner or owner's contractor out of compliance, a written notice of correction must be sent that cites the specific code sections out of compliance and required remedy to achieve compliance. Stop-work orders may only be issued to address immediate dangers to life or safety for the affected area. Upon request after the noncompliance correction, the local enforcement agency must offer a reinspection date within two business days after the request or on the next day inspections are being conducted, whichever is earlier. If a reinspection does not take place within this timeframe, a private provider inspection report constitutes acceptance by the local enforcement agency. (Section 3)

The bill provides that a failed inspection report may not be the sole basis for a local enforcement agency to withhold or revoke a certificate of occupancy. The enforcement agency can withhold authorization to energize the backup power system until corrections take place. (Section 3)

The bill specifies that it does not alter or abridge the jurisdiction of the Public Service Commission or the exemptions for utilities and cooperatives relating to interconnection and net metering. The bill does not affect any tariff, service policy, or interconnection requirements of a utility or cooperative. (Section 4)

The bill provides an effective date of July 1, 2026. (Section 5)

FISCAL OR ECONOMIC IMPACT:

LOCAL GOVERNMENT:

The bill may have an indeterminate fiscal impact on local governments by prohibiting them from requiring building permits for certain work, which will reduce the amount of permit fees they collect but may also reduce their workload.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Florida Building Code

Chapter 553, part IV, F.S., is known as the "Florida Building Codes Act." The purpose and intent of the Act is to provide a mechanism for the uniform adoption, updating, interpretation, and enforcement of a single, unified state building code. The Building Code must be applied, administered, and enforced uniformly and consistently from jurisdiction to jurisdiction.[1]

The Florida Building Commission (Commission) implements the Building Code. The Commission, which is housed within the Department of Business and Professional Regulation, is a 19-member technical body made up of design professionals, contractors, and government experts in various disciplines covered by the Building Code. The Commission updates and adopts a new edition of the Building Code every three years.[2] The current edition of the Building Code is the eighth edition, which is referred to as the 2023 Building Code.[3]

It is the intent of the Legislature that local governments have the power to inspect all buildings, structures, and facilities within their jurisdiction in protection of the public's health, safety, and welfare.[4]

Building Permits

Every local government must enforce the Building Code and issue building permits.[5] A building permit is an official document or certificate issued by the local building official that authorizes performance of a specific activity.[6] It is unlawful for a person to construct, erect, alter, repair, secure, or demolish any building without first obtaining a building permit.[7]

Current law requires local governments to review building permit applications for single-family dwellings within a specific time-period of receiving the applications.[8] When a local government receives an application for a single-family dwelling building permit, it must approve, approve with conditions, or deny a building permit application following receipt of a completed and sufficient application to the following timelines, unless the applicant waives such limitation in writing:

- Within 30 business days if the structure is less than 7,500 square feet.
- Within 60 business days if the structure is more than 7,500 square feet.
- Within 12 business days after receiving a complete and sufficient application, for an applicant using a master building permit to obtain a site-specific building permit.
- Within 10 business days for a single-family residential dwelling applied for by a licensed contractor on behalf of a property owner who participates in a Community Development Block Grant-Disaster Recovery program administered by the Department of Commerce.[9]

A building permit becomes invalid if no work starts within six months after issuance of the permit or if work on the project ceases for a period of six months after work has commenced on the project. Work shall be considered to be in active progress when the permit has received an approved inspection within 180 days.[10]

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[1] S. 553.72(1), F.S.
[2] Ss. 553.73(7), and 553.74, F.S.
[3] ICC Digital Codes, *2023 Florida Building Code, Building, Eighth Edition* (last visited Jan. 15, 2026).
[4] S. 553.72, F.S.
[5] Ss. 125.01(1)(bb), 125.56(1), and 553.80(1), F.S.
[6] *See* s. 468.603(2), F.S and Florida Building Code (Building), Eighth Edition, s. 202.
[7] S. 553.79(1), F.S.
[8] S. 553.792(1), F.S.
[9] *Id.*

A new permit is required if a permit is revoked after work has commenced, becomes null and void, or expires because of a lack of progress on the project. If a new permit is not obtained within 180 days from the date the permit becomes null and void, the local enforcement agency may require the removal of all work that has been performed on the project.[11]

Backup Power Systems

Onsite backup systems use local generation at the facility site to provide power when the utility is not available. The backup power system may or may not be interconnected with the utility grid. Onsite electrical power generating systems are available in a wide variety of designs for specific uses and customer applications.[12] This type of power system consists of a power source and a means to transfer power from that source to the load when an outage occurs. The generator's primary fuel source can be natural gas, propane, or diesel.[13]

Current law requires a permit for the installation of a residential backup system or whole house generator.[14] Various municipalities and counties provide more specific guidance on their requirements for generator permits. Some entities include checklists of requirements to assist with the installation of backup power systems. For example, Hillsborough County requires all of the following:[15]

- A licensed contractor to apply for a residential electrical trade permit.
- Receive two inspections (electrical rough in and electrical final). A notice of commencement submitted prior to the first inspection. Provide a digitally signed and sealed site plan, including verification the project will not encroach into an easement, wetland or wetland setback. Verify the applicable zoning district, flood hazard areas and Base Flood Elevation on the site plan.

Private Providers

Private providers and their duly authorized representatives are able to approve building plans and perform building code inspections as long as the plans approval and building inspections are within the scope of the provider's or representative's license.[16]

A private provider must be licensed as a building official, engineer, or architect or be licensed as building inspector or plans examiner who perform inspections for additions and alterations that are limited to 1,000 square feet or less in residential buildings.[17]

A single-trade inspection is an inspection focused on a single construction trade, such as plumbing, mechanical, or electrical. The term includes, but is not limited to:

- Inspections of door or window replacements;
- Fences and block walls more than 6 feet high from the top of the wall to the bottom of the footing;
- Stucco or plastering;
- Reroofing with no structural alteration;
- HVAC replacements; ductwork or fan replacements;
- Alteration or installation of wiring, lighting, and service panels;
- Water heater changeouts;
- Sink replacements; and
- Repiping.[18]

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[10] Florida Building Code (Building), Eighth Edition, s. 105.4.
[11] *Id*.
[12] National Electrical Manufacturers Association, *Backup Power Systems* (last visited Jan. 15, 2026).
[13] *Id*.
[14] *See* s. 553.79(1), F.S.
[15] Hillsborough County, *Residential Backup Generators Requirements* (last visited Jan. 15, 2026).
[16] S. 553.791, F.S.
[17] S. 553.791(1)(n), F.S.
[18] S. 553.791(1)(q), F.S.

An owner or contractor must notify a local government that the owner or contract hired a private provider to perform building code inspection services. Such notice must be provided in writing at the time of permit application, or by 2 p.m. local time two business days before the first scheduled inspection by the local building official.[19]

After construction has commenced, and if the local building official is unable to provide inspection services in a timely manner, the owner or contractor may elect to use a private provider to provide inspection services by notifying the local building official by 2 p.m. local time two business days before the first scheduled inspection.[20]

For plans review, a private provider must review the plans[21] to determine compliance with the applicable codes[22] and prepare an affidavit certifying, under oath, that the plans comply, and the private provider is duly authorized to perform plans review.[23]

Upon receipt of a building permit application and the required affidavit from the private provider, a building official has 20 business days to issue the permit or provide written notice of the plan deficiencies or 5 business days for a single-trade plans review for a single-family or two-family dwelling.[24] If the local building official does not provide written notice of plan deficiencies within the prescribed period, the permit application shall be deemed approved and must be issued on the next business day.[25]

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Intergovernmental Affairs Subcommittee	10 Y, 6 N	1/20/2026	Darden	Burgess
Industries & Professional Activities Subcommittee			Anstead	Miralia
State Affairs Committee				

[19] S. 553.791(4), F.S.
[20] S. 553.791(5), F.S.
[21] "Plans" means building plans, site engineering plans, or site plans, or their functional equivalent, submitted by a fee owner or fee owner's contractor to a private provider or duly authorized representative for review. S. 553.791(1)(m), F.S.
[22] "Applicable codes" means the Florida Building Code and any local technical amendments to the Florida Building Code but does not include the applicable minimum fire prevention and fire safety codes adopted pursuant to ch. 633, F.S. S. 553.791(1)(a), F.S.
[23] S. 553.791(6), F.S.
[24] S. 553.791(7)(a), F.S.
[25] *Id.*

A bill to be entitled

An act relating to building permit requirements; amending s. 553.73, F.S.; prohibiting a local government from adopting certain technical amendments to the Florida Building Code; amending s. 553.79, F.S.; prohibiting a local government from requiring a building permit for work valued at a specified amount that is performed on a single-family dwelling; authorizing a local government to require a building permit for certain work regardless of the value of the work; requiring a contractor to maintain certain written records; creating s. 553.796, F.S.; defining the term "backup power system"; prohibiting a local enforcement agency from requiring a building permit for specified work on a backup power system that is installed by certain persons or entities; providing an exception; prohibiting local governments from adopting or enforcing certain ordinances, rules, or other measures; authorizing a local enforcement agency to conduct certain inspections, either in person or virtually; authorizing an owner or the owner's contractor to use a private provider for certain inspections; providing requirements for a private provider; requiring a local enforcement agency to provide certain persons a written notice of correction

under certain circumstances; authorizing a stop-work order only under specific circumstances; requiring a local enforcement agency to offer an owner or the owner's contractor a reinspection date within a certain time period; providing that a private provider inspection report constitutes acceptance under certain circumstances; prohibiting a local enforcement agency from withholding or revoking a certificate of occupancy based solely on a failed inspection report; providing construction; providing an effective date.

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

Section 1. Paragraph (l) of subsection (4) of section 553.73, Florida Statutes, is redesignated as paragraph (m), and a new paragraph (l) is added to that subsection, to read:

553.73 Florida Building Code.—

(4)

(l) A local government may not adopt a technical amendment to the Florida Building Code that requires a building permit, or any local review or approval process that is functionally equivalent to the permitting process, for a backup power system that is exempt under s. 553.796.

Section 2. Paragraph (g) is added to subsection (1) of section 553.79, Florida Statutes, to read:

553.79 Permits; applications; issuance; inspections.—

(1)

(g)1. A local government that issues building permits may not require an owner of a single-family dwelling or the owner's contractor to obtain a building permit to perform any work on the single-family dwelling lot which is valued at less than $7,500.

2. A local government may require a building permit for any electrical, plumbing, or structural work, excluding the repair or replacement of exterior doors or windows, that is performed on a single-family dwelling lot regardless of the value of the work.

3. A contractor who performs work that does not require a permit under subparagraph 1. must keep a written record of the work performed, the property address at which the work was performed, and the value of such work.

Section 3. Section 553.796, Florida Statutes, is created to read:

553.796 Building permit exemption for backup power systems.—

(1) As used in this section, the term "backup power system" means equipment and associated components installed at or serving a one-family or two-family dwelling or townhouse for the purpose of providing on-site electrical power during utility outages, load management, resiliency, or other similar purposes,

and which is capable of providing no more than 50 kilowatts of output to the dwelling or townhouse or, if the system includes energy storage, has an aggregate storage capacity of no more than 100 kilowatt hours.

(2) A local enforcement agency may not require a building permit, or any local review or approval process that is functionally equivalent to the permitting process, for the design, installation, relocation, replacement, or repair of a backup power system that is installed by a contractor licensed under chapter 489 or a public utility that is exempt from licensure under s. 489.503(4).

(3) The installation of a backup power system performed by an owner and not a contractor licensed under chapter 489 is not eligible for the permit exemption under this section and the owner must proceed under otherwise applicable permitting requirements. This section does not authorize unlicensed contracting.

(4) Notwithstanding chapters 125 and 166 or any other law, a county, municipality, or special district may not adopt or enforce an ordinance, a rule, or any other measure, beyond enforcing the standards contained in the Florida Building Code and the Florida Fire Prevention Code, that regulates the installation, relocation, replacement, or repair of backup power systems.

(5)(a) A local enforcement agency may conduct inspections,

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

in person or virtually, of a backup power system to verify compliance with the Florida Building Code and the Florida Fire Prevention Code. An inspection under this subsection may not be conditioned on an owner or the owner's contractor obtaining a building permit, or any local review or approval process that is functionally equivalent to the permitting process, and may not include a plans review.

(b) An owner or the owner's contractor may choose to have the inspections of a backup power system performed by a private provider in accordance with s. 553.791. A private provider must adhere to the timelines for emergency inspections and submittal requirements of inspection reports. The procedures in s. 553.791(13) apply to inspections under this section performed by a private provider.

(6) If a local enforcement agency finds that an owner or the owner's contractor has not complied with this section, the local enforcement agency must provide to such person a written notice of correction that cites the specific code sections out of compliance and the required remedy to correct such noncompliance. The local enforcement agency may issue a stop-work order only to address an immediate danger to life or safety and only for the affected portion of the work being performed. Upon request by the owner or the owner's contractor after the noncompliance has been corrected, the local enforcement agency must offer a reinspection date within 2 business days after such

request or on the next day inspections are being conducted, whichever is earlier. If a reinspection does not occur within the required timeframe, a private provider inspection report completed pursuant to s. 553.791 constitutes acceptance on the part of the local enforcement agency.

(7) A failed inspection report of a backup power system installed at or serving an existing and occupied one-family or two-family dwelling or townhouse may not be the sole basis for a local enforcement agency to withhold or revoke a certificate of occupancy for the dwelling or townhouse. Instead, the local enforcement agency shall withhold authorization to energize the backup power system until any corrections are performed and verified.

Section 4. This act does not alter or abridge the jurisdiction of the Public Service Commission under chapter 366, Florida Statutes, the exemptions for utilities and cooperatives under s. 366.11, Florida Statutes, or the requirements of rule 25-6.065, Florida Administrative Code, relating to interconnection and net metering. This act does not affect any tariff, service policy, or interconnection requirements of a utility or cooperative.

Section 5. This act shall take effect July 1, 2026.

INDUSTRIES & PROFESSIONAL ACTIVITIES SUBCOMMITTEE

HB 1049 by Rep. Esposito
Commercial Construction Projects

AMENDMENT SUMMARY
January 28, 2026

Amendment 535547 by Rep. Esposito (Line 38):

- Clarifies that building permits must be issued for mobile homes placed on recreational vehicle lots.

Amendment 813289 by Rep. Esposito (lines 53-113):

- Clarifies that a construction project cannot be broken up to meet the $7,500 exemption.
- Adds “mechanical” and “gas” to the list of activities that are not exempt from the building permit.
- Adds notice requirement to local government before installation of backup power supply occurs.
- Makes technical changes.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	___ (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	_____

Committee/Subcommittee hearing bill: Industries & Professional Activities Subcommittee

Representative Esposito offered the following:

Amendment (with title amendment)

Between lines 38 and 39, insert:

Section 1. Section 553.382, Florida Statutes, is amended as follows:

553.382 Placement of certain housing.— Notwithstanding any other law or ordinance to the contrary, in order to expand the availability of affordable housing in this state, any residential manufactured building that is certified under this chapter by the department may not be denied a building permit for placement ~~be placed~~ on a mobile home lot in a mobile home park, in a ~~recreational vehicle park, or~~ mobile home condominium, cooperative, or subdivision, or on any lot in a

recreational vehicle park. Any such housing unit placed on a mobile home lot is a mobile home for purposes of chapter 723 and, therefore, all rights, obligations, and duties under chapter 723 apply, including the specifics of the prospectus. However, a housing unit subject to this section may not be placed on a mobile home lot without the prior written approval of the park owner. Each housing unit located on a mobile home lot and subject to this section shall be taxed as a mobile home under s. 320.08(11) and is subject to payments to the Florida Mobile Home Relocation Fund under s. 723.06116.

T I T L E A M E N D M E N T

Between lines 2 and 3, insert:

amending s. 553.382, F.S.; clarifying the placement of certain housing;

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	____	(Y/N)
ADOPTED AS AMENDED	____	(Y/N)
ADOPTED W/O OBJECTION	____	(Y/N)
FAILED TO ADOPT	____	(Y/N)
WITHDRAWN	____	(Y/N)
OTHER		

Committee/Subcommittee hearing bill: Industries & Professional Activities Subcommittee

Representative Esposito offered the following:

Amendment

Remove lines 53-113 and insert:

(g)1. A local enforcement agency may not require a building permit for any work that is valued at less than $7,500 on a parcel containing a single-family residential dwelling. A construction project may not be divided into more than one project for the purpose of evading the requirements in this section. This exemption does not apply to construction, repair, remodeling, or improvement projects that are part of a larger or major project, whether undertaken by the same or a different contractor, or in which a division of the operation is made in

contracts of amounts less than $7,500 for the purpose of evading this part or otherwise.

2. A local government may require a building permit for any electrical, plumbing, structural, mechanical, or gas work, excluding the repair or replacement of exterior doors or windows, that is performed on a single-family dwelling lot regardless of the value of the work.

3. A contractor who performs work that does not require a permit under subparagraph 1. must keep for at least 5 years a written record of the work performed, the property address at which the work was performed, and the value of such work.

Section 3. Section 553.796, Florida Statutes, is created to read:

553.796 Building permit exemption for backup power systems.—

(1) As used in this section, the term "backup power system" means equipment and associated components installed at or serving a one-family or two-family dwelling or townhouse for the purpose of providing on-site electrical power during utility outages, load management, resiliency, or other similar purposes, and which is capable of providing no more than 50 kilowatts of output to the dwelling or townhouse or, if the system includes energy storage, has an aggregate storage capacity of no more than 100 kilowatt hours.

(2) A local enforcement agency may not require a building permit, or any local review or approval process that is functionally equivalent to the permitting process, for the design, installation, relocation, replacement, or repair of a backup power system that is installed by a contractor licensed under chapter 489 or a public utility that is exempt from licensure under s. 489.503(4). A local enforcement agency shall establish a process for owners and licensed contractors to submit to such agency a notice of commencement in place of a permit application prior to installation of a backup power system, and the owner or the licensed contractor performing the installation must submit notice to such agency prior to installation of a backup power system.

(3) The installation of a backup power system performed by an owner and not a contractor licensed under chapter 489 is not eligible for the permit exemption under this section and the owner must proceed under otherwise applicable permitting requirements. This section does not authorize unlicensed contracting.

(4) Notwithstanding chapters 125 and 166 or any other law, a county, municipality, or special district may not adopt or enforce an ordinance, a rule, or any other measure, beyond enforcing the standards contained in the Florida Building Code and the Florida Fire Prevention Code, that regulates the

installation, relocation, replacement, or repair of backup power systems.

(5)(a) A local enforcement agency may conduct an inspection, in person or virtually, of a backup power system to verify compliance with the Florida Building Code and the Florida Fire Prevention Code. An inspection under this subsection may not be conditioned on an owner or the owner's contractor obtaining a building permit, or any local review or approval process that is functionally equivalent to the permitting process, and may not include a plans review. A local enforcement agency may not require more than one inspection of a backup power system, except for noncompliance as provided for in paragraph (6) below.

(b) An owner or the owner's contractor may choose to have the inspection of a backup power system performed by

HB 1175

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 1175	**COMPANION BILL:** SB 1526 (Rodriguez)
TITLE: Safety Design Standards for Office Surgery Suites	**LINKED BILLS:** None
SPONSOR(S): Redondo	**RELATED BILLS:** None

Committee References

Industries & Professional Activities ➤ Health Professions & Programs ➤ Commerce

SUMMARY

Effect of the Bill:
The bill directs the Florida Building Commission and the State Fire Marshal to create new design standards specific to office surgical suites to allow up to six patients on an outpatient basis, instead of the current limitation of four patients who, due to treatment, anesthesia, or illness or injury, are unable to take action for self-preservation during an emergency.

Fiscal or Economic Impact:
The bill would have an indeterminate financial benefit for physicians who have office surgical suites. It could have an indeterminate negative financial impact on patients and hospitals.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill directs the Florida Building Commission to amend the Florida Building Code and the State Fire Marshal to amend the Florida Fire Prevention Code to include safety design standards for office surgical suites so that physicians can provide services or treatment simultaneously for up to six patients who, due to treatment, anesthesia, or illness or injury, are unable to take action for self-preservation during an emergency without the assistance of others. The amendments are to be completed by October 1, 2026. (Section 1)

The safety design standards are to be in addition to those for ambulatory health care occupancies that are already found in the codes, which currently limit such office surgical suites to treating no more than four immobile patients. The bill defines "office surgery suite" as that portion of a physician's office where surgery is performed. (Section 1)

The bill sets an effective date of July 1, 2026. (Section 2)

FISCAL OR ECONOMIC IMPACT:

PRIVATE SECTOR:

Indeterminate. The bill expands the number of patients, from four to six, that physicians that operate in an office surgery suite can provide simultaneous services or treatment to on an outpatient basis. This may have a positive fiscal impact on these businesses. However, the increases number of patients allowed in this setting may increase the risk associated with such surgery and, therefore, increase costs to patients, insurance providers, and hospitals.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Florida Building Code

In 1974, Florida adopted legislation requiring all local governments to adopt and enforce a minimum building code that would ensure that Florida's minimum standards were met. Local governments could choose from four separate model codes. The state's role was limited to adopting all or relevant parts of new editions of the four model codes. Local governments could amend and enforce their local codes, as they desired.[1]

In 1992, Hurricane Andrew demonstrated that Florida's system of local codes did not work. Hurricane Andrew easily destroyed those structures that were allegedly built according to the strongest code. The Governor eventually appointed a study commission to review the system of local codes and make recommendations for modernizing the system. The 1998 Legislature adopted the study's commission recommendations for a single state building code and enhanced the oversight role of the state over local code enforcement. The 2000 Legislature authorized implementation of the Florida Building Code (Building Code), and that first edition replaced all local codes on March 1, 2002.[2] The current edition of the Building Code is the eighth edition, which is referred to as the 2023 Florida Building Code.[3]

Chapter 553, part IV, F.S., is known as the "Florida Building Codes Act" (Act). The purpose and intent of the Act is to provide a mechanism for the uniform adoption, updating, interpretation, and enforcement of a single, unified state building code. The Building Code must be applied, administered, and enforced uniformly and consistently from jurisdiction to jurisdiction.[4]

The Florida Building Commission (Commission) was created to implement the Building Code. The Commission, which is housed within the Department of Business and Professional Regulation (DBPR), is a 19-member technical body made up of design professionals, contractors, and government experts in various disciplines covered by the Building Code. The Commission reviews several International Codes published by the International Code Council,[5] the National Electric Code, and other nationally adopted model codes to determine if the Building Code needs to be updated and adopts an updated Building Code every three years.[6]

Florida Fire Prevention Code

Chapter 633, F.S., Florida's fire prevention and control law, designates the state's Chief Financial Officer as the State Fire Marshal. The State Fire Marshal, through the Division of State Fire Marshal within the Department of Financial Services, is charged with enforcing the provisions of ch. 633, F.S., and all other applicable laws relating to fire safety.[7]

The State Fire Marshal also adopts by rule the Florida Fire Prevention Code (Fire Code), which contains all fire safety laws and rules that pertain to the design, construction, erection, alteration, modification, repair, and demolition of public and private buildings, structures, and facilities.[8]

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[1] The Florida Building Commission Report to the 2006 Legislature, *Florida Department of Community Affairs,* p. 4, http://www.floridabuilding.org/fbc/publications/2006_Legislature_Rpt_rev2.pdf (last visited Jan. 28, 2024).
[2] *Id.*
[3] Florida Building Commission Homepage, https://floridabuilding.org/c/default.aspx (last visited Jan. 28, 2024).
[4] *See* s. 553.72(1), F.S.
[5] The International Code Council (ICC) is an association that develops model codes and standards used in the design, building, and compliance process to "construct safe, sustainable, affordable and resilient structures." International Code Council, *About the ICC*, https://www.iccsafe.org/about/who-we-are/ (last visited Jan. 28, 2024).
[6] S. 553.73(7)(a), F.S.
[7] S. 633.104, F.S.
[8] S. 633.202, F.S.

The Fire Code is **an occupancy-based code.** Three occupancy classifications exist in the Fire Code that could apply to medical facilities. They are business occupancies, ambulatory health care occupancies, and health care occupancies. The Fire Code defines a business occupancy as "an occupancy used for the transaction of business other than mercantile".[9] This occupancy type includes doctor's offices.

Ambulatory health care occupancy is defined as an occupancy "used to provide services or treatment simultaneously **to four or more patients that provides, on an outpatient basis**, one or more of the following:

1. Treatment for patients that renders the patient incapable of taking action for self-preservation under emergency conditions without the assistance of others;
2. Anesthesia that renders the patient incapable of taking action for self-preservation under emergency conditions without the assistance of others
3. Treatment for patients who, due to the nature of their injury or illness, are incapable of taking action for self-preservation under emergency conditions without the assistance of others."[10]

Health care occupancy is defined as "used to provide medical or other treatment or care simultaneously to **four or more patients on an inpatient basis**, where such patients are mostly incapable of self-preservation due to age, physical or mental disability, or because of security measures not under the occupants' control."[11]

Ambulatory Surgical Centers (ASC) vs. Office-Based Surgeries (OBS)

ASCs and Office Surgery Suite are separate sections in the Building Code[12] and health care occupancies, ambulatory care occupancies, and business occupancies are regulated separately in the Fire Code.[13] Certain office surgery suites are required to meet the standards under the code for ambulatory surgical centers.

Outpatient surgery can occur in two primary settings: office-based surgery (OBS) and ambulatory surgical centers (ASCs). OBS utilizes a dedicated suite within a doctor's office, offering a familiar patient environment. ASCs, on the other hand, are freestanding facilities specifically designed for outpatient procedures. An ASC is a facility that is not part of a hospital the primary purpose of which is to provide elective surgical care, in which the patient is admitted and discharged within 24 hours.[14] ASCs are licensed and regulated by the Agency for Health Care Administration under the same regulatory framework as hospitals.[15]

OBS offers procedures not in hospital environment but within a dedicated suite in your doctor's office that is designed to meet surgical needs, and equipped with essential tools. OBS is suitable for a range of less complex procedures. For example: Mole removal, skin biopsies and some cosmetic procedures, like liposuction or, in some instances, cataract surgery, can be safely conducted within an OBS suite. OBS provides a convenient and efficient option for various surgical needs, that may allow you to return home the same day.[16]

Office Surgeries, the Building Code and Emergency Rules

The Board of Medicine and the Board of Osteopathic Medicine have authority to adopt rules to regulate practice of medicine and osteopathic medicine, respectively.[17] The boards have authority to establish, by rule, standards of practice and standards of care for particular settings.[18] However, occupancies and building requirements are set in the Building Code and Fire Code.

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[9] S. 3.3.198.3 of the Eighth Edition of the Florida Fire Prevention Code, Life Safety Code.
[10] S. 3.3.198.1 of the Eighth Edition of the Florida Fire Prevention Code, Life Safety Code.
[11] S. 3.3.198.7 of the Eighth Edition of the Florida Fire Prevention Code, Life Safety Code.
[12] Ss. 451 and 469 of the Eighth Edition of the Florida Building Code, Building.
[13] Chs. 18, 19, 20, 21, 37 and 38 of the Eighth Edition of the Florida Fire Prevention Code, Life Safety Code.
[14] S. 395.002(3), F.S.
[15] Part I, ch. 395, F.S., and part II, ch. 408, F.S.
[16] Id.
[17] Ch. 458, F.S., regulates the practice of allopathic medicine, and ch. 459, F.S., regulates the practice of osteopathic medicine.
[18] Ss. 458.331(v) and 459.015(z), F.S.

Office surgery suites that provide services or treatment to **four or more patients** at the same time that either renders the patients incapable of taking action for self-preservation under emergency conditions without the assistance from others or that are under general anesthesia must meet the requirements of **ambulatory health care occupancies** under the **Building Code and Fire Code**.[19]

The **Building Code** defines "**incapable of self-preservation**" as persons who, because of age, physical limitations, mental limitations, chemical dependency or medical treatment, cannot respond as an individual to an emergency situation.[20]

Building code standards are determined based on the use of the space and whether anesthesia is used. ASCs must meet strict requirements, including special design details from "The Guidelines for Design and Construction of Outpatient Facilities". For example, the Building Code has requirements for operating rooms:

- **Operating Room Size:**
  - ASC: Requires at least one operating room with a minimum clear floor area of 270 square feet (25.08 m^2).
  - Office Surgery Suite: Minimum clear floor area depends on the level of care: 255 sq ft (Level II), 270 sq ft (Level III with anesthesia machine), or 400 sq ft (complex).
- Related to **electrical systems** an ASC requires a Type I emergency electrical system (similar to hospitals), while an Office Surgery Suite requires a Minimum Type III nonportable, permanently installed emergency electrical system, but new Level III suites should provide a Type I system;
- Operating rooms are also required to have a **recovery station** that must be a part of the restricted area of the office surgery suite with 3 feet of clear floor area around three sides of each recovery station for work and circulation.

Examples of differences between ASC's requirements from **the Fire Code** compared to Office Surgeries:

- **Occupancy Classifications:**
  - ASC's: Require 1-hour smoke barriers and, in many cases, smoke compartments.
  - Office Surgery Suite: "Business" occupancy (lower risk), unless it hits the 4-patient threshold, which upgrades it to "Ambulatory Health Care".
- **Smoke Compartments:**
  - ASC: Required if the facility is large (usually over 10,000 sq ft, or 5,000 sq ft without sprinklers) to allow for safe patient movement.
  - Office Surgery Suite: Generally, not required for standard business occupancies.
- **Sprinklers & Separation:**
  - ASC: Requires strict 1-hour fire resistance ratings, and if in an un-sprinklered building, they must be separated by specific fire barriers.
  - Office Surgery Suite: Requires 1-hour fire separation, similar to business occupancies, but stricter if it is classified as ambulatory care due to the level of sedation/anesthesia used.

Other Considerations and Recent Events Related to Office Surgeries

Prior to performing any office surgery, a physician must evaluate the risk of anesthesia and of the surgical procedure to be performed.[21] A physician must maintain a complete record of each surgical procedure, including the anesthesia record, if applicable, and written informed consent.[22] The written consent must reflect the patient's

[19] S.469.3.1 of the Eighth Edition of the Florida Building Code, Building,
[20] S. 202 of the Eighth Edition of the Florida Building Code, Building
[21] Rs. 64B8-9.0091(2), and 64B15-14.0076(2), F.A.C.
[22] Id.

knowledge of identified risks, consent to the procedure, type of anesthesia and anesthesia provider, and that a choice of anesthesia provider exists.[23] There are additional specific requirements for liposuction procedures.[24]

Certain outpatient surgeries carry a higher risk of complications to patients[25]. Thus, the Florida Law has established specific standards and best practices for such office surgeries.

For example, in 2022, the Florida Board of Medicine Board adopted an emergency rule based on statistics that indicated gluteal fat grafting patients were experiencing abnormally high levels of complications and that fatalities from fat embolisms were occurring with disturbing frequency.[26] Florida instituted additional emergency rules **limiting gluteal fat grafting procedures to three per day**. A number of medical societies and associations supported these rules, including the American Society of Plastic Surgeons who called such measures "patient safety measures" … believed likely to "save lives and reduce morbidity."

Based on these same concerns, Florida passed a bill in 2024 that increased regulation and fines on physicians who perform office surgeries that do not follow proper procedures related to liposuction and gluteal fat grafting.[27] Florida passed laws that require physicians to register with the Department of Health (DOH) offices that perform liposuction procedures in which more than 1,000 cubic centimeters of supernatant fat is removed.[28] Each office registered must designate a physician who is responsible for the office's compliance with the office health and safety requirements.[29] The offices are inspected by the DOH at least annually, including a review of patient records, to ensure that the office is in compliance.[30]

An office in which a physician performs gluteal fat grafting[31] procedures must at all times maintain a ratio of one physician to one patient during all phases of the procedure, beginning with the administration of anesthesia to the patient and concluding with the extubation of the patient. After a physician has commenced, and while he or she is engaged in, a gluteal fat grafting procedure, the physician may not commence or engage in another gluteal fat grafting[32] procedure or any other procedure with another patient at the same time.[33] The rate of fatal complications from gluteal fat grafting is higher than any other cosmetic procedure.[34] South Florida carries the highest BBL mortality rate by far in the nation with 25 deaths occurring between 2010 and 2022.[35] According to a study on the deaths that occurred in South Florida, **the surgical setting** and the short surgical times for these

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[23] Id.
[24] Rs. 64B8-9.009(2)(a) and 64B15-14.007(2)(a), F.A.C.
[25] The rate of fatal complications from gluteal fat grafting is higher than any other cosmetic procedure. Pat Pazmiño, Onelio Garcia, *Brazilian Butt Lift–Associated Mortality: The South Florida Experience*, Aesthetic Surgery Journal, Volume 43, Issue 2, February 2023, Pages 162–178, https://doi.org/10.1093/asj/sjac224 (last visited January 25, 2026).
[26] Id. South Florida carries the highest BBL mortality rate by far in the nation with 25 deaths occurring between 2010 and 2022.
[27] CS/HB 1561 (2024).
[28] Ss. 458.328 and 459.0138, F.S.
[29] Id.
[30] Id.
[31] O'Neill RC, Abu-Ghname A, Davis MJ, Chamata E, Rammos CK, Winocour SJ. *The Role of Fat Grafting in Buttock Augmentation*, Seminars in Plastic Surgery (February 15, 2020) available at https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7023974/#:~:text=First%2C%20fat%20is%20harvested%20from,figure%20with%20an%20augmented%20buttock (last visited January 25, 2025).
[32] Gluteal fat grafting, commonly known as a "Brazilian butt lift" or BBL, is the fastest-growing plastic surgery procedure in the U.S. The procedure involves liposuction in areas where fat removal will improve the contour of the body. Typically, fat is harvested from two or more regions which may include the flanks (love handles), abdomen, or back. The harvested fat is purified to optimize the viability of fat cells and stem cells before it is injected into the subcutaneous layer (below the skin, but above the muscle) of the buttocks.
[33] *Id.*
[34] Pat Pazmiño, Onelio Garcia, *Brazilian Butt Lift–Associated Mortality: The South Florida Experience*, Aesthetic Surgery Journal, Volume 43, Issue 2, February 2023, Pages 162–178, https://doi.org/10.1093/asj/sjac224 (last visited January 25, 2026).
[35] *Id.*

cases were the most significant contributing factors to the deaths.[36] Of the 25 deaths, 23 of the surgeries were performed at **high-volume, low budget clinics**. These clinics employ a practice model based on high-volume and minimal-patient-interaction. All of the deaths resulted from pulmonary fat embolism, which occurs when a vein wall is injured during the injection process allowing fat to enter the pulmonary vessels.[37]

RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/*SENATE* SPONSOR(S)	OTHER INFORMATION
2024	CS/HB 1561 - Office Surgeries	Busatta/ *Garcia*	Click or tap here to enter text.

OTHER RESOURCES:

Florida Building Commission

DBPR: Building Codes and Standards

Florida Building Code Eighth Edition

Florida Fire Prevention Code

Florida Board of Osteopathic Medicine: Office Surgery Centers

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Industries & Professional Activities Subcommittee			Anstead	Miralia
Health Professions & Programs Subcommittee				
Commerce Committee				

[36] *Id.*
[37] *Id.*

A bill to be entitled

An act relating to safety design standards for office surgery suites; creating s. 395.3045, F.S.; requiring the Florida Building Commission and the State Fire Marshal to establish safety design standards for certain office surgical suites by a specified date; defining the term "office surgery suite"; providing an effective date.

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

Section 1. Section 395.3045, Florida Statutes, is created to read:

395.3045 Office surgery suites; safety design standards.—

(1) By October 1, 2026, the Florida Building Commission must establish within the Florida Building Code and the State Fire Marshal must establish within the Florida Fire Prevention Code, safety design standards that allow office surgery suites to provide the following services or treatment simultaneously for up to six patients on an outpatient basis:

(a) Treatment for patients that renders the patients incapable of taking action for self-preservation under emergency conditions without the assistance of others.

(b) Anesthesia that renders the patients incapable of taking action for self-preservation under emergency conditions

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

without the assistance of others.

(c) Treatment for patients who, due to the nature of their injury or illness, are incapable of taking action for self-preservation under emergency conditions without the assistance of others.

(2) Such standards must be an alternative to the safety design standards for ambulatory health care occupancies. For purposes of this subsection, an "office surgery suite" is that portion of a physician's office where surgery is performed.

Section 2. This act shall take effect July 1, 2026.

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 1509	**COMPANION BILL:** SB 1708 (Gaetz)
TITLE: Veterinarian Licensure by Endorsement	**LINKED BILLS:** None
SPONSOR(S): Johnson	**RELATED BILLS:** None

Committee References

Industries & Professional Activities ➤ Commerce

SUMMARY

Effect of the Bill:
The bill revises the requirement for veterinarian licensure by endorsement, removing the requirement that such applicants have held a valid, active license for the three years immediately preceding their application, and instead, requiring the applicants to hold a valid, active license "in good standing" to practice veterinary medicine in another state, the District of Columbia, or a U.S. territory.

Fiscal or Economic Impact:
Indeterminate. The bill may have a positive fiscal impact on the private sector.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill revises the provision in the veterinary medical practice (practice act) that governs veterinary licensure by endorsement, by removing the requirement that the applicant's out-of-state license be held for the three years immediately preceding the application for licensure, and instead, requires the applicant's out-of-state license to be in good standing. (Section 1)

The effective date of the bill is July 1, 2026. (Section 2)

FISCAL OR ECONOMIC IMPACT:

PRIVATE SECTOR:

Indeterminate. The bill may allow additional veterinarians to be eligible to practice in the state, which will increase access to veterinary care for animal owners and patients.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Practice of Veterinary Medicine

The Board of Veterinary Medicine (Board), created within the Department of Business and Professional Regulation (DBPR), implements the provisions of ch. 474, F.S., relating to the practice act. The purpose of the practice act is to ensure that every veterinarian practicing in this state meets minimum requirements for safe practices to protect public health and safety.[1]

[1] S. 474.201, F.S.

A "veterinarian" is a health care practitioner licensed by the Board to engage in the practice of veterinary medicine in Florida.[2] Veterinarians are subject to disciplinary action from the Board for various violations of the practice act.[3] Veterinary establishments are required to have a premises permit issued by DBPR.[4] Veterinarian licenses are renewed every two years,[5] however premises permits have no expiration date.

Veterinary medicine includes, with respect to animals:[6]

- Surgery;
- Acupuncture;
- Obstetrics;
- Dentistry;
- Physical therapy;
- Radiology;
- Theriogenology (reproductive medicine); and
- Other branches or specialties of veterinary medicine.

The "practice of veterinary medicine" is the diagnosis of medical conditions of animals, and the prescribing or administering of medicine and treatment to animals for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease, or holding oneself out as performing any of these functions.[7]

The practice act defines a "patient" as any animal for which the veterinarian practices veterinary medicine.[8]

The practice act defines a "veterinarian/client/patient relationship" (VCPR) as one in which a veterinarian has assumed responsibility for making medical judgments regarding the health of an animal and its need for medical treatment.[9]

Licensure Requirements

Veterinarians are required to hold a valid, active license to practice veterinary medicine.[10] Pathways to licensure include licensure by examination,[11] endorsement,[12] or temporary licensure.[13] Licensure by examination requires application to DBPR to take the following examinations, as chosen by the Board:[14]

- North American Veterinary Licensing Examination (NAVLE) developed by the International Council for Veterinary Assessment (ICVA); and
- Laws and rules related to the practice of veterinary medicine.

DBPR is required to license each applicant who the Board certifies has:[15]

- Completed the application form and remitted an examination fee set by the Board.[16]

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[2] S. 474.202(11), F.S.
[3] Ss. 474.213 & 474.214, F.S.
[4] S. 474.215(1), F.S.
[5] S. 474.211, F.S.
[6] *See* s. 474.202(13), F.S. Section 474.202(1), F.S., defines "animal" as "any mammal other than a human being or any bird, amphibian, fish, or reptile, wild or domestic, living or dead."
[7] *See* s. 474.202(9), F.S. Also included is the determination of the health, fitness, or soundness of an animal, and the performance of any manual procedure for the diagnosis or treatment of pregnancy or fertility or infertility of animals.
[8] S. 474.202(8), F.S.
[9] S. 474.202(12), F.S.
[10] S. 474.213(1)(i), F.S.
[11] See s. 474.207, F.S.
[12] See s. 474.217, F.S.
[13] See s. 474.2125, F.S.
[14] R. 61G18-11, F.A.C.
[15] S. 474.207(2), F.S.
[16] R. 61G18-12, F.A.C.

- Successfully completed the examination or an examination determined by the Board to be equivalent.
- Demonstrated knowledge of the laws and rules governing the practice of veterinary medicine in Florida in a manner designated by rules of the Board.

Education Requirements

Applicants are required to have obtained the following minimum education requirements:[17]

- Graduated from a college of veterinary medicine, either:
  - Accredited by the American Veterinary Medical Association Council on Education; or
  - Listed in the American Veterinary Medical Association Roster of Veterinary Colleges of the World and obtained a certificate from the Education Commission for Foreign Veterinary Graduates or the Program for the Assessment of Veterinary Education Equivalence.

Licensure by Endorsement

DBPR is required to issue a license by endorsement to applicants who pay the required fee and demonstrate the following qualifications to the Board:[18]

- **Knowledge of the laws and rules** governing the practice of veterinary medicine in this state; and
- **Holds, and has held for the three years immediately preceding** the application for licensure, a valid, active license to practice veterinary medicine in another state of the United States, the District of Columbia, or a territory of the United States, provided that the applicant has successfully completed a state, regional, national, or other examination that is equivalent to or more stringent than the examination required by the board; **or**
- **Education qualifications** of s. 474.207(2)(b), F.S., and:
  - Successfully completed a state, regional, national, or other examination which is equivalent to or more stringent than the DBPR examination; and
  - Passed the Board's clinical competency examination or another clinical competency examination.

Veterinarian Shortage

Pets

According to a survey conducted by the American Pet Products Association, 70 percent of U.S. households, or about 90.5 million families, own a pet. This is an increase from 56 percent of U.S. households in 1988, and 67 percent in 2019.[19] As a result, experts say there is a shortage of veterinarians in the U.S., which is expected to result in the need for approximately 15,000 veterinarians by the year 2030.[20] A study from Banfield Pet Hospital reveals an estimated 75 million pets in the U.S. may not have access to the veterinary care they need by 2030, with an important factor being a critical shortage of veterinarians.[21]

Livestock

[17] S. 474.207(2)(b), F.S.
[18] S. 474.217(1), F.S.
[19] Insurance Information Institute, *Facts + Statistics: Pet Ownership and Insurance*, https://www.iii.org/fact-statistic/facts-statistics-pet-ownership-and-insurance#:~:text=Seventy%20percent%20of%20U.S.%20households,and%2067%20percent%20in%202019. (last visited January 13, 2026).
[20] Spectrum News 13, *Mobile 'ElleVet' clinic helps relieve veterinarian shortage*, https://www.mynews13.com/fl/orlando/news/2023/02/03/the-ellevet-project-#:~:text=%E2%80%94%20Experts%20say%20there's%20a%20shortage,States%20may%20not%20get%20care. (last visited January 13, 2026).
[21] Banfield Pet Hospital, *75 million pets may not have access to veterinary care by 2030, New Banfield® study finds*, https://www.banfield.com/en/about-banfield/newsroom/press-releases/2020/75-million-pets-may-not-have-access-to-veterinary (last visited January 13, 2026).

According to a study conducted by Johns Hopkins University, the U.S. has lost 90 percent of its large animal and livestock veterinarians since the end of World War II.[22] The University of Florida's Dean of the College of Veterinary Medicine, Dana Zimmel, has indicated that there is a shortage of veterinarians in Florida, which in addition to pets has "1.7 million beef cattle and dairy cows, more horses than Kentucky and an alarming decline of manatee." The state's only veterinary medical college, the University of Florida, also reports that due to limited capacity, it must turn away 1,500 qualified candidates a year.[23] According to the USDA's National Institute of Food and Agriculture, two factors are largely responsible for the shortage: the cost of obtaining a doctor of veterinary medicine degree and the pay disparity between companion animal veterinarians and large animal veterinarians. According to the National Conference of State Legislatures, "the shortage has proven to be an especially salient issue for rural communities across the country and has broad implications for livestock health, economic stability in the agricultural sector, and America's food security."[24]

OTHER RESOURCES:

DBPR: Veterinary Medicine Board Information

USDA: Veterinary Shortage Situations Map

NCSL: Large Animal Veterinary Shortage

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Industries & Professional Activities Subcommittee			Anstead	Thompson
Commerce Committee				

[22] Lisa M. Weltzien Johns Hopkins Center for a Livable Future, *THE LIVESTOCK VETERINARIAN SHORTAGE IMPLICATIONS FOR FOOD SAFETY AND SECURITY*, https://clf.jhsph.edu/sites/default/files/2023-06/the-livestock-veterinarian-shortage.pdf (last visited Jan. 20, 2026).
[23] Dana Zimmel, *Florida needs more veterinarians | Column*, Tampa Bay Times (January 3, 2022), https://www.tampabay.com/opinion/2022/01/03/florida-needs-more-veterinarians-column/ (last visited January 13, 2026).
[24] National Conference of State Legislatures, *Large Animal Veterinary Shortage*, https://www.ncsl.org/environment-and-natural-resources/large-animal-veterinary-shortage (last visited Jan. 20, 2026).

A bill to be entitled

An act relating to veterinarian licensure by endorsement; amending s. 474.217, F.S.; revising requirements for licensure by endorsement as a veterinarian; providing an effective date.

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

Section 1. Subsection (1) of section 474.217, Florida Statutes, is amended to read:

474.217 Licensure by endorsement.—

(1) The department shall issue a license by endorsement to any applicant who, upon applying to the department and remitting a fee set by the board, demonstrates to the board that she or he:

(a) Has demonstrated, in a manner designated by rule of the board, knowledge of the laws and rules governing the practice of veterinary medicine in this state; and

(b)1. Holds~~, and has held for the 3 years immediately preceding the application for licensure,~~ a valid, active license in good standing to practice veterinary medicine in another state of the United States, the District of Columbia, or a territory of the United States, provided that the applicant has successfully completed a state, regional, national, or other examination that is equivalent to or more stringent than the

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examination required by the board; or

2. Meets the qualifications of s. 474.207(2)(b) and has successfully completed a state, regional, national, or other examination which is equivalent to or more stringent than the examination given by the department and has passed the board's clinical competency examination or another clinical competency examination specified by rule of the board.

Section 2. This act shall take effect July 1, 2026.

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 4035	**COMPANION BILL:** None
TITLE: Palm Beach County	**LINKED BILLS:** None
SPONSOR(S): Edmonds	**RELATED BILLS:** None

Committee References

Intergovernmental Affairs
14 Y, 0 N
➤
Industries & Professional Activities
➤
State Affairs

SUMMARY

Effect of the Bill:
The bill revises the Palm Beach County Construction Industry Licensing Board's (Board) process for issuing certificates of competency by requiring applicants to pass the required examination before their application is reviewed by the Board. The bill requires applicants to submit preliminary paperwork to ensure certain requirements are met before the examination is scheduled.

Fiscal or Economic Impact:
The Economic Impact Statement for the bill states the changes made by the bill will streamline existing processes and reduce duplicate reviews, thereby resulting in potential savings through reduced administrative workloads and improved processing times.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill revises the Palm Beach County Construction Industry Licensing Board's (Board) process for issuing certificates of competency to contractors by requiring applicants to pass the required examination before their application is reviewed by the Board. Instead, the bill requires applicants to submit their application for a preliminary review, at which the point the examination is scheduled by the Board if the applicant meets the qualifications. (Section 1)

The bill removes a requirement that the Board offer examinations at least once every three months and removes both the annual limit on the number of times an applicant may take the examination and the mandatory waiting period between attempts. (Section 1)

The bill has an effective date of upon becoming a law. (Section 2).

FISCAL OR ECONOMIC IMPACT:

LOCAL GOVERNMENT:

The Economic Impact Statement for the bill states the changes made by the bill will streamline existing processes and reduce duplicate reviews, thereby resulting in potential savings through reduced administrative workloads and improved processing times.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Construction Professional Licenses

Contractors are regulated by ch. 489, F.S., which outlines the law pertaining to contractors in the state of Florida. Part I of ch. 489, F.S., covers construction contracting regulated by the Construction Industry Licensing Board (CILB) and pt. II of ch. 489, F.S., covers electrical/alarm system contracting regulated by the Electrical Contractors' Licensing Board. Both boards are housed in the Department of Business and Professional Regulation (DBPR).[1]

Construction contractors are either certified or registered by the CILB.[2] The CILB consists of 18 members who are appointed by the Governor and confirmed by the Senate.[3] The CILB meets to approve or deny applications for licensure, review disciplinary cases, and conduct informal hearings relating to discipline.[4]

An individual is considered a "certified contractor" if he or she passes the state competency examination and obtains a certificate of competency issued by DBPR.[5] Certified contractors are able to obtain a certificate of competency for a specific license category and are permitted to practice in that category in any jurisdiction in the state. Additionally, a contractor may be considered a "certified specialty contractor" if his or her scope of work is limited to a particular phase of construction, such as drywall or demolition.[6] Certified specialty contractor licenses are created by the CILB through rulemaking. Certified specialty contractors are permitted to practice in any jurisdiction in the state.

The CILB licenses the following types of contractors:[7]

Statutory Licenses	Specialty Licenses
• Air Conditioning, Classes A, B, and C • Building • General • Internal Pollutant Storage Tank Lining Applicator • Mechanical • Plumbing • Pollutant Storage Systems • Pool/Spa- Commercial, Residential, and Service • Precision Tank Tester • Residential • Roofing • Sheet Metal • Solar • Underground Excavation	• Drywall • Demolition • Gas Line • Glass and Glazing • Industrial Facilities • Irrigation • Marine • Residential Pool/Spa Servicing • Solar Water Heating • Structure • Swimming Pool Decking • Swimming Pool Excavation • Swimming Pool Finishes • Swimming Pool Layout • Swimming Pool Piping • Swimming Pool Structural • Swimming Pool Trim • Tower

[1] Ch. 489, Parts I and II, F.S.
[2] S. 489.115, F.S.
[3] S. 489.107(1), F.S.
[4] Ss. 489.115 and 489.129, F.S.
[5] S. 489.105(8), F.S.
[6] S. 489.105(3)(q), F.S.
[7] S. 489.105(3)(a)-(q), F.S.; R. 61G4-15.015-.040, F.A.C.

Current law provides that local jurisdictions may approve or deny applications for licensure as a registered contractor, review disciplinary cases, and conduct informal hearings relating to discipline of registered contractors licensed in their jurisdiction.[8] Local governments may only collect licensing fees that cover the cost of regulation.[9]

Locally registered contractors that are required to hold a contracting license to practice their profession in accordance with state law must register with DBPR after obtaining a local license. However, persons holding a local construction license whose job scope does not substantially correspond to the job scope of a certified contractor or a certified specialty contractor are not required to register with DBPR.[10]

A county or municipality may not require a license for a person whose job scope does not substantially correspond to a contractor category licensed by the CILB as of July 1, 2025.[11] Counties and municipalities are precluded from requiring a license for certain job scopes, including, but not limited to, painting, flooring, cabinetry, interior remodeling, handyman services, driveway or tennis court installation, decorative stone, tile, marble, granite, or terrazzo installation, plastering, stuccoing, caulking, canvas awning installation, and ornamental iron installation.[12]

Counties and municipalities may continue to issue journeyman licenses in the plumbing, pipe fitting, mechanical and HVAC trades, as well as, the electrical and alarm system trades, which is the current practice by counties and municipalities.[13] The licensing of those specific local journeyman licenses is exempt from preemption.

Journeyman
A journeyman is a skilled worker in a building trade or craft. There is no state requirement for licensure as a journeyman, but the construction and electrical contractor practice acts account for the fact that counties and municipalities issue journeyman licenses. A person with a journeyman license must always work under the supervision of a licensed contractor, but the state does not regulate journeymen activities or issue journeymen licenses.[14]

A county or municipality may issue a journeyman license in plumbing, pipe fitting, mechanical, or HVAC trades to an individual who has:

- Scored at least 75 percent on an approved proctored examination for that construction trade;
- Completed a registered and state-approved apprenticeship program or has at least 12,000 hours of on-the-job training in his or her specific trade; and
- Completed coursework approved by the Florida Building Commission specific to the discipline.[15]

[8] Ss. 489.117 and 489.131, F.S.
[9] *See* Office of Economic and Demographic Research, *2024 Local Government Financial Information Handbook*, p. 9 (last visited Jan. 24, 2026).
[10] Ss. 489.105 and 489.117(4), F.S.
[11] S. 163.211(2)(a), F.S.
[12] S. 489.117(4)(a), F.S.
[13] Ss. 489.1455 and 489.5335, F.S.
[14] Ss. 489.103, 489.1455, 489.503, and 489.5335, F.S.
[15] S. 489.1455(1), F.S.

Palm Beach County Construction Industry Licensing Board

The Palm Beach County Construction Industry Licensing Board (Board) was created by special act in 1967.[16] The Board establishes and enforces contractor qualifications and competencies within Palm Beach County by administering certification examinations, processing status-change requests, and holding the authority to suspend or revoke county contractor licenses for violations of certification laws.[17]

The Board consists of 11 members appointed by the Palm Beach Board of County Commissioners for three-year terms.[18] Board members may not serve more than two consecutive terms, but may be reappointed after a three-year hiatus.[19] The membership of the Board consists of licensed contractors across construction trades.[20]

Examination and Certification Requirements

To obtain a certificate of competency, an applicant of 18 years of age or older and of good moral character, submits an application to the Board including the following:

- A statement noting the type of certificate desired and applicable fee.
- Evidence in the form of affidavits from former employers or other qualified people verifying the required experience and education.
- A credit report from a nationally recognized credit agency.
- Any other pertinent information prescribed by the Board by rule or regulation.[21]

Once the candidate's financial responsibility, credit history, education, experience, business reputation, and the business reputation of any business agency the applicant expects to contract with are reviewed and approved by the Board, approved applicants schedule to take the examination necessary for certification.[22] The examinations are held at locations and times the Board selects, with at least one examination offered every three months. A maximum of four examinations in a category may be taken in a twelve-month period, but may not be rescheduled until 60 days have passed. Each candidate takes an objective written examination about their ability to become certified in one or more categories they apply for. The applicant then takes an examination for each of the categories relevant to the application that covers knowledge of basic principles of contracting and construction. The Board may authorize applicants for specialty contractors and journeymen certificates to complete the examination requirements by taking and passing an oral examination. An applicant must score at least a 75 percent on the examination to pass.[23]

After the applicant submits the fee and application, the Board investigates the applicant's qualifications.[24] If the applicant is approved by the Board, he or she is notified to appear of an examination. The Board must inform the applicant in writing within 30 days of examination whether or not he or she has qualified. If the candidate is qualified, the Board must also issue the appropriate certificate within the same time frame. Applicants must submit documentation to the Board showing that the applicant has sufficient liability insurance and license bond in amount determined by the Board.[25]

Applicants must show proof of liability insurance, workers' compensation coverage or exemption, license bond, and payment of fees as a prerequisite to certification.[26]

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[16] Ch. 67-1876, Laws of Fla.
[17] Palm Beach County Code Compliance Division, *Construction Industry Licensing Board* (Aug. 8, 2025)(last visited Jan. 24, 2026).
[18] Ch. 67-1876, s. 3, Laws of Fla., as amended by ch. 1981-456, s. 1, Laws of Fla.
[19] Ch. 67-1876, s. 3, Laws of Fla., as amended by chs. 1981-456, s. 1, and 92-260, s. 2, Laws of Fla.
[20] Letter from Rick Torrance, Palm Beach County to Rep. John Snyder, Chair of the Palm Beach Legislative Delegation (Oct 2. 2025) (last visited Jan. 24, 2026).
[21] Ch. 67-1876, s. 5, Laws of Fla., as amended by ch. 1981-456, s. 1, Laws of Fla.
[22] *Id.*
[23] *Id.*
[24] *Id.*
[25] *Id.*
[26] *Id.*

Local Bill Forms
The Florida Constitution prohibits the passage of any special act unless a notice of intention to seek enactment of the bill has been published as provided by general law or the act is conditioned to take effect only upon approval by referendum vote of the electors in the area affected.[27] A legal advertisement of the proposed bill must be placed in a newspaper of general circulation or published on a publicly accessible website[28] at least 30 days prior to the introduction of the local bill in the House or Senate.[29] The bill was noticed in the Palm Beach Post on November 3, 2025.

The House local bill policy requires a completed and signed Local Bill Certification Form and Economic Impact Statement Form be filed with the Clerk of the House at the time the local bill is filed or as soon thereafter as possible.[30] Under the policy, a committee or subcommittee may not consider a local bill unless these forms have been filed. The following forms have been submitted for the bill:

- Local Bill Certification Form
- Economic Impact Statement Form

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Intergovernmental Affairs Subcommittee	14 Y, 0 N	1/20/2026	Darden	Burgess
Industries & Professional Activities Subcommittee			Anstead	Bunnell
State Affairs Committee				

[27] Art. III, s. 10, Fla. Const.
[28] S. 50.0311(2), F.S.
[29] S. 11.02, F.S. If there is no newspaper circulated throughout or published in the county and no publicly accessible website has been designated, notice must be posted for at least 30 days in at least three public places in the county, one of which must be at the courthouse.
[30] Intergovernmental Affairs Subcommittee, Local Bill Policies and Procedures Manual, p. 11 (last visited Jan. 24, 2026).

A bill to be entitled

An act relating to Palm Beach County; amending chapter 67-1876, Laws of Florida, as amended; revising requirements for the examinations administered by the Palm Beach County Construction Industry Licensing Board for certificates of competency; revising the Board's applicant review process; providing an effective date.

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

Section 1. Section 5 of chapter 67-1876, Laws of Florida, as amended, is amended to read:

Section 5. Certification.—

(A) To obtain a certificate of competency an applicant shall submit an application in writing to the Board containing the statement that the applicant desires the issuance of a certificate and the class of certificate desired on a form containing the information prescribed by the Board which shall be accompanied by the fee fixed by the Board. All applicants must be of good moral character and 18 years of age or older.

(B) The application shall contain the following:

(1) Evidence in the form of affidavits from former employers, building officials, school officials, or other persons to verify the required experience and education.

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(2) A credit report on the applicant from a nationally recognized credit agency.

(3) Any other pertinent information prescribed by the Board by rule or regulation.

(C)(1) Examinations shall be administered ~~held~~ at times and locations ~~places~~ within the county as the Board determines~~, but there shall be offered at least one examination every 3 months~~. Each applicant must complete an objective written examination that evaluates the applicant's qualifications for certification in the category for which the applicant applies. The examination must be tailored to the scope of work associated with the requested certificate and must assess knowledge of contracting and construction principles relevant to that category. At the Board's discretion, an applicant for a specialty contractor and journeyman certificate may fulfill the examination requirement through an oral examination. An applicant must achieve a passing grade on all required exams prior to being eligible for Board certification ~~A maximum of four examinations in a category may be taken in a 12-month period, but examinations may not be rescheduled until 60 days have elapsed. Each applicant shall take an objective written examination about his fitness for a certificate in the category for which application is made. There shall be a type of examination for each of the categories which shall apply to the type of work covered by the certificate applied for. The~~

~~examination shall cover knowledge of basic principles of contracting and construction applicable to the category for which a certificate is requested. The Board may authorize applicants for specialty contractors and journeymen certificates to complete the examination requirements by taking and passing an oral examination~~.

(2) A passing grade on the examination is 75 percent.

(D) Upon ~~Following~~ receipt of the required fee and a complete application, the Board shall review ~~investigate~~ the applicant's qualifications, including the applicant's financial responsibility, credit history ~~reputation~~, education, examination, experience, and business reputation~~, and the business reputation of any business agency on behalf of which the applicant proposes to engage in contracting~~. The review must also include any business entity that the applicant represents in contracting activities. If the applicant meets the preliminary qualifications, the Board shall notify the applicant to appear for the required examination. If the applicant achieves a passing score on the examination and satisfies all other requirements, the Board shall confirm to the applicant the Board's readiness ~~If the applicant is approved by the Board the applicant shall be notified to appear for an examination. Within 30 days from the date of the examination, the Board shall inform the applicant in writing whether or not he has qualified, and, if the applicant has qualified, that it is ready~~ to issue the

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appropriate ~~a~~ certificate ~~in the category for which application was made~~, subject to the applicant's compliance with any additional provisions outlined in ~~the requirements of~~ subsection (F) ~~of this section~~.

(E) Applicants who contract in violation of this act before certification by the Board or passing the examination may be disqualified upon a majority vote of the Board. Applicants violating examination and examination review rules such as unauthorized removal of examinations or questions from exam room, or cheating during examinations also may be disqualified by a majority vote of the Board.

(F) As a prerequisite to issuance of a certificate, the Board shall require the applicant to submit satisfactory evidence that he has obtained public liability insurance and a license bond in amounts to be determined by the Board. The certificate shall then be issued forthwith, but this subsection does not apply to the issuance or renewal of inactive certificates.

(G) If an applicant for an original certificate, after having been notified to do so, does not appear for examination within 60 days from the date of filing his application, the fee paid by him shall be credited to the Board as an earned fee. New application for a certificate shall be accompanied by another application fee fixed by the Board.

(H) When a certificate holder desires to engage in

contracting in any area of the county, within or without a municipality, as a prerequisite therefore, he shall only be required to exhibit to the local building official, tax collector, or other person in charge of the issuance of licenses and building permits in the area, evidence of holding a current certificate accompanied by the fee for the occupational license and building permit required of other persons.

(I) A certified journeyman shall only be required to hold a current certificate of competency in order to engage in his trade as a journeyman in any municipality or unincorporated area within Palm Beach County.

(J) The certificate shall not be transferable.

(K) The Board may adopt rules prescribing procedures for the certification of contractors and journeymen by reciprocal agreement.

(L) Upon the effective date of this act, any person licensed or otherwise permitted to engage in business as a contractor by reciprocal agreements in any municipality or any unincorporated area of Palm Beach County may continue to engage in business as a contractor in the particular municipality or municipalities or unincorporated areas of Palm Beach County in which he is presently engaged in business without taking the examination under this act, but he shall not be permitted to engage in business as a contractor in other areas of Palm Beach County unless he first obtains a certificate from the Board or

satisfies the requirements of such municipality or unincorporated area.

Section 2. This act shall take effect upon becoming a law.

INDUSTRIES & PROFESSIONAL ACTIVITIES SUBCOMMITTEE

HB 4035 by Rep. Edmonds
Palm Beach County

AMENDMENT SUMMARY
January 28, 2026

Amendment 715489 by Rep. Edmonds (lines 66-68)

- Removes language requiring the board to review the applicant's application prior to sitting for the licensure examination.

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	__ (Y/N)
ADOPTED AS AMENDED	__ (Y/N)
ADOPTED W/O OBJECTION	__ (Y/N)
FAILED TO ADOPT	__ (Y/N)
WITHDRAWN	__ (Y/N)
OTHER	_____

Committee/Subcommittee hearing bill: Industries & Professional Activities Subcommittee

Representative Edmonds offered the following:

Amendment

Remove lines 66-68 and insert:

in contracting activities. If the applicant

HB 4055

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 4055	**COMPANION BILL:** None
TITLE: City of Lake Wales, Polk County	**LINKED BILLS:** None
SPONSOR(S): Albert	**RELATED BILLS:** None

Committee References

Intergovernmental Affairs
16 Y, 0 N
➤
Industries & Professional Activities
➤
State Affairs

SUMMARY

Effect of the Bill:
The bill provides an exception to the Beverage Law to authorize licensed vendors in the Lake Wales Arts, Culture, and Entertainment District to sell alcoholic beverages for off-premises consumption within the district.

Fiscal or Economic Impact:
None

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill provides an exception to the Beverage Law to authorize licensed vendors in the Lake Wales Arts, Culture, and Entertainment District (District) to sell alcoholic beverages for off-premises consumption within the District. The bill states the beverages may be sold in a sealed or open container. The bill authorizes these vendors to allow off-premise consumption regardless of the type of alcoholic beverage license they hold and without the need for additional licenses. (Section 1)

The bill specifies that vendors making such sales must still comply with all other local ordinances, state alcoholic beverage laws, and rules of the Division of Alcoholic Beverages and Tobacco within the Department of Business and Professional Regulation. (Section 2)

The bill provides a metes-and-bounds property description of the District. (Section 3)

The bill provides an effective date of upon becoming a law. (Section 4)

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Beverage Law
Florida's Beverage Law[1] regulates the manufacture, distribution, and sale of wine, beer, and liquor by manufacturers, distributors, and vendors.[2] The Division of Alcoholic Beverages and Tobacco (Division) within the Department of Business and Professional Regulation administers and enforces the Beverage Law.[3] Under the Beverage Law, there is not a limit on the number of licenses the division may issue to businesses selling malt beverages or wine. However, the number of licenses for selling liquor or distilled spirits is limited to one license

[1] Section 561.01(6), F.S., provides that the "Beverage Law" means chs. 561, 562, 563, 564, 565, 567, and 568, F.S.
[2] *See* s. 561.14, F.S.
[3] S. 561.02, F.S.

per 7,500 residents within a county with a minimum of three licenses per county that has approved the sale of intoxicating liquors.[4] These licenses are known as quota licenses and are the only alcoholic beverage license type that is limited in number.[5]

There are several exceptions to the quota license limitation, and businesses that meet the requirements for an exception may be issued a special license by the Division, allowing the business to serve any alcoholic beverages regardless of alcohol content.

Alcoholic beverages sold for consumption on premises must be consumed inside the licensed premises.[6] The Division may approve a temporary expansion of the licensed premises to include a sidewalk or other outdoor areas for special events. The business must pay an application fee of $100, stipulate the timeframe for the special event, submit a sketch outlining the expanded premises, and submit written approval from the county or municipality.

Lake Wales Arts, Culture, and Entertainment District

The Lake Wales City Council created the Lake Wales Arts, Culture, and Entertainment District (District) by ordinance in August 2025 to promote the economic development of the city's downtown area.[7] The city desired to attract and retain businesses and to create a walkable and pedestrian friendly downtown area. The ordinance amended several of the city's existing ordinances to allow outside consumption of alcoholic beverages within District boundaries. These new ordinances were intended to support and enhance cultural event programming, restaurants, music venues, and arts institutions located within the District.

Local Bill Forms

The Florida Constitution prohibits the passage of any special act unless a notice of intention to seek enactment of the bill has been published as provided by general law or the act is conditioned to take effect only upon approval by referendum vote of the electors in the area affected.[8] A legal advertisement of the proposed bill must be placed in a newspaper of general circulation or published on a publicly accessible website[9] at least 30 days prior to the introduction of the local bill in the House or Senate.[10] The bill was noticed on the publicly accessible website of Polk County and the City of Lake Wales on October 31, 2025.

The House local bill policy requires a completed and signed Local Bill Certification Form and Economic Impact Statement Form be filed with the Clerk of the House at the time the local bill is filed or as soon thereafter as possible.[11] Under the policy, a committee or subcommittee may not consider a local bill unless these forms have been filed. The following forms have been submitted for the bill:

- Local Bill Certification Form
- Economic Impact Statement Form

[4] S. 561.20(1), F.S.
[5] S. 561.20, F.S.
[6] *See* s. 561.01(11), F.S. (definition of "licensed premises").
[7] Lake Wales City Commission, *Aug. 5, 2025 Meeting Minutes*, p. 4 (last visited Jan. 14, 2026).
[8] Art. III, s. 10, Fla. Const.
[9] S. 50.0311(2), F.S.
[10] S. 11.02, F.S. If there is no newspaper circulated throughout or published in the county and no publicly accessible website has been designated, notice must be posted for at least 30 days in at least three public places in the county, one of which must be at the courthouse.
[11] Intergovernmental Affairs Subcommittee, *Local Bill Policies and Procedures Manual*, p. 11 (last visited Jan. 14, 2026).

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Intergovernmental Affairs Subcommittee	16 Y, 0 N	1/20/2026	Darden	Hilliard
Industries & Professional Activities Subcommittee			Anstead	Ray
State Affairs Committee				

A bill to be entitled

An act relating to the City of Lake Wales, Polk County; providing an exception to general law for licensed alcoholic beverage vendors located within a specified area of the City of Lake Wales; providing that licensed alcoholic beverage vendors within the specified area must comply with all ordinances, statutes, and rules not inconsistent with specified provisions; defining the specified area of the city to which such exception applies; providing an effective date.

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

Section 1. Notwithstanding any other provision of the Beverage Law as defined in s. 561.01(6), Florida Statutes, the holder of any alcoholic beverage vendor license that permits sales of alcoholic beverages for consumption on the premises, and for which the designated premises of such license are located on any property within the Lake Wales Arts, Culture and Entertainment District of the City of Lake Wales, shall be authorized to allow patrons to remove any alcoholic beverage, whether sealed or in an open container, from the licensed vendor premises for purposes of consumption away from the licensed vendor premises within the district. Such licensed alcoholic

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beverage vendors located within the district shall be authorized to allow patrons to remove alcoholic beverages from the licensed vendor premises regardless of the class, type, or series of license held and without the need for additional licensure or approval by the Division of Alcoholic Beverages and Tobacco.

Section 2. The holder of any alcoholic beverage vendor license located within the Lake Wales Arts, Culture and Entertainment District shall comply with all other local ordinances, state alcoholic beverage laws, and rules of the division not inconsistent herewith.

Section 3. For the purposes of this act, the Lake Wales Arts, Culture and Entertainment District means the area of land situated in Section 2, Township 30 South, Range 27 East, City of Lake Wales, Polk County, more particularly described as follows:

BEGIN at the southeast corner of Lot 1, Block 1 of Heckscher Second Subdivision, according to the plat thereof as recorded in Plat Book 6, Page 45, public records of Polk County, Florida; thence Westerly along the south line of Lots 1 through 20, Block 1 of said Heckscher Second subdivision to the east right-of-way line of Wetmore Street S; thence Northerly along said east right-of-way line to the south right-of-way line of Sessoms Avenue W; thence Easterly along said south right-of-way line to the west right-of-way line of 1st

Street N; thence Southerly along said west right-of-way line of 1st Street N to the intersection of said west right-of-way line with the westerly projection of the south right-of-way line of Crystal Ave. E; thence Easterly along said westerly projection and south right-of-way line of Crystal Ave. E to the northeast corner of Lot A of Johnson Re-Subdivision of Lots 1 and 2, Block 24, of Original Town of Lake Wales, according to the plat thereof as recorded in Plat Book 24, Page 34, public records of Polk County, Florida; thence Northeasterly to the southwest corner of Block 21 of Map of Lake Wales, according to the plat thereof as recorded in Plat Book 1C, Page 88A, public records of Polk County, Florida; thence Northwesterly along the west line of said Block 21 to the northwest corner thereof; thence Easterly along the north line of said Block 21 to the northeast corner thereof; thence Southerly and Southwesterly along the east line of said Block 21 to the southeast corner thereof; thence Southerly to the northeast corner of Block T of aforesaid Map of Lake Wales, according to the plat thereof as recorded in Plat Book 1C, Page 88A; thence Southerly, Southeasterly and Southerly along the east line of said Block T to the southeast corner thereof; thence Westerly along the south line of said Block T

to the southwest corner thereof; thence continue Westerly to the southeast corner of Lot 20, Block 25 of aforesaid Map of Lake Wales, according to the plat thereof as recorded in Plat Book 1C, Page 88A, said southeast corner of Lot 20 being on the west right-of-way line of the Atlantic Coast Line Railroad Corridor as portrayed on said Map of Lake Wales; thence Southeasterly along the platted west right-of-way line of the Atlantic Coast Line Railroad Corridor according to the plat thereof as recorded in Plat Book 1C, Page 88A to the southeast corner of Lot 1, Block 37 of aforesaid Map of Lake Wales, according to the plat thereof as recorded in Plat Book 1C, Page 88A; thence Westerly along the south line of Lots 1 through 6, Block 37 to the southwest corner of said Lot 6, Block 37; thence Westerly to the southeast corner of Lot 1, Block 38 of aforesaid Map of Lake Wales, according to the plat thereof as recorded in Plat Book 1C, Page 88A; thence Westerly along the south line of Lots 1 through 10, Block 38 to the southwest corner of said Lot 10, Block 38; thence Northwesterly to the aforesaid southeast corner of Lot 1, Block 1 of Heckscher Second Subdivision, as recorded in Plat Book 6, Page 45 and the POINT OF BEGINNING.

Section 4. This act shall take effect upon becoming a law.

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INDUSTRIES & PROFESSIONAL ACTIVITIES SUBCOMMITTEE

HB 4055 by Rep. Albert
City of Lake Wales, Polk County

AMENDMENT SUMMARY
January 28, 2026

Amendment 790531 by Rep. Albert (lines 22-23):

- Clarifies that open containers may be removed from the licensed premises.

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	__	(Y/N)
ADOPTED AS AMENDED	__	(Y/N)
ADOPTED W/O OBJECTION	__	(Y/N)
FAILED TO ADOPT	__	(Y/N)
WITHDRAWN	__	(Y/N)
OTHER	_____	

Committee/Subcommittee hearing bill: Industries & Professional Activities Subcommittee

Representative Albert offered the following:

Amendment

Remove lines 22-23 and insert:

authorized to allow patrons to remove any alcoholic beverage in an open container from the licensed vendor