

Attachment 1

Department of Business and Professional Regulation's

2023 Response to Senate Bill 146 Ex-Offender Report

Division of Alcoholic Beverages and Tobacco

A. LICENSING AND EMPLOYMENT STATUTES FOR DISQUALIFICATION:

1. EMPLOYMENT CATEGORIES: Law Enforcement Investigator II, Law Enforcement Lieutenant, Law Enforcement Captain, Law Enforcement Major, Chief of Law Enforcement
2. LICENSING CATEGORIES: Beverage Law Licenses, Tobacco Licenses/Permits and Bartenders and Bar Managers

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule X Agency/board policy Cause / source

Employment of Individuals in a Law Enforcement Classification	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>The employment of law enforcement is governed by Chapters 943 and 893, and Section 110.112, Florida Statutes, which state in part; Not have been convicted of any felony or of a misdemeanor involving perjury or a false statement or have received a dishonorable discharge from any of the Armed Forces of the United States. Any person who, after July 1, 1981, pleads guilty or nolo contendere to or is found guilty of any felony or of a misdemeanor involving perjury or a false statement is not eligible for employment or appointment as an officer, notwithstanding suspension of sentence or withholding of adjudication. Notwithstanding this subsection, any person who has pled nolo contendere to a misdemeanor involving a false statement, prior to December 1, 1985, and has had such record sealed or expunged shall not be deemed ineligible for employment or appointment as an officer.@ Fla. Stat. Chapters 943 and 893; and Section 110.112.</p>	<p>1974 Promote equal and fair law enforcement.</p>	<p>Any person who, after July 1, 1981, pleads guilty or nolo contendere to or is found guilty of any felony or of a misdemeanor involving perjury or a false statement is not eligible for employment or appointment as an officer, notwithstanding suspension of sentence or withholding of adjudication. Notwithstanding this subsection, any person who has pled nolo contendere to a misdemeanor involving a false statement, prior to December 1, 1985, and has had such record sealed or expunged shall not be deemed ineligible for employment or appointment as an officer. ABT reviews each applicant on a case-by-case basis for employment eligibility.</p>	<p>N/A</p>	<p>Each applicant is reviewed on a case-by-case basis for any misdemeanor crimes that do not specifically exempt employment in a law enforcement classification.</p>
<p>Beverage Law Licenses/Permits</p> <p>No license under the Beverage Law shall be issued to any person who has been convicted in the last past 15 years of any felony in this state or any other state or the United States who has been convicted within the last past 5 years in this state or any other state or the United States of soliciting for prostitution,</p>	<p>1957(F.S.), 1993(F.A.C.) In order to issue licenses to persons of good moral character.</p>	<p>No license under the Beverage Law shall be issued to any person who has been convicted in the last past 15 years of any felony or within the last past 5 years_for certain</p>	<p>Is given consideration</p>	<p>Fingerprints are required for applicants for licensure and the application asks whether the applicant has been convicted of a felony or an offense involving alcoholic beverages or certain other crimes within a specified time period. If</p>

<p>pandering, letting premises for prostitution, or keeping a disorderly place or of any criminal violation of chapter 893 or the controlled substance act of any other state or the Federal Government; or who has been convicted in the last past 15 years of any felony in this state or any other state or the United States; or to a corporation, any of the officers of which shall have been so convicted. The term "conviction" shall include an adjudication of guilt on a plea of guilty or nolo contendere or the forfeiture of a bond when charged with a crime.@ Fla. Stat. 561.15(2); 61A-1.017, F.A.C.</p>		<p>other convictions in this state or any other state or the United States.@ Fla. Stat. 561.15(2); or being penalized for certain criminal acts in this country or a foreign country.@ 61A-1.017, F.A.C.</p>		<p>division personnel decide an individual is not suited for licensure due to a criminal background, provisions of Florida Statute 120.60 apply and the applicant can request an informal hearing before the Division or a formal hearing with the Department of Administrative Hearing (DOAH). Applicants may submit mitigation for the division's consideration when the applicant has committed an offense outlined in 61A-1.017, F.A.C.</p>
<p>Tobacco Law Licenses/Permits</p> <p>Prohibition to issuance of a permit to any person or persons owning directly or indirectly more than 10 percent of the ownership interests in the applicant has been: finally adjudicated as owing \$500 or more in delinquent cigarette taxes; had a permit revoked by the division within the previous 2 years; has been convicted of selling stolen or counterfeit cigarettes, receiving stolen cigarettes, or being involved in the counterfeiting of cigarettes; has been convicted within the past 5 years of any offense against the cigarette laws of this state or convicted in this state, any other state, or the United States during the past 5 years of any offense designated as a felony by such state or the United States, or to a corporation, any of whose officers have been so convicted. The term "convicted" shall include an adjudication of guilt on a plea of guilty or a plea of nolo contendere, or the forfeiture of a bond when charged with a crime; has imported, or caused to be imported, into the United States any cigarette in violation of 19 U.S.C. s. 1681a; or has imported, or caused to be imported, into the United States, or manufactured for sale or distribution in the United States, any cigarette that does not fully comply</p>	<p>Last updated 2005 In order to issue licenses to persons of good moral character</p>	<p>No license under the Tobacco Law shall be issued to any person who has been finally adjudicated or convicted of certain violations in this state or any other state or the United States.@ Fla. Stat. ' 210.15(1) (c)</p>	<p>Is given consideration</p>	<p>Fingerprints are required for applicants for licensure/permitting and the application asks whether the applicant has been convicted of certain offenses within a specified time period. If division personnel decide an individual is not suited for licensure/permitting due to a criminal background, provisions of Florida Statute 120.60 apply and the applicant can request an informal hearing before the Division or a formal hearing with the Department of Administrative Hearing (DOAH).</p>

<p>with the Federal Cigarette Labeling and Advertising Act (15 U.S.C. ss. 1331 et seq.).@ Fla. Stat. 210.15(1)(c).</p> <p>Bartenders and Bar Managers</p> <p>Prohibition to ex-felons if convicted within the last past 5 years of any offense against the beverage laws of this state, the United States, or any other state; who has been convicted within the last past 5 years in this state or any other state or the United States of soliciting for prostitution, pandering, letting premises for prostitution, keeping a disorderly place or any felony violation of chapter 893 or the controlled substances act of any other state or the Federal Government; or who has, in the last past 5 years, been convicted of any felony in this state, any other state, or the United States.@ Fla. Stat. 562.13(3)(a)(3).</p>	<p>1972 Prohibits convicted felons from being employed as a manager or a bartender within 5 years of a conviction</p>	<p>Prohibits ex-felons to be employed in the capacity of a bartender or person in charge if convicted within the previous 5 years, 562.13(3)(a)(3), Florida Statutes.</p>	<p>Is given consideration</p>	<p>These persons are not required to be approved as eligible by the division before assuming the position of manager or bartender. Requirement to prove eligibility would be based on probable cause.</p>
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B. Describe the procedures used to determine and review the disqualification.

The procedure set forth for law enforcement applicants is a comprehensive background investigation. During this investigation determination is made as to eligibility for employment.

The procedure set forth in reviewing eligibility for licensure or permitting under the alcoholic beverage and tobacco laws is through the application process and fingerprinting of applicants.

C. Describe your adopted or proposed policy reforms.

ABT/BLE adopted policies covering the employment disqualifiers for law enforcement positions set forth in Chapters 893 and 943 and Section 110.112, Florida Statutes.

Licensure, and manager or bartender qualifications are set by Section 561.15 and 562.13, Florida Statutes. Licensure/Permitting qualifications for persons dealing in cigarette or other tobacco products are set by Section 210.15, Florida Statutes. Any changes to current process would require statutory change.

Data from fiscal years 2019-20 through 2022-23

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at 1 st level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
34,225	0	40 - .012 %	(no data)	0	0	(there is no data to distinguish 1 st or 2 nd level review)	34,225

Drugs, Devices, and Cosmetics Program

A. LICENSING AND EMPLOYMENT STATUTES FOR DISQUALIFICATION:

1. EMPLOYMENT CATEGORIES: All Drug, Device, & Cosmetic Inspectors must undergo level 2 background screenings pursuant to FS Chapters 435, 112 and 110
2. LICENSING CATEGORIES: Drug, Device, & Cosmetic Manufacturers/Distributors; Complimentary Drug Manufacturers/Distributors; Affiliated Parties; Ether Manufacturers/Distributors

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>499.067 <u>allows</u> department to deny, suspend, or revoke permit pursuant to 499.012(4)(d) – which directs the department to consider the following factors in reviewing the qualifications of persons to be permitted under this part:</p> <p>1. The applicant’s having been found guilty, regardless of adjudication, in a court of this state or other jurisdiction, of a violation of a law that directly relates to a drug, device, or cosmetic. A plea of nolo contendere constitutes a finding of guilt for purposes of this subparagraph.</p> <p>3. Any felony conviction of the applicant under a federal, state, or local law.</p>	<p>1992; 2003; 2008</p> <p>Amended in 2003 at statewide jury recommendation.</p> <p>Amended again in 2008.</p> <p>Protect the health, safety, and welfare of the public.</p>	<p>All applicants that indicate they have been convicted of a crime, found guilty, or entered a plea of guilty or nolo contendere must be reviewed by the Program office for approval or denial.</p>	<p>N/A</p>	<p>Denial IS NOT mandated. Each applicant is reviewed on a case by case basis.</p> <p>Applicant is entitled to challenge anticipated agency action (DENIAL) via administrative hearing pursuant to chapter 120, Florida Statutes.</p>
<p>499.028(12)(f)2. - The department <u>may</u> suspend or revoke a permit (to manufacture or distribute complimentary drugs) issued under this section, when the holder of the permit has in its employ, or uses as agent or independent contractor for the purpose of distributing or disposing of drugs, any person who has been convicted in any of the courts of this state, the United</p>	<p>1982</p> <p>Protect the health, safety, and welfare of the public.</p>	<p>All applicants that indicate they have been convicted of a crime, found guilty, or entered a plea of guilty or nolo contendere must be reviewed by the Program office for approval or denial.</p>	<p>N/A</p>	<p>Denial IS NOT mandated. Each applicant is reviewed on a case by case basis.</p> <p>Applicant is entitled to challenge anticipated agency action (DENIAL) via administrative hearing pursuant to chapter 120, Florida Statutes.</p>

States, or any other state of a felony or any other crime involving moral turpitude or involving those drugs named or described in chapter 893.				
499.0661(2)(e)2. – allows department to issue emergency suspension of affiliated party if that party is charged with a felony related to prescription drugs, pharmaceuticals, fraud, or theft. The acquittal of the person charged, or the final, non-appealed dismissal of all charges against the person, dissolves the emergency order but does not prohibit the department from instituting proceedings under paragraph (a). If the person charged is convicted or pleads guilty or nolo contendere, whether or not an adjudication of guilt is entered by the court, the emergency order shall become final.	2003 Protect the health, safety, and welfare of the public.	All licensees that have affiliated parties that have been charged with the specified type of felonies must be reviewed by the Program office for potential emergency suspension action.	N/A	Emergency suspension IS NOT mandated. Each file is reviewed on a case by case basis. Applicant is entitled to challenge anticipated agency action (DENIAL) via appellate process pursuant to chapter 120, Florida Statutes.
499.64(3) - No license or permit (to manufacture, distribute or deal in ether) shall be issued, renewed, or allowed to remain in effect for any natural person, or for any corporation which has any corporate officer: (b) Who has been convicted of a felony under the prescription drug or controlled substance laws of this state or any other state or federal jurisdiction, regardless of whether he or she has been pardoned or had his or her civil rights restored. (c) Who has been convicted of any felony other than a felony under the prescription drug or controlled substance laws of this state or any other state or federal jurisdiction and	1986 Protect the health, safety, and welfare of the public.	All applicants that indicate they have been convicted of a crime, found guilty, or entered a plea of guilty or nolo contendere must be reviewed by the Program office for approval or denial. Applicants with felony convictions must be denied. Licensees with felony convictions cannot be renewed.	N/A	Denial IS mandatory. Applicant is entitled to challenge anticipated agency action (DENIAL) via administrative hearing pursuant to chapter 120, Florida Statutes.

has not been pardoned or had his or her civil rights restored.				
<p><u>499.067</u> allows department to deny, suspend, or revoke permit pursuant to 499.834(2)-) – which directs the department to consider the following factors in reviewing the qualifications of persons to be permitted under Part III:</p> <p>(2) Felony convictions of the applicant under a federal, state, or local law.</p>	<p>2014</p> <p>Protect the health, safety, and welfare of the public.</p>	<p>All applicants that indicate they have been convicted of a crime must be reviewed by the Program office for approval or denial.</p>	N/A	<p>Denial IS NOT mandated. Each applicant is reviewed on a case by case basis.</p> <p>Applicant is entitled to challenge anticipated agency action (DENIAL) via administrative hearing pursuant to chapter 120, Florida Statutes.</p>

B. Describe the procedures used to determine and review the disqualification.

All convictions are reviewed by the Division office on a case-by-case basis. Additional information may be requested, including a meeting with the applicant. The Division office considers the nature of the offense, the applicant’s subsequent lawful (or unlawful) history, as well as the amount of time since the offense, and if all conditions have been satisfied. If the denial is mandatory, the Division issues a notice of intent to deny the application and the applicant is entitled to an administrative hearing to challenge the intended agency action.

C. Describe your adopted or proposed policy reforms.

No proposed policy reforms at this time.

Licensee Data from previous four years

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at 1 st level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
1,306	0	0 / 0.0007%	0	0	0	0	25,028 **

* The number of criminal history checks conducted is based on the number of payments to FDLE for criminal record checks.

** DDC has 12971 licensees. Based on the statutory framework, each of these, theoretically, could be disciplined for having a criminal conviction. In actuality, criminal history checks are only required of certain permit holders and applicants, thus the actual number of individuals impacted by these provisions is insignificant.

Division of Hotels and Restaurants

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Public Lodging Establishments, Food Services Establishments

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>509.241 Licenses required; exceptions.--</p> <p>(1) LICENSES; ANNUAL RENEWALS.--Each public lodging establishment and public food service establishment shall obtain a license from the division. Such license may not be transferred from one place or individual to another. It shall be a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, for such an establishment to operate without a license. Local law enforcement shall provide immediate assistance in pursuing an illegally operating establishment. The division may refuse a license, or a renewal thereof, to any establishment that is not constructed and maintained in accordance with law and with the rules of the division. The division may refuse to issue a license, or a renewal thereof, to any establishment an operator of which, within the preceding 5 years, has been adjudicated guilty of, or has forfeited a bond when charged with, any crime reflecting on professional character, including soliciting for prostitution, pandering, letting premises for prostitution, keeping a disorderly place, or illegally dealing in controlled substances as defined in chapter 893, whether in this state or in any other jurisdiction within the United States, or has had a license denied, revoked, or suspended pursuant to s. 429.14. Licenses shall be renewed annually, and the division shall adopt a rule establishing a staggered schedule for license renewals. If any license expires while administrative charges are pending against the license, the proceedings against the license shall continue to conclusion as if the license were still in effect.</p>	<p>1979</p> <p>Ch. 79-240 s. 18, Laws of Florida.</p> <p>Rationale: to protect the health, safety, and welfare of public utilization of public lodging and food service establishments.</p>	<p>Provision not applied. The Division of Hotels and Restaurants has not used this provision to refuse a license issuance or renewal.</p>	<p>Civil Rights Restoration</p> <p>Provision not applied. The Division of Hotels and Restaurants has not used this provision to refuse a license issuance or renewal.</p>	<p>Relief mechanism(s)</p> <p>Provision not applied. The Division of Hotels and Restaurants has not used this provision to refuse a license issuance or renewal.</p>

B. Describe the procedures used to determine and review the disqualification.

The Division removed all questions regarding criminal offenses from its license applications in 2012,

C. Describe your adopted or proposed policy reforms.

No application for a public food service or public lodging facility has been denied based on section 509.241, Florida Statutes.

Data from fiscal years 2015-16 to 2019-20

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at 1 st level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
0	0	0	0	0	0	0	0

Division of Condominiums, Timeshares And Mobile Homes

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Yacht and Ship Brokers

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule X Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Asks on the application to indicate convictions of a crime, either pled or been found guilty, or entered a plea of no contest, even if adjudication was withheld. Applicant informed that his/her answer will be checked against local and state records. Failure to answer question accurately could cause denial of license.</p> <p>The division <u>may</u> deny a license to any applicant who does not . . . Certify that he or she has been convicted of a felony. Fla. Stat. 326.004(6)</p> <p>All applicants must submit a fingerprint card with their application packages. These are checked against both Florida and national records. Fla. Stat. 326.004(6)e</p> <p>The disposition of criminal charges shall be considered if such constitutes a felony, or if such constitutes a misdemeanor involving moral turpitude, fraud, theft, dishonesty, assault and battery, or false statement. 61B-60.003(3)(a)7, Fl. Administrative Code</p> <p><u>Except as provided in sub-paragraph 7.D. of this rule, no information relating to criminal, administrative or civil actions shall be considered if more than 5 years has elapsed from the satisfaction of the terms of any order, judgment, restitution agreement, or termination of any administrative or judicially-imposed confinement or supervision of the applicant, whichever is more recent.</u> 61B-60.003(3)(a)7, F.A.C.</p>	<p>The Florida Yacht and Ship Brokers' Act became effective October 1, 1988.</p> <p>Fingerprinting requirement became effective October 1992.</p> <p>Criminal background justification relates to the need to ensure consumer protection and consumer confidence regarding these high-dollar transactions as well as ensuring a high level of consumer confidence in Florida's Recreational Boating Industry.</p>	<p>Any action, proceeding, or grievance filed against the applicant, individually or otherwise, <u>which relates to the applicants prospective duties, responsibilities, and obligations of licensure under Chapter 326, F.S., may be considered with no limitation as to time.</u> 61B-60.003(a)7.d.</p>	<p>Not utilized or required in licensing process.</p>	<p>If an application is recommended for denial, provisions of Florida Statute 120.60 apply through the issuance of an Intent to Deny License and the right to an administrative appeal.</p>

B. Describe the procedures used to determine and review the disqualification.

All FDLE and FBI returns are assigned to an investigator. Returns with a criminal record are evaluated against information on the original application. If there appears to be possible grounds for a license denial, the section supervisor is apprised. In some instances, the applicant is contacted for further information. If a denial seems appropriate, the applicant would be issued an Intent to Deny License and the procedures of Chapter 120, F.S., the Florida Administrative Procedures Act would be applicable. In such an instance, the bureau chief, division director, and division attorney would review the proposed action. The bottom line – license denial would not be taken lightly.

C. Describe your adopted or proposed policy reforms.

No known policy reforms are being considered at this time.

Data from fiscal years 2015-16 – 2018-19

1	2	3	4	5	6	7	8
# of people background checked 07/01/15 – 06/30/19	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at 1 st level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
6,091 (new applicants)	4,657 (renewals)	0	0	0	0	0	10,748

Florida Athletic Commission

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Judges, Managers, Matchmakers, Participants, Promoters/Foreign Co-promoters, Referees, Seconds, Timekeepers, Trainers, Ringside Physicians, Amateur Sanctioning Organizations

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule X Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Section 548.028, F.S., provides that the Commission shall not issue a license to:</p> <p>(1) Any person or business entity that has been convicted of any act, or that has a trustee, partner, officer, director, or owner that has been convicted of any act, that would constitute a violation of this chapter or would constitute any of the grounds set forth in this chapter for suspension or revocation of a license or against whom such charges are pending before any regulatory body; or</p> <p>(2) Any person or business entity that has been named in any information or indictment, or that has a trustee, partner, officer, director, or owner that has been named in an information or indictment, for any act that would constitute a violation of this chapter or a ground for suspension or revocation of a license.</p>	<p>1984 to protect the health safety and welfare of participants and the integrity of the sport.</p>	<p>No predetermined criteria, the department reviews on a case -by-case basis.</p>	<p>N/A</p>	<p>The applicant is notified via phone and is informed of denial verbally. If an applicant is denied licensure, the applicant has appeal rights in accordance with Section 120, 57(1), Florida Statutes. A notice of Intent to Deny is issued.</p>
<p>Unprofessional or unethical conduct, for professional licensees, as described in Section 548.071(4), F.S</p>	<p>1984/ to protect the health safety and welfare of participants and the integrity of the sport.</p>			
<p>548.071 Suspension or revocation of license or permit by commission.— The commission may suspend or revoke a license or permit if the commission finds that the licensee or permittee:</p> <p>(1) Is guilty of violating this chapter or the rules of the commission.</p> <p>(2) Has committed fraud or deceit in securing any license or permit.</p> <p>(3) Has been convicted of, has pleaded guilty to, has entered a plea of nolo contendere to, or has been found guilty of a crime involving moral turpitude in any jurisdiction within 10 years preceding the suspension or</p>				

<p>revocation.</p> <p>(4) Is guilty of unprofessional or unethical conduct.</p> <p>(5) Has made a misstatement of a material fact, fraudulently concealed a material fact, or induced or aided another person in misstating or concealing any material fact in any application or other proceeding under this chapter.</p> <p>(6) Has failed to account for or pay over moneys belonging to others which have come into her or his possession in connection with a match.</p> <p>(7) Has failed to furnish to the proper party a copy of any contract or statement required by this chapter or has breached such a contract.</p> <p>(8) Has paid or agreed to pay any money or article of value to any licensee or permittee for soliciting or for business secured or for rendering any service or the doing of any of the acts forbidden by this chapter and the rules adopted hereunder.</p> <p>(9) Has loaned her or his license or permit to another person or has borrowed or used the license or permit of another.</p> <p>(10) Has employed a person who does not hold a license or permit as required by law.</p> <p>(11) Has failed to maintain in force the bond required by this chapter or has failed to deposit with the commission the required cash, check, or securities.</p> <p>(12) Has been disciplined by the Commission or similar agency or body of any jurisdiction.</p> <p>(13) Has failed to pay a fine imposed under this chapter.</p> <p>Rule 61K1-3.022, F.A.C. defines Unprofessional or Unethical Conduct as described in section 548.071 (4) F.S</p>	<p>2016/ to protect the health, safety, and welfare of participants and the integrity of the sport.</p>			
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B. Describe the procedures used to determine and review the disqualification.

Applications require that applicants disclose background information. If the application indicates the applicant has been convicted of a crime, found guilty, or entered a plea of guilty or nolo contendere then the applicant must provide full details. The Commission reviews on a case-by-case basis and determines whether the crime relates to the profession or the ability to practice the profession.

C. Describe your adopted or proposed policy reforms.

No proposed policy reforms at this time.

Data from fiscal years 2018-19 - 2020-23

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at 1 st level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
Not Applicable	10, 318	0	0	0	0	0	10, 318

Division of Certified Public Accounting

AGENCY: Division of Certified Public Accounting

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A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Certified Public Accountant

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute_X_ Rule_____ Agency / board policy _____

<u>Cause / Source</u>	<u>Year / Rationale</u>	<u>Criteria</u>	<u>Civil Rights Restoration</u>	<u>Relief Mechanism(s)</u>
<p>The Division of Certified Public Accounting / Board of Accountancy does not have any Statutes or Rules that automatically bar any licensure applicant based on being convicted of a felony.</p>				
<p>Section 473.306 F.S. states that the Board of Accountancy may refuse to allow an applicant to take the licensure examination for failure to show "good moral character".</p>	<p>Originally passed in 1979 and last updated in 2014. Rational for statute is to protect the public welfare.</p>	<p>No predetermined criteria; the Board of Accountancy reviews on a case-by-case basis.</p>	<p>Not applicable</p>	<p>If the Board denies the application, the applicant is issued a Notice of Intent to Deny which includes the reasons for the denial and appeal rights in accordance with Section 120.57(1), Florida Statutes.</p>
<p>Section 473.308(9), states that the board may refuse to certify for licensure any applicant who is under investigation in another state for any act which would constitute a violation of Chapter 473 or Chapter 455 F.S.</p>	<p>Originally passed in 1979 and last updated in 2012.</p>		<p>Not applicable</p>	

B. Describe the procedures used to determine and review the disqualification.

Applications require applicants to disclose any criminal history. Additionally, division staff conducts level one background checks. The staff may approve applications with affirmative answers to background questions that deem:

- multiple offenses occurred 10 years or more prior to the application for a selected list of offenses
- single offenses less than 10 years prior to the application for a selected list of offenses

If the background check or application reveals multiple offenses in the 10 years prior to the application or offenses not on the list, the application and supporting documentation is presented to the Board of Accountancy for review.

The Board reviews each applicant on a case-by-case basis, and may request additional information, including requesting an appearance by the applicant. The board will consider the nature of the offense as well as the amount of time since the offense, and if all conditions have been satisfied.

C. Describe your adopted or proposed policy reforms.

Please see the attached Board of Accountancy Convictions Guidelines which were made a part of the Board's Delegated Authorities effective September 23, 2022. The Guidelines distinguish between a list of criminal offenses which can be approved by the Department and other applications reporting multiple offenses in the 10 years prior to application and/or more serious criminal offenses that require board approval.

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at 1 st level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
14,430	N/A	1/ .000693%	N/A Restoration of civil rights is not a sole factor in granting or denying licensure.	0	0	0	38,246 Licensees 17,987 Exam Candidates

Board of Accountancy

Convictions Guidelines

Attachment to Delegations of Authority Effective Sept 23, 2022

Note: For the purposes of this document, the following types of dispositions are all treated as convictions:
guilty, adjudication withheld, nolo contendere

When reviewing criminal history issues for examination and licensure applications, CPA Division Staff have the authority to approve an application that includes convictions for the following types of crimes:

- Any single or multiple misdemeanors, committed 10 years or more prior to the application, which have been resolved with all sanctions satisfied.
- Any single conviction committed less than 10 years prior to the application, which has been resolved with all sanctions satisfied, from the following types of crimes:
 - Traffic offenses that do not result in injury or property damage
 - Driving on a suspended/revoked/cancelled/delinquent license
 - Possession of false identification
 - Underage drinking
 - Animal control issues
 - Boat registration issues
 - Open container and public intoxication
 - Disorderly conduct
 - Trespassing
 - Insufficient funds
 - Public nuisance
 - Driving Under the Influence (DUI).
 - Reckless driving.

Division Staff shall refer to the Board applications that include convictions for:

- Any felonies
- Any financial conviction, excluding insufficient funds.
- Multiple convictions of which the most recent conviction is less than 10 years old.

If in doubt, the Division staff is encouraged to consult DBPR legal staff or the Board and its counsel regarding any conviction(s) that may require Board consideration.

Division of Professions

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Boards in the Division of Professions

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Section 455.227(1)(c), F.S. (1) The following act constitutes grounds for which disciplinary actions specified in subsection (2) may be taken: ... (c) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or ability to practice, a licensee's profession.</p>	<p>1979/Health, safety and welfare of the public.</p>	<p>No predetermined criteria. Board review on a case-by-case basis.</p>	<p>Not applicable.</p>	<p>If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing before the board pursuant to Section 120.57(2), Florida Statutes.</p>
<p>Section 455.227(2), F.S. (2) When the board, or the department when there is no board, finds any person guilty of the grounds set forth in subsection (1) or of any grounds set forth in the applicable practice act, including conduct constituting a substantial violation of subsection (1) or a violation of the applicable practice act which occurred prior to obtaining a license, it may enter an order imposing one or more of the following penalties: (a) Refusal to certify, or to certify with restrictions, an application for a license.</p>	<p>2017 Health, safety and welfare of the public.</p>	<p>Establishes that for the applicable boards/professions, convictions (only other adjudication) for crimes more than five years before the date of application cannot be used as grounds for denial except for crimes listed in s. 775.21(4)(a)1. or s. 776.08 as long as such criminal history has been found to relate to the practice of the applicable professions.</p> <p>Also, criminal history that relates to good moral character can be considered for construction</p>	<p>Not applicable</p>	<p>If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing before the board pursuant to Section 120.57(2), Florida Statutes.</p>
<p>Section 455.02(3)(a), F.S., provides in pertinent part that: (3)(a) The department shall issue a professional license to an applicant who is or was an active duty member of the Armed Forces of the United States, or who is a spouse or surviving spouse of such member, upon application to the department in a format prescribed by the department. An application must include proof that:</p> <p>1. The applicant is or was an active duty member of the Armed Forces of the United States or is married to a member of the Armed Forces of the United States and was married to the member during any period of active duty or was married to such a member who at the time of the member's death was serving on active duty. An applicant who was an active duty member of the Armed Forces of the United States must have received an honorable discharge upon separation or discharge from the Armed Forces of the United States.</p> <p>2. The applicant holds a valid license for the profession issued by another state, the District of Columbia, any</p>	<p>2017 Health, safety and welfare of the public.</p>	<p>Establishes that for the applicable boards/professions, convictions (only other adjudication) for crimes more than five years before the date of application cannot be used as grounds for denial except for crimes listed in s. 775.21(4)(a)1. or s. 776.08 as long as such criminal history has been found to relate to the practice of the applicable professions.</p> <p>Also, criminal history that relates to good moral character can be considered for construction</p>	<p>Not applicable</p>	<p>If an applicant disputes any material fact upon which the board's decision is based, the</p>

<p>possession or territory of the United States, or any foreign jurisdiction.....</p> <p>4.a. A complete set of the applicant's fingerprints is submitted to the Department of Law Enforcement for a statewide criminal history check.</p> <p>b. The Department of Law Enforcement shall forward the fingerprints submitted pursuant to sub-subparagraph a. to the Federal Bureau of Investigation for a national criminal history check. The department shall, and the board may, review the results of the criminal history checks according to the level 2 screening standards in s. 435.04 and determine whether the applicant meets the licensure requirements. The costs of fingerprint processing shall be borne by the applicant. If the applicant's fingerprints are submitted through an authorized agency or vendor, the agency or vendor shall collect the required processing fees and remit the fees to the Department of Law Enforcement.</p> <p>Section 455.213(3)(a), F.S. Notwithstanding any other law, the applicable board shall use the process in this subsection for review of an applicant's criminal record to determine his or her eligibility for licensure as:</p> <ol style="list-style-type: none"> 1. A barber under ch. 476; 2. A cosmetologist or cosmetology specialist under chapter 477 3. Construction professions in Chapter 489** 4. Any other profession for which the DBPR issues a license and is offered to inmates in any correctional institution/facility as vocational training or through an industry certification program. 	<p>2019 Health, safety, and welfare of the public.</p>	<p>professions*</p> <p>Board/department reviews on a case-by-case basis in accordance with the applicable laws for each particular profession.</p> <p>No predetermined criteria. Board review on a case-by-case basis.</p>	<p>Not applicable</p>	<p>applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing before the board pursuant to Section 120.57(2), Florida Statutes.</p> <p>If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing before the board pursuant to Section 120.57(2), Florida Statutes.</p>
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* Information is provided within individual profession summaries

****Construction professions** – includes the following types of contractors under Chapter 489: air-conditioning; electrical; mechanical; plumbing; pollutant; roofing; sheet metal; solar; swimming; underground utility and excavation; and other specialty contractors

B. Describe the procedures used to determine and review the disqualification.

Applications require that applicants disclose any criminal history. If the application indicates the applicant has been convicted of a crime that is directly related to the practice of the profession, the applicant must provide full details of the criminal conviction and the application goes to the full board for review. Additionally, for Construction Professions, Cosmetology/Specialists, and Barbers:

A conviction, or any other adjudication, for a crime more than 5 years before the date the application is received by the applicable board may not be grounds for denial of a license specified in paragraph (a). For purposes of this paragraph, the term "conviction" means a determination of guilt that is the result of a plea or trial, regardless of whether adjudication is withheld. This paragraph does not limit the applicable board from

considering an applicant's criminal history that includes a crime listed in s. 775.21(4)(a)1. or s. 776.08 at any time, but only if such criminal history has been found to relate to the practice of the applicable profession.

(c)1. A person may apply for a license before his or her lawful release from confinement or supervision. The department may not charge an applicant an additional fee for being confined or under supervision. The applicable board may not deny an application for a license solely on the basis of the applicant's current confinement or supervision.

2. After a license application is approved, the applicable board may stay the issuance of a license until the applicant is lawfully released from confinement or supervision and the applicant notifies the applicable board of such release. The applicable board must verify the applicant's release with the Department of Corrections before it issues a license.

3. If an applicant is unable to appear in person due to his or her confinement or supervision, the applicable board must permit the applicant to appear by teleconference or video conference, as appropriate, at any meeting of the applicable board or other hearing by the agency concerning his or her application.

4. If an applicant is confined or under supervision, the Department of Corrections and the applicable board shall cooperate and coordinate to facilitate the appearance of the applicant at a board meeting or agency hearing in person, by teleconference, or by video conference, as appropriate.

For Construction Professions:

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

C. Describe your adopted or proposed policy reforms.

Please refer to each profession's section within this report, but for Construction Professions, Cosmetology, and Barbers, under section 455.213(3)(d) and (e), F.S., each applicable board compiles the following lists:

1. List of crimes that, if committed and regardless of adjudication, do not relate to the practice of the profession or the ability to practice the profession and do not constitute grounds for denial of a license. This list is made available on each board's website and updated annually.
2. List of crimes that although reported by an applicant for licensure, were not used as a basis for denial. The list identifies for each such license application the crime reported and the date of conviction and whether there was a finding of guilt, a plea, or an adjudication entered or the date of sentencing.
3. List of crimes that have been used as a basis for denial of a license in the past 2 years. This list is made available on each board's website.
4. List indicating each crime used as a basis for denial. For each crime listed, list identifies the date of conviction, finding of guilt, plea, or adjudication entered, or date of sentencing. Such denials must be made available to the public upon request.

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Board of Architecture and Interior Design

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Board of Architecture and Interior Design</p> <p>Section 481.213(4)and(5), F.S. General Licensing Provisions</p> <p>Section 481.213(4), F.S. The board may refuse to certify any applicant who has violated any of the provisions of section 481.223, 481.225, or 481.2251, as applicable.</p> <p>Section 481.213(5), F.S. The board may refuse to certify any applicant who is under investigation in any jurisdiction for any act which would constitute a violation of this part or of Chapter 455 until such time as the investigation is complete and disciplinary proceedings have been terminated.</p> <p>Section 481.223, F.S., sets forth various prohibited acts.</p> <p>Section 481.225(1)(d), F.S. disciplinary proceedings: Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly related to the practice of architecture or the ability to practice architecture.</p> <p>Section 481.2251(1)(c), F.S. disciplinary proceedings: Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to the provision of interior design services or to the ability to provide interior design services. A plea of nolo contendere shall create a rebuttable presumption of guilt to the underlying criminal charges. However, the board shall allow the person being disciplined to present any evidence relevant to the underlying charges and the circumstances surrounding her or his plea.</p>	<p>1979 Health, safety, and welfare of the public.</p>	<p>No predetermined criteria, the board reviews on a case-by-case basis.</p>	<p>N/A</p>	<p>If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the Department pursuant to Section 120.57(2), Florida Statutes.</p>

B. Describe the procedures used to determine and review the disqualification.

Applications require that applicants disclose background information. If the application indicates the applicant has been convicted of a crime, found guilty, or entered a plea of guilty or nolo contendere the applicant must provide full details. All applications are forwarded to the board consultant for review. The board then reviews applications on a case-by-case basis and makes a determination whether the crime relates to the profession or the ability to practice the profession.

C. Describe your adopted or proposed policy reforms.

No proposed policy reforms at this time.

See the below data from FY 19/20 through 22/23:

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at first level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
Architecture: 16*	Architecture: 3,045	Architecture: 1/0.03%	Architecture: 0/0%	<u>Architecture</u> Informal: 0/0% DOAH: 0/0%	<u>Architecture</u> Informal: 0/0% DOAH: 0/0%	Architecture: 0/0%	Architecture: 3,061
Interior Design: 11*	Interior Design: 524	Interior Design: 0/0%	Interior Design: 0/0%	<u>Interior Design</u> Informal: 0/0% DOAH: 0/0%	<u>Interior Design</u> Informal: 0/0% DOAH: 0/0%	Interior Design: 0/0%	Interior Design: 535

*Military endorsement applicants are subject to fingerprinting/national background checks.

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Asbestos Consultant, Asbestos Contractor-CJC, Asbestos Business, Asbestos Consultant - AF, Asbestos Consultant - AD, Asbestos Consultant - Engineer, Asbestos Consultant – Ind. Hygienist

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
Asbestos Licensing Unit Sections 469.009(1)(g), F.S., states: (1) The department may revoke, suspend, or deny the issuance or renewal of a license; reprimand, censure, or place on probation any contractor, consultant, financially responsible officer, or business organization; require financial restitution to a consumer; impose an administrative fine not to exceed \$5,000 per violation; require continuing education; or assess costs associated with any investigation and prosecution if the contractor or consultant, or business organization or officer or agent thereof, is found guilty of any of the following acts: (g) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of asbestos consulting or contracting or the ability to practice asbestos consulting or contracting.	1994 To protect the public health safety and welfare	No predetermined criteria, the department reviews on a case by case basis.	N/A	If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the Department pursuant to Section 120.57(2), Florida Statutes.

B. Describe the procedures used to determine and review the disqualification.

All applications require that the applicant disclose any criminal history. All applications are reviewed, approved or denied by the Department. Anytime an application has an indication of criminal history it is referred to the Board Office and the Office of the General Counsel for review. If it is determined that the criminal history has a connection to the profession, the applicant is denied. The reason(s) for denial and the appeal rights, in accordance with Section 120.57(1), Florida Statutes, will be explained in a letter to the applicant (Notice of Intent to Deny). If it is determined that the criminal history has nothing to do with the profession, the application will be processed for licensure.

C. Describe your adopted or proposed policy reforms.

Please see the attached list of criminal offenses which can be approved by the Department if noted on a licensure application.

See the below data from FY 19/20 through 22/23:

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at first level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
10*	64	0/0%	0/0%	Informal: 0/0% DOAH: 0/0%	Informal: 0/0% DOAH: 0/0%	0/0%	74

A. LICENSING STATUTES FOR DISQUALIFICATION
 LICENSING CATEGORIES: Auctioneers

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>468.385(3)(b), F.S. (3) No person shall be licensed as an auctioneer or apprentice if he or she: (b) Has committed any act or offense in this state or any other jurisdiction which would constitute a basis for disciplinary action under s. <u>468.389</u>.</p> <p>468.389, F.S. Prohibited acts; penalties.- (1) The following acts shall be grounds for the disciplinary activities provided in subsections (2) and (3): (l) Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to the practice or the ability to practice the profession of auctioneering. (2) When the board finds any person guilty of an of the prohibited acts set forth in subsection (1), it may enter an order imposing one or more of the following penalties: (a) Refusal to certify to the department an application for licensure</p>	<p>July 1, 1994 Protect the health, safety, and welfare of the public.</p>	<p>Each application is reviewed individually for criminal history.</p>	<p>N/A</p>	<p>If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the board pursuant to Section 120.57(2), Florida Statutes.</p>

B. Describe the procedures used to determine and review the disqualification.

Central Intake Unit reviews application for admission of criminal history and forwards to board office for submission to board for review of information submitted. Upon issuance of attempt a notice of intent to deny, applicant can exercise appeal rights per Section 120.57, F.S.

C. Describe your adopted or proposed policy reforms.

Please see the attached list of criminal offenses which can be approved by the Department if noted on a licensure application.

See the below data from FY 19/20 through 22/23:

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at first level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
9*	528	1/0.19%	0/0%	Informal: 1/100% DOAH: 0/0%	Informal: 0/0% DOAH: 0/0%	0/0%	537

*Military endorsement applicants are subject to fingerprinting/national background checks.

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Athlete Agents

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute: X Rule _____ Agency / board policy: _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
Athlete Agents Section 468.453(2)(b)(d)(e), F.S. (2) A person shall be licensed as an athlete agent if the applicant: (b) Is of good moral character. (d) Has submitted to the department a fingerprint card for a criminal history records check. The fingerprint card shall be forwarded to the Division of Criminal Justice Information Systems within the Department of Law Enforcement for purposes of processing the fingerprint card to determine if the applicant has a criminal history record. The fingerprint card shall also be forwarded to the Federal Bureau of Investigation for purposes of processing the fingerprint card to determine if the applicant has a criminal history record. The information obtained by the processing of the fingerprint card by the Florida Department of Law Enforcement and the Federal Bureau of Investigation shall be sent to the department for the purpose of determining if the applicant is statutorily qualified for licensure. (e) Has not in any jurisdiction, within the preceding 5 years, been convicted or found guilty of or entered a plea of nolo contendere for, regardless of adjudication, a crime which relates to the applicant's practice or ability to practice as an athlete agent.	1995 To protect the public health safety and welfare	No predetermined criteria, the department reviews on a case-by-case basis.	N/A	If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the board pursuant to Section 120.57(2), Florida Statutes.

B. Describe the procedures used to determine and review the disqualification.

All applications require that the applicant disclose any criminal history and are subject to a background check. All applications are reviewed, approved or denied by the Department. Anytime an application has an indication of criminal history it is referred to the Board Office and the Office of the General Counsel for review. If it is determined that the criminal history has a connection to the profession, the applicant is denied. The reason(s) for denial and the appeal rights, in accordance with Section 120.57(1), Florida Statutes, will be explained in a letter to the applicant (Notice of Intent to Deny). If it is determined that the criminal history has nothing to do with the profession, the application will be processed for licensure.

C. Describe your adopted or proposed policy reforms.

Please see the attached list of criminal offenses which can be approved by the Department if noted on a licensure application.

See the below data from FY 19/20 through 22/23:

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at first level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
560	N/A	0/0%	0/0%	Informal: 0/0% DOAH: 0/0%	Informal: 0/0% DOAH: 0/0%	0/0%	560

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Barbers and Restricted Barbers

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Section 455.213, F.S. (3)(a) Notwithstanding any other law, the applicable board shall use the process in this subsection for review of an applicant’s criminal record to determine his or her eligibility for licensure as: 1. A barber under chapter 476; 2. A cosmetologist or cosmetology specialist under chapter 477; 3. Any of the following construction professions under chapter 489: a. Air-conditioning contractor; b. Electrical contractor; c. Mechanical contractor; d. Plumbing contractor; e. Pollutant storage systems contractor; f. Roofing contractor; g. Sheet metal contractor; h. Solar contractor; i. Swimming pool and spa contractor; j. Underground utility and excavation contractor; or k. Other specialty contractors; or 4. Any other profession for which the department issues a license, provided the profession is offered to inmates in any correctional institution or correctional facility as vocational training or through an industry certification program. (b)1. A conviction, or any other adjudication, for a crime more than 5 years before the date the application is received by the applicable board may not be grounds for denial of a license specified in paragraph (a). For purposes of this paragraph, the term “conviction” means a determination of guilt that is the result of a plea or trial, regardless of whether adjudication is withheld. This paragraph does not limit the applicable board from considering an applicant’s criminal history that includes a crime listed in s. 775.21(4)(a)1. or s. 776.08 at any time, but only if such criminal history has been found to relate to the practice of the applicable profession. 2. The applicable board may consider the criminal history of an applicant for licensure under subparagraph (a)3. if such criminal history has been found to relate to good moral character. (c)1. A person may apply for a license before his or her lawful release from confinement or supervision. The department may not charge an applicant an additional fee for being confined or under supervision. The applicable board may not deny an application for a license solely on the basis of the applicant’s current confinement or supervision. 2. After a license application is approved, the applicable board may stay the issuance of a license until the applicant is lawfully released from confinement or supervision and the applicant notifies the applicable board of such release. The applicable board must verify the applicant’s release with the Department of Corrections before it issues a license. 3. If an applicant is unable to appear in person due to his or her confinement or</p>	<p>2019/ health, safety and welfare of the public.</p>	<p>No predetermined criteria. Board review on a case-by-case basis.</p>	<p>N/A</p>	<p>If an applicant disputes any material fact upon which the board’s decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the board pursuant to Section 120.57(2), Florida Statutes.</p>

<p>supervision, the applicable board must permit the applicant to appear by teleconference or video conference, as appropriate, at any meeting of the applicable board or other hearing by the agency concerning his or her application.</p> <p>4. If an applicant is confined or under supervision, the Department of Corrections and the applicable board shall cooperate and coordinate to facilitate the appearance of the applicant at a board meeting or agency hearing in person, by teleconference, or by video conference, as appropriate.</p> <p>Section 455.227(1)(c), F.S. (1) The following act constitutes grounds for which disciplinary actions specified in subsection (2) may be taken: ... (c) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or ability to practice, a licensee's profession.</p> <p>Section 455.227(2), F.S. (2) When the board, or the department when there is no board, finds any person guilty of the grounds set forth in subsection (1) or of any grounds set forth in the applicable practice act, including conduct constituting a substantial violation of subsection (1) or a violation of the applicable practice act which occurred prior to obtaining a license, it may enter an order imposing one or more of the following penalties: (a) Refusal to certify, or to certify with restrictions, an application for a license.</p>	<p>1979/Health, safety, and welfare of the public.</p> <p>1979/Health, safety, and welfare of the public.</p>			
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B. Describe the procedures used to determine and review the disqualification.

Applications require that applicants disclose any criminal history. If the application indicates the applicant has been convicted of a crime that is directly related to the practice of barbering, the applicant must provide full details of the criminal conviction and the application goes to the full board for review.

C. Describe your adopted or proposed policy reforms.

Please see the attached list of criminal offenses which can be approved by the Department if noted on a licensure application.

See the below data from FY 19/20 through 22/23:

1 # of people background checked	2 # subject only to criminal history disclosure w/o background check	3 # and % disqualified based on criminal history	4 # and % disqualified because civil rights not restored	5 # and % disqualified that sought review / exemption	6 # and % of those seeking review / exemption found qualified at first level of review	7 # and % of those seeking review / exemption found qualified at higher level of review	8 Total # of people in this occupation or occupational grouping subject to criminal history restrictions
Barber: 50* Restricted Barber: 5*	Barber: 6,425 Restricted Barber: 4,635	Barber: 6/0.12% Restricted Barber: 2/0.40%	0/0%	Informal: 0/0% DOAH: 0/0%	Informal: 0/0% DOAH: 0/0%	0/0%	11,115

*Military endorsement applicants are subject to fingerprinting/national background checks.

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Provisional Building Code Administrators, Building Code Administrators, Provisional Building Inspectors, Building Inspectors, Provisional Mechanical Inspectors, Mechanical Inspectors, Provisional Electrical Inspectors, Electrical Inspectors, Provisional Plumbing Inspectors, Plumbing Inspectors, Provisional Residential Inspectors, Residential Inspectors, Provisional Coastal Construction Inspectors, Coastal Construction Inspectors, Modular Inspectors, Roofing Inspectors, Commercial Pool Inspectors, Residential Pool Inspectors, Provisional Building Plans Examiners, Building Plans Examiners, Provisional Mechanical Plans Examiners, Mechanical Plans Examiners, Provisional Electrical Plans Examiners, Electrical Plans Examiners, Provisional Plumbing Plans Examiners, Plumbing Plans Examiners, Residential Plans Examiners, and Modular Plans Examiners.

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule X Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Board of Building Code Administrators And Inspectors</p> <p>Section 468.609(2)(b), F.S. Administration of this part; standards for certification; additional categories of certification. A person may take the examination for certification as a building code inspector or plans examiner pursuant to this part if the person: (b) Is of good moral character.</p> <p>Sections 468.609(3)(b), Florida Statutes – Administration of this part; standards for certification; additional categories of certification. A person may take the examination for certification as a building code administrator pursuant to this part if the person: (b) Is of good moral character.</p> <p>Sections 468.621(1)(d) and (e), F.S. Disciplinary proceedings.</p> <p>The following acts constitute grounds for which the disciplinary actions in subsection (2) may be taken: (d) Having been convicted of a felony against this state or the United States, or of a felony in another state that would have been a felony had it been committed in this state. (e) Having been convicted of a crime in any jurisdiction which directly relates to the practice of building code administration or inspection.</p>	<p>1993/Health, safety and welfare of the public.</p>	<p>No predetermined criteria. Board review on a case-by-case basis.</p>	<p>Not applicable.</p>	<p>If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the board in order to present mitigation, pursuant to Section 120.57(2), Florida Statutes.</p>
<p>Section 468.621(2), F.S. (2) When the board finds any person guilty of any of the grounds set forth in subsection (1), it may enter an order imposing one or more of the following penalties: (a) Denial of an application for certification.</p> <p>Rules 61G19-5.002(2)(d) and (e), Florida Administrative Code -Disciplinary Guidelines.</p>	<p>1993/Health, safety and welfare of the public.</p>	<p>No predetermined criteria. Board review on a case-by-case basis.</p>	<p>Not applicable.</p>	

<p>Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.569 and 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses is descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.</p> <p>(d) Having been convicted of a felony. (468.621(1)(d), F.S.)</p> <p>(d)1. In the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and probation to denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension to revocation and a fine of up to \$2,500.</p> <p>(d)2. For a second offense in the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and suspension of at least 30 days followed by probation to denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension followed by probation with conditions to revocation and a fine of up to \$5,000.</p> <p>(d)3. After the second offense, the usual action of the Board shall be revocation and a fine of up to \$5,000.</p> <p>(e) Guilt of or nolo plea entered to a crime directly related to building code administration or inspection. (468.621(1)(e), 455.227(1)(c), F.S.)</p> <p>(e)1. In the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension to revocation and a fine of up to \$2,500.</p> <p>(e)2. After the first offense, the usual action of the Board shall be to impose a penalty of revocation and a fine of up to \$5,000.</p>				
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B. Describe the procedures used to determine and review the disqualification.

Applications require that applicants disclose any criminal history. If the application indicates the applicant may have questionable moral character, then the application would go before the Application Review Committee for review.

C. Describe your adopted or proposed policy reforms.

No proposed policy reforms at this time.

See the below data from FY 19/20 through 22/23:

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at first level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
32*	7,921	0/0%	0/0%	Informal: 0/0% DOAH: 0/0%	Informal: 0/0% DOAH: 0/0%	0/0%	7,953

*Military endorsement applicants are subject to fingerprinting/national background checks.

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Community Association Managers

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule X Agency / board policy

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Section 468.433, F.S., provides in part:</p> <p>(1) A person desiring to be licensed as a community association manager shall apply to the department to take the licensure examination. Each applicant must file a complete set of fingerprints that have been taken by an authorized law enforcement officer, which set of fingerprints shall be submitted to the Department of Law Enforcement for state processing and to the Federal Bureau of Investigation for federal processing. The cost of processing shall be borne by the applicant.</p> <p>(2)(b)The department shall examine each applicant who is at least 18 years of age, who has successfully completed all preclicensure education requirements, and who the department certifies is of good moral character.</p> <p>(b) The department may refuse to certify an applicant only if:</p> <ol style="list-style-type: none"> 1. There is a substantial connection between the lack of good moral character of the applicant and the professional responsibilities of a community association manager; and 2. The finding by the department of lack of good moral character is supported by clear and convincing evidence. <p>Rule 61-20.001(5), FAC, states in part:</p> <p>(a) Unless the department denies the application for incompleteness under paragraph (4)(a) of this rule, the department shall evaluate the application and make appropriate inquiry to determine the applicant's moral character. Demonstration of all of the following will establish the applicant's good moral character:</p> <ol style="list-style-type: none"> 1. The completion of a criminal history records check by the Florida Department of Law Enforcement and self-disclosure by the applicant that establishes that the applicant has no criminal record; and, (b) If the applicant has failed to establish good moral character under paragraph (5)(a), the division will then consider the following additional factors to determine whether an applicant has good moral character for purposes of licensure under Chapter 468, Part VIII, F.S.: <ol style="list-style-type: none"> 1. If commission of a second-degree misdemeanor is the only reason the applicant did not meet the requirements of paragraph (5)(a) of this rule, the applicant will be considered to have good 	<p>July 1, 1996/Protect the health, safety, and welfare of the public.</p>	<p>Each application is reviewed on its own merit for disqualification.</p>	<p>Rules provide for Civil Rights Restoration to be taken into consideration if there is a criminal conviction to establish good moral character.</p>	<p>If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the board pursuant to Section 120.57(2), Florida Statutes.</p>

<p>moral character. However, if there are also other reasons why the applicant did not meet the requirements of paragraph (5)(a) of this rule, the second-degree misdemeanor will be considered along with the other factors in determining the applicant's good moral character;</p> <p>2. If the applicant has committed a first-degree misdemeanor or a felony, and the applicant's civil rights have been restored, this alone shall not preclude a finding of good moral character unless the crime is directly related to the professional responsibilities of a community association manager. Crimes that are deemed to be directly related to the professional responsibilities of a community association manager include, for example, fraud, theft, burglary, bribery, arson, dealing in stolen property, forgery, uttering a forged instrument, sexual battery, lewd conduct, child or adult abuse, murder, manslaughter, assault, battery, and perjury. The applicant has the burden of proving restoration of civil rights by certified true copy of government or court records reflecting such action.</p>				
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B. Describe the procedures used to determine and review the disqualification.

Upon receipt of application with criminal history, the Central Intake Unit forwards the application to the board (commission) office for review. If additional information is required on the criminal history, the applicant is forward a letter to provide additional information on the criminal background and disposition of charges for determination of eligibility to take examination for CAMS.

C. Describe your adopted or proposed policy reforms.

Please see the attached list of criminal offenses which can be approved by the Department if noted on a licensure application.

See the below data from FY 19/20 through 22/23:

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at first level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
12,114	N/A	2/0.02%	0	Informal: 1/50% DOAH: 0/0%	Informal: 0/0% DOAH: 0/0%	0/0%	12,114

A. LICENSING STATUTES FOR DISQUALIFICATION
 LICENSING CATEGORIES: Construction Industry

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Section 489.111(3)(a), Florida Statutes: The board may refuse to certify an applicant for failure to satisfy the requirement of good moral character only if:</p> <ol style="list-style-type: none"> 1. There is a substantial connection between the lack of good moral character of the applicant and the professional responsibilities of a certified contractor; and 2. The finding by the board of lack of good moral character is supported by clear and convincing evidence. 	<p>Effective July, 1979. To protect the health, safety, and welfare of the public.</p>	<p>Case by case basis.</p>	<p>N/A</p>	<p>If an applicant is denied they are sent a Notice of Intent to Deny issued by the board. The reasons for the denial and appellate rights in accordance with Section 120.57(1), Florida Statutes are contained in the notice.</p>
<p>Section 489.129(1)(b), Florida Statutes, states in pertinent part that "being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of contracting or the ability to practice contracting.</p>	<p>Effective July, 1979. To protect the health, safety, and welfare of the public.</p>	<p>Case by case basis</p>	<p>N/A</p>	
<p>Section 489.115(6), Florida Statutes, states in pertinent part that an applicant for initial issuance of a certificate or registration shall submit to a statewide criminal history records check through the Department of Law Enforcement. The Department of Business and Professional Regulation shall submit the requests for the criminal history records check to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall return the results to the department to determine if the applicant meets certification or registration requirements. If the applicant has been convicted of a felony, the board may deny licensure to the applicant based upon the severity of the crime, the relationship of the crime to contracting, or the potential for public harm. The board shall also, in denying or approving licensure, consider the length of time since the commission of the crime and the rehabilitation of the applicant. The board may not deny licensure to an applicant based solely upon a felony conviction or the applicant's failure to provide proof of restoration of civil rights.</p>	<p>Effective July 2007 To protect the health, safety, and welfare of the public.</p>	<p>Case by case basis</p>	<p>N/A</p>	
<p>Section 455.213(3)(a), F.S. Notwithstanding any other law, the applicable board shall use the process in this subsection for review of an applicant's criminal record to determine his or her eligibility for licensure as:</p> <ol style="list-style-type: none"> 1. A barber under chapter 476; 2. A cosmetologist or cosmetology specialist under chapter 477; 3. Any of the following construction professions under chapter 489: <ol style="list-style-type: none"> a. Air-conditioning contractor; b. Electrical contractor; c. Mechanical contractor; d. Plumbing contractor; e. Pollutant storage systems contractor; f. Roofing contractor; 	<p>Effective July 1, 2019 To protect the health, safety, and welfare of the public.</p>	<p>Case by case basis</p>	<p>N/A</p>	

<p>g. Sheet metal contractor; h. Solar contractor; i. Swimming pool and spa contractor; j. Underground utility and excavation contractor; or k. Other specialty contractors; or 4. Any other profession for which the department issues a license, provided the profession is offered to inmates in any correctional institution or correctional facility as vocational training or through an industry certification program.</p> <p>(b)1. A conviction, or any other adjudication, for a crime more than 5 years before the date the application is received by the applicable board may not be grounds for denial of a license specified in paragraph (a). For purposes of this paragraph, the term "conviction" means a determination of guilt that is the result of a plea or trial, regardless of whether adjudication is withheld. This paragraph does not limit the applicable board from considering an applicant's criminal history that includes a crime listed in s. 775.21(4)(a)1. or s. 776.08 at any time, but only if such criminal history has been found to relate to the practice of the applicable profession.</p> <p>2.The applicable board may consider the criminal history of an applicant for licensure under subparagraph (a)3. if such criminal history has been found to relate to good moral character.</p> <p>(c)1.A person may apply for a license before his or her lawful release from confinement or supervision. The department may not charge an applicant an additional fee for being confined or under supervision. The applicable board may not deny an application for a license solely on the basis of the applicant's current confinement or supervision.</p> <p>2.After a license application is approved, the applicable board may stay the issuance of a license until the applicant is lawfully released from confinement or supervision and the applicant notifies the applicable board of such release. The applicable board must verify the applicant's release with the Department of Corrections before it issues a license.</p> <p>3.If an applicant is unable to appear in person due to his or her confinement or supervision, the applicable board must permit the applicant to appear by teleconference or video conference, as appropriate, at any meeting of the applicable board or other hearing by the agency concerning his or her application.</p> <p>4. If an applicant is confined or under supervision, the Department of Corrections and the applicable board shall cooperate and coordinate to facilitate the appearance of the applicant at a board meeting or agency hearing in person, by teleconference, or by video conference, as appropriate.</p>				
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B. Describe the procedures used to determine and review the disqualification.

All applicants are required to submit fingerprints for a criminal history check by the Florida Department of Law Enforcement. The board reviews the information on a case-by-case basis to determine if licensure should be granted. However, in reviewing the criminal history, the board still must determine if there is a lack of good moral character that substantially relates to the ability to practice contracting.

C. Describe your adopted or proposed policy reforms.

Please see the attached lists of criminal offenses which can be approved by the Department if noted on a licensure application.

See the below data from FY 19/20 through 22/23:

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at first level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
43,652	N/A	9/0.02%	0	Informal: 0/0% DOAH: 0/0%	Informal: 0/0% DOAH: 0/0%	0/0%	43,652

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Cosmetologists, Facial Specialists, Full Specialists, Manicure/Pedicure/Nail Specialists, and Cosmetology Salons

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Section 455.213, F.S. (3)(a) Notwithstanding any other law, the applicable board shall use the process in this subsection for review of an applicant's criminal record to determine his or her eligibility for licensure as:</p> <ol style="list-style-type: none"> 1. A barber under chapter 476; 2. A cosmetologist or cosmetology specialist under chapter 477; 3. Any of the following construction professions under chapter 489: <ol style="list-style-type: none"> a. Air-conditioning contractor; b. Electrical contractor; c. Mechanical contractor; d. Plumbing contractor; e. Pollutant storage systems contractor; f. Roofing contractor; g. Sheet metal contractor; h. Solar contractor; i. Swimming pool and spa contractor; j. Underground utility and excavation contractor; or k. Other specialty contractors; or 4. Any other profession for which the department issues a license, provided the profession is offered to inmates in any correctional institution or correctional facility as vocational training or through an industry certification program. <p>(b)1. A conviction, or any other adjudication, for a crime more than 5 years before the date the application is received by the applicable board may not be grounds for denial of a license specified in paragraph (a). For purposes of this paragraph, the term "conviction" means a determination of guilt that is the result of a plea or trial, regardless of whether adjudication is withheld. This paragraph does not limit the applicable board from considering an applicant's criminal history that includes a crime listed in s. 775.21(4)(a)1. or s. 776.08 at any time, but only if such criminal history has been found to relate to the practice of the applicable profession.</p> <p>2. The applicable board may consider the criminal history of an applicant for licensure under subparagraph (a)3. if such criminal history has been found to relate to good moral character.</p> <p>(c)1. A person may apply for a license before his or her lawful release from confinement or supervision. The department may not charge an applicant an additional fee for being confined or under supervision. The applicable board may not deny an application for a license solely on the basis of the applicant's current confinement or supervision.</p> <p>2. After a license application is approved, the applicable board may stay the issuance of a license until the applicant is lawfully released from confinement or supervision and the applicant notifies the applicable board of such release. The applicable board must</p>	<p>2019/ health, safety and welfare of the public.</p>	<p>No predetermined criteria. Board review on a case-by-case basis.</p>	<p>Not applicable.</p>	<p>If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing before the board in order to present mitigation, pursuant to Section 120.57(2), Florida Statutes.</p>

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Electrical Contractors – Certified/Registered Contractors

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Section 455.213, F.S. (3)(a) Notwithstanding any other law, the applicable board shall use the process in this subsection for review of an applicant’s criminal record to determine his or her eligibility for licensure as:</p> <ol style="list-style-type: none"> 1. A barber under chapter 476; 2. A cosmetologist or cosmetology specialist under chapter 477; 3. Any of the following construction professions under chapter 489: <ol style="list-style-type: none"> a. Air-conditioning contractor; b. Electrical contractor; c. Mechanical contractor; d. Plumbing contractor; e. Pollutant storage systems contractor; f. Roofing contractor; g. Sheet metal contractor; h. Solar contractor; i. Swimming pool and spa contractor; j. Underground utility and excavation contractor; or k. Other specialty contractors; or 4. Any other profession for which the department issues a license, provided the profession is offered to inmates in any correctional institution or correctional facility as vocational training or through an industry certification program. <p>(b)1. A conviction, or any other adjudication, for a crime more than 5 years before the date the application is received by the applicable board may not be grounds for denial of a license specified in paragraph (a). For purposes of this paragraph, the term “conviction” means a determination of guilt that is the result of a plea or trial, regardless of whether adjudication is withheld. This paragraph does not limit the applicable board from considering an applicant’s criminal history that includes a crime listed in s. 775.21(4)(a)1. or s. 776.08 at any time, but only if such criminal history has been found to relate to the practice of the applicable profession.</p> <p>2. The applicable board may consider the criminal history of an applicant for licensure under subparagraph (a)3. if such criminal history has been found to relate to good moral character.</p> <p>(c)1. A person may apply for a license before his or her lawful release from confinement or supervision. The department may not charge an applicant an additional fee for being confined or under supervision. The applicable board may not deny an application for a license solely on the basis of the applicant’s current confinement or supervision.</p> <p>2. After a license application is approved, the applicable board may stay the issuance of a license until the applicant is lawfully released from confinement or supervision and the applicant notifies the applicable board of such release. The applicable board must verify the applicant’s</p>	<p>2019/ health, safety and welfare of the public.</p>	<p>Each application is reviewed on a case by case basis.</p>	<p>N/A</p>	<p>If an applicant disputes any material fact upon which the board’s decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the board pursuant to Section 120.57(2), Florida Statutes.</p>

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Employee Leasing Company, Employee Leasing Group, Employee Leasing Group Member, De Minimus Registration of Company, De Minimus Registration of Company Group Leader, De Minimus Registration of Company Group Member

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute _X_ Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Board of Employee Leasing Companies</p> <p>Section 468.524, F.S. (2) The board may require information and certifications necessary to determine that the applicant is of good moral character and meets other licensure requirements of this part. (3) An application for licensure of an employee leasing company group that qualifies for group licensure must contain the information required by this section for each member of the group.</p> <p>Section 468.524(4)(e), F.S. 4) An applicant or licensee is ineligible to reapply for a license for a period of 1 year following final agency action on the denial or revocation of a license applied for or issued under this part. This time restriction does not apply to administrative denials or revocations entered because: (e) An applicant or licensed employee leasing company has been deemed ineligible for a license because of the lack of good moral character of an individual or individuals when such individual or individuals are no longer employed in a capacity that would require their licensing under this part.</p> <p>Section 468.525(1)(b), F.S. (1) Each controlling person licensed by the department shall: (b) Be of good moral character.</p> <p>Section 468.525(2)(a), F.S. (2)(a) As used in this part, "good moral character" means a personal history of honesty, trustworthiness, fairness, a good reputation for fair dealings, and respect for the rights of others and for the laws of this state and nation. A thorough background investigation of the individual's good moral character shall be instituted by the department. Such investigation shall require: 1. The submission of fingerprints, for processing through appropriate law enforcement agencies, by the applicant and the examination of police records by the board.</p>	<p>1991 To protect the public health safety and welfare.</p>	<p>No predetermined criteria, the board reviews on a case-by-case basis.</p>	<p>N/A</p>	<p>If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the board pursuant to Section 120.57(2), Florida Statutes.</p>

<p>Section 468.525(2)(b), F.S.</p> <p>(b) The board may deny an application for licensure or renewal citing lack of good moral character. Conviction of a crime within the last 7 years shall not automatically bar any applicant or licensee from obtaining a license or continuing as a licensee. The board shall consider the type of crime committed, the crime's relevancy to the employee leasing industry, the length of time since the conviction and any other factors deemed relevant by the board.</p>				
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B. Describe the procedures used to determine and review the disqualification.

All applications require that the applicant disclose any criminal history and submit a criminal background check. All applications are reviewed, approved or denied by the board. When an application is being reviewed it is checked by the board, to ensure that all licensing requirements have been met by the applicant. If the application indicates the applicant may have questionable moral character, the board will make a determination to approve or deny. The board may also request the applicant appear for clarification and further review.

C. Describe your adopted or proposed policy reforms.

Please see the attached list of criminal offenses which can be approved by the Department if noted on a licensure application.

See the below data from FY 19/20 through 22/23:

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at first level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
180	N/A	0/0%	0/0%	Informal: 0/0% DOAH: 0/0%	Informal: 0/0% DOAH: 0/0%	0/0%	180

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Employee Leasing Company, Employee Leasing Group, Employee Leasing Group Member, De Minimus Registration of Company, De Minimus Registration of Company Group Leader, De Minimus Registration of Company Group Member

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute _X_ Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Board of Employee Leasing Companies</p> <p>Section 468.524, F.S. (2) The board may require information and certifications necessary to determine that the applicant is of good moral character and meets other licensure requirements of this part. (3) An application for licensure of an employee leasing company group that qualifies for group licensure must contain the information required by this section for each member of the group.</p> <p>Section 468.524(4)(e), F.S. 4) An applicant or licensee is ineligible to reapply for a license for a period of 1 year following final agency action on the denial or revocation of a license applied for or issued under this part. This time restriction does not apply to administrative denials or revocations entered because: (e) An applicant or licensed employee leasing company has been deemed ineligible for a license because of the lack of good moral character of an individual or individuals when such individual or individuals are no longer employed in a capacity that would require their licensing under this part.</p> <p>Section 468.525(1)(b), F.S. (1) Each controlling person licensed by the department shall: (b) Be of good moral character.</p> <p>Section 468.525(2)(a), F.S. (2)(a) As used in this part, "good moral character" means a personal history of honesty, trustworthiness, fairness, a good reputation for fair dealings, and respect for the rights of others and for the laws of this state and nation. A thorough background investigation of the individual's good moral character shall be instituted by the department. Such investigation shall require: 1. The submission of fingerprints, for processing through appropriate law enforcement agencies, by the applicant and the examination of police records by the board.</p>	<p>1991 To protect the public health safety and welfare.</p>	<p>No predetermined criteria, the board reviews on a case-by-case basis.</p>	<p>N/A</p>	<p>If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the board pursuant to Section 120.57(2), Florida Statutes.</p>

<p>Section 468.525(2)(b), F.S.</p> <p>(b) The board may deny an application for licensure or renewal citing lack of good moral character. Conviction of a crime within the last 7 years shall not automatically bar any applicant or licensee from obtaining a license or continuing as a licensee. The board shall consider the type of crime committed, the crime's relevancy to the employee leasing industry, the length of time since the conviction and any other factors deemed relevant by the board.</p>				
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C. Describe the procedures used to determine and review the disqualification.

All applications require that the applicant disclose any criminal history and submit a criminal background check. All applications are reviewed, approved or denied by the board. When an application is being reviewed it is checked by the board, to ensure that all licensing requirements have been met by the applicant. If the application indicates the applicant may have questionable moral character, the board will make a determination to approve or deny. The board may also request the applicant appear for clarification and further review.

C. Describe your adopted or proposed policy reforms.

Please see the attached list of criminal offenses which can be approved by the Department if noted on a licensure application.

See the below data from FY 19/20 through 22/23:

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at first level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
180	N/A	0/0%	0/0%	Informal: 0/0% DOAH: 0/0%	Informal: 0/0% DOAH: 0/0%	0/0%	180

AGENCY: DBPR

Contact Person: Zana Raybon

Phone: 850.521.0500

Email: zraybon@fbpe.org

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Professional Engineers

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Florida Board of Professional Engineers</p> <p>Section 471.013(1), Florida Statutes, requires an applicant for licensure as an engineer to be of good moral character.</p> <p>Section 471.013(2)(a), Florida Statutes, provides that the Board of Professional Engineers may refuse to certify an applicant for failure to satisfy the requirement of good moral character only if:</p> <ol style="list-style-type: none">1. There is a substantial connection between the lack of good moral character of the applicant and the professional responsibilities of a licensed engineer; and2. The finding by the board of lack of good moral character is supported by clear and convincing evidence. <p>Section 471.013(2)(a), Florida Statutes, provides that when an applicant is found to be unqualified for a license because of a lack of good moral character, the board shall furnish a statement containing the findings of the board, a complete record of evidence upon which the determination was based, and a notice of the rights of the applicant to a rehearing and appeal.</p>	<p>Health, safety and welfare of the public.</p> <p>1979</p>	<p>No predetermined criteria. Board review on a case-by-case basis.</p>	<p>Not applicable.</p>	<p>If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a rehearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing before the board pursuant to Section 120.57(2), Florida Statutes.</p>

B. Describe the procedures used to determine and review the disqualification.

The Board's Applications Review Committee reviews the entire application file, reflects on the criminal charge, its relation to the Engineering Profession and practicing therein, and how recently the violation took place.

C. Describe your adopted or proposed policy reforms.

No proposed policy reforms at this time.

Data from fiscal year 2019-2023

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at 1 st level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
22	10,540	3/.04%	0	6/.09%	3/.04%	0	10,562

A. LICENSING STATUTES FOR DISQUALIFICATION
 LICENSING CATEGORIES: Professional Geologist

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Board of Professional Geologists Section 492.105, F.S., Licensure by examination; requirements; fees states: (1) Any person desiring to be licensed as a professional geologist shall apply to the department to take the licensure examination. The written licensure examination shall be designed to test an applicant's qualifications to practice professional geology, and shall include such subjects as will tend to ascertain the applicant's knowledge of the theory and the practice of professional geology and may include such subjects as are taught in curricula of accredited colleges and universities. The department shall examine each applicant who the board certifies: (c) Has not committed any act or offense in any jurisdiction which would constitute the basis for disciplining a professional geologist licensed pursuant to this chapter.</p> <p>Section 492.113, F.S. Disciplinary proceedings.-- (1) The following acts constitute grounds for which the disciplinary actions may be taken: (d) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of professional geology or the ability to practice professional geology.</p>	<p>1987 To protect the public health safety and welfare.</p> <p>2004 / To protect the public health safety and welfare.</p>	<p>No predetermined criteria, the board reviews on a case-by-case basis.</p>	<p>N/A</p>	<p>If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the Department pursuant to Section 120.57(2), Florida Statutes.</p>

B. Describe the procedures used to determine and review the disqualification.

All applications require that the applicant disclose any criminal history. All applications are reviewed, approved or denied by the board. When an application is being reviewed it is checked by the Application Review Committee, to ensure that all licensing requirements have been met by the applicant. If the application indicates the applicant may have been found guilty of, or entered a plea of nolo contendere to, a crime which directly relates to the practice of professional geology, or the ability to practice professional geology, the application would go before the board for further review and determination of approval or denial.

C. Describe your adopted or proposed policy reforms.

Please see the attached list of criminal offenses which can be approved by the Department if noted on a licensure application.

See the below data from FY 19/20 through 22/23:

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at first level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
N/A	442	0/0%	0/0%	Informal: 0/0% DOAH: 0/0%	Informal: 0/0% DOAH: 0/0%	0/0%	442

A. LICENSING STATUTES FOR DISQUALIFICATION
 LICENSING CATEGORIES: Home Inspector

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule X Agency / board policy

Cause / source	Year/Rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Home Inspection Licensing Program</p> <p>Section 468.8313(5), F.S.</p> <p>(5)(a)“Good moral character” means a personal history of honesty, fairness, and respect for the rights of others and for the laws of this state and nation. (5)(b)The department may refuse to certify an applicant for failure to satisfy this requirement only if: 1. There is a substantial connection between the lack of good moral character of the applicant and the professional responsibilities of a licensed home inspector; and 2. The finding by the department of lack of good moral character is supported by clear and convincing evidence.</p> <p>Section 468.8313(6), F.S.</p> <p>(6) An applicant for a license shall submit, together with the application, a complete set of electronic fingerprints to the department. The department shall submit the fingerprints to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward them to the Federal Bureau of Investigation for national processing, to determine whether the applicant has a criminal history record. The department shall review the background results to determine if an applicant meets licensure requirements. The applicant is responsible for the costs associated with processing the fingerprints.</p> <p>Rule 61-30.102, F.A.C., states in part:</p> <p>(4) Good Moral Character: (a) The following shall be considered evidence showing a lack of good moral character for which the department may deny a licensure application: 1. A criminal history records check by the Florida Department of Law Enforcement indicating the applicant has pled guilty or nolo contendere to, or been found guilty of, regardless of adjudication, a crime that directly relates to the profession of home inspector, in any jurisdiction. Crimes that are deemed to be directly related to the professional responsibilities of a</p>	<p>2009/To protect the public health, safety, and welfare.</p>	<p>Crimes that are deemed to be directly related to the professional responsibilities of a home inspector include, but are not limited to, fraud, theft, burglary, bribery, arson, dealing in stolen property, forgery, uttering a forged instrument, sexual battery, lewd conduct, child or adult abuse, murder, manslaughter, assault, battery, and perjury.</p> <p>Otherwise, the department reviews on a case-by-case basis.</p>	<p>N/A</p>	<p>If an applicant disputes any material fact upon which the board’s decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the Department pursuant to Section 120.57(2), Florida Statutes.</p>

home inspector include, but are not limited to, fraud, theft, burglary, bribery, arson, dealing in stolen property, forgery, uttering a forged instrument, sexual battery, lewd conduct, child or adult abuse, murder, manslaughter, assault, battery, and perjury;

2. A criminal history records check by the Florida Department of Law Enforcement which exhibits a pattern of unlawful behavior which would indicate that the applicant has little regard for the law, the rules of society, or the rights of others. It is the applicant's repeated flaunting of or ignoring the law that evidences a lack of the moral character needed to perform the duties and assume the responsibilities of a home inspector, not the particular relationship of any one of the violations to the professional responsibilities of a home inspector;...

...7. Conviction of a crime as set forth in Section 775.16, F.S., pertaining to certain offenses involving controlled substances.

(b) The department shall consider any documentation provided by the applicant in determining the applicant's good moral character. The following documentation may be provided by the applicant to the department to assist in the determination of moral character:

1. A statement from the applicant explaining the applicant's criminal/unlawful conduct and the reason the applicant believes the Department should issue the license;
2. Documentation evidencing the length of time since the conduct occurred or the age of the applicant at the time the conduct occurred;
3. Documentation evidencing successful rehabilitation;
4. Recommendations from parole or probation officers who have supervised the applicant;
5. Recommendations from the prosecuting attorney or sentencing judge;
6. Character references from individuals other than immediate family members, who have known the applicant for 3 years or longer;
7. Police reports or transcripts which reveal the underlying facts of the crime;
8. Documentation evidencing that the conduct was an isolated occurrence contrary to the applicant's normal pattern of behavior; and
9. Documentation evidencing community or civil activities with which the applicant has been associated. It is the applicant's responsibility to provide such mitigating evidence to the department.

(c) If the applicant makes incomplete, misleading or false statements regarding material facts in making an application, such action will establish the applicant's lack of good moral character, and the application will be denied.

(d) If the department determines based on the evidence provided for in

<p>paragraphs (4)(a) and (4)(b) of this rule that the applicant does not possess good moral character, or the applicant has failed to provide documents to substantiate good moral character within the time limitations of Section 120.60, F.S., the application will be denied. However, the applicant will be given an opportunity by the Department to waive the time limits of this rule and Section 120.60, F.S., if it appears to the Department that, through the submission of additional information or with additional time for investigation and verification, the applicant's good moral character might be established.</p>				
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B. Describe the procedures used to determine and review the disqualification.

All applications require that the applicant disclose any criminal history and submit to a criminal background check. All applications are reviewed, approved or denied by the Department. Anytime an application has an indication of criminal history it is referred to the Board Office and the Office of the General Counsel for review. If it is determined that the criminal history has a substantial connection to the profession, the applicant is denied. The reason(s) for denial and the appeal rights, in accordance with Section 120.57(1), Florida Statutes, will be explained in a letter to the applicant (Notice of Intent to Deny). If it is determined that the criminal history has nothing to do with the profession, the application will be processed for licensure.

C. Describe your adopted or proposed policy reforms.

Please see the attached list of criminal offenses which can be approved by the Department if noted on a licensure application.

See the below data from FY 19/20 through 22/23:

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at first level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
4,690	N/A	0/0%	0/0%	Informal: 0/0% DOAH: 0/0%	Informal: 0/0% DOAH: 0/0%	0/0%	4,690

A. LICENSING STATUTES FOR DISQUALIFICATION
 LICENSING CATEGORIES: Landscape Architecture

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Board of Landscape Architecture, Section 481.311(5) and (6), F.S.</p> <p>(5) The board may refuse to certify any applicant who is under investigation in any jurisdiction for any act which would constitute a violation of this act or of chapter 455, until the investigation is complete and disciplinary proceedings have been terminated.</p> <p>(6), The board may refuse to certify any applicant who has violated any of the provisions of section 481.325, FS.</p> <p>Section 481.325 (1)(d), F.S. disciplinary proceedings: Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly related to the practice of landscape architecture or the ability to practice landscape architecture.</p>	1979/Health, safety and welfare of the public.	No predetermined criteria, the board reviews on a case-by-case basis.	N/A	If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the board pursuant to Section 120.57(2), Florida Statutes.

B. Describe the procedures used to determine and review the disqualification.

Applications require that applicants disclose background information. If the application indicates the applicant has been convicted of a crime, found guilty, or entered a plea of guilty or nolo contendere the applicant must provide full details which then goes before the full board for review. The board reviews on a case-by-case basis and makes a determination whether the crime relates to the profession or the ability to practice the profession.

C. Describe your adopted or proposed policy reforms.

Please see the attached list of criminal offenses which can be approved by the Department if noted on a licensure application.

See the below data from FY 19/20 through 22/23:

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at first level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
7*	417	0/0%	0/0%	Informal: 0/0% DOAH: 0/0%	Informal: 0/0% DOAH: 0/0%	0/0%	424

*Military endorsement applicants are subject to fingerprinting/national background checks.

A. LICENSING STATUTES FOR DISQUALIFICATION
 LICENSING CATEGORIES: Mold Assessor, Mold Remediator

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule X Agency / board policy

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Mold Related Services Licensing Program</p> <p>Sections 468.8413(4)(a)(b)1. & 2., F.S.</p> <p>(4)(a)“Good moral character” means a personal history of honesty, fairness, and respect for the rights of others and for the laws of this state and nation. (b)The department may refuse to certify an applicant for failure to satisfy this requirement only if: 1. There is a substantial connection between the lack of good moral character of the applicant and the professional responsibilities of a licensed home inspector; and 2. The finding by the department of lack of good moral character is supported by clear and convincing evidence.</p> <p>Section 468.8413(6), F.S.</p> <p>(6) An applicant for a license shall submit, together with the application, a complete set of electronic fingerprints to the department. The department shall submit the fingerprints to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward them to the Federal Bureau of Investigation for national processing, to determine whether the applicant has a criminal history record. The department shall review the background results to determine if an applicant meets licensure requirements. The applicant is responsible for the costs associated with processing the fingerprints. The authorized agencies or vendors shall collect such fees and pay for the processing costs due to the Department of Law Enforcement.</p>	<p>2009</p> <p>To protect the public health safety and welfare</p>	<p>Crimes that are deemed to be directly related to the professional responsibilities of a mold remediator or mold assessor include, but are not limited to, fraud, theft, burglary, bribery, arson, dealing in stolen property, forgery, uttering a forged instrument, sexual battery, lewd conduct, child or adult abuse, murder, manslaughter, assault, battery, and perjury;</p> <p>Otherwise, the department reviews on a case by case basis.</p>	<p>N/A</p>	<p>If an applicant disputes any material fact upon which the board’s decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the Department pursuant to Section 120.57(2), Florida Statutes.</p>
<p>Rule 61-31.101, F.A.C., states in part:</p> <p>(2) The Department shall issue a license to an applicant who complies with subsection (3) or (4) and complies with the following:</p> <p>(d) Submits a complete set of electronic fingerprints through the following procedure: 1. Applicants can use any Livescan vendor that has been approved by the Florida Department of Law Enforcement to submit their fingerprints to the Department. Applicants shall provide the vender the Originating Agency</p>	<p>2014</p> <p>To protect the public health safety and welfare</p>			

Identification (ORI) number FL 924260Z when submitting fingerprints.

(5) "Good Moral Character":

(a) The following shall be considered evidence showing a lack of good moral character for which the Department may deny a licensure application:

1. A criminal history records check by the Florida Department of Law Enforcement indicating the applicant has pled guilty or nolo contendere to, or been found guilty of, regardless of adjudication, a crime that directly relates to the profession of mold remediation or mold assessment, in any jurisdiction. Crimes that are deemed to be directly related to the professional responsibilities of a mold remediator or mold assessor include, but are not limited to, fraud, theft, burglary, bribery, arson, dealing in stolen property, forgery, uttering a forged instrument, sexual battery, lewd conduct, child or adult abuse, murder, manslaughter, assault, battery, and perjury;

2. A criminal history records check by the Florida Department of Law Enforcement which exhibits a pattern of unlawful behavior which would indicate that the applicant has little regard for the law, the rules of society, or the rights of others. It is the applicant's repeated flaunting of or ignoring the law that evidences a lack of the moral character needed to perform the duties and assume the responsibilities of a mold remediator or mold assessor, not the particular relationship of any one of the violations to the professional responsibilities of a mold remediator or mold assessor;

7. Conviction of a crime as set forth in Section 775.16, F.S., pertaining to certain offenses involving controlled substances.

(b) The Department shall consider any documentation provided by the applicant in determining the applicant's good moral character. The following documentation may be provided by the applicant to the Department to assist in the determination of moral character:

1. A statement from the applicant explaining the applicant's criminal/unlawful conduct and the reason the applicant believes the Department should issue the license;

2. Documentation evidencing the length of time since the conduct occurred or the age of the applicant at the time the conduct occurred;

3. Documentation evidencing successful rehabilitation;

4. Recommendations from parole or probation officers who supervised the applicant;

5. Recommendations from the prosecuting attorney or sentencing judge;

6. Character references from individuals other than immediate family members, who have known the applicant for 3 years or longer;

7. Police reports or transcripts which reveal the underlying facts of the crime;

<p>8. Documentation evidencing the conduct was an isolated occurrence contrary to the applicant's normal pattern of behavior; and</p> <p>9. Documentation evidencing community or civic activities with which the applicant has been associated. It is the applicant's responsibility to provide such mitigating evidence to the Department.</p> <p>(c) If the applicant makes incomplete, misleading or false statements regarding material facts in applying, such action will establish the applicant's lack of good moral character, and the application will be denied.</p> <p>(d) If the Department determines based on the evidence provided for in paragraph (4)(a) of this rule that the applicant does not possess good moral character, or the applicant has failed to provide documents to substantiate good moral character within the time limitations of Section 120.60, F.S., the application will be denied. However, the applicant will be given an opportunity by the Department to waive the time limits of this rule and Section 120.60, F.S., if it appears to the department that, through the submission of additional information or with additional time for investigation and verification, the applicant's good moral character might be established.</p>				
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B. Describe the procedures used to determine and review the disqualification.

All applications require that the applicant disclose any criminal history and submit to a criminal background check. All applications are reviewed, approved or denied by the Department. Anytime an application has an indication of criminal history it is referred to the Board Office and the Office of the General Counsel for review. If it is determined that the criminal history has a substantial connection to the profession, the applicant is denied. The reason(s) for denial and the appeal rights, in accordance with Section 120.57(1), Florida Statutes, will be explained in a letter to the applicant (Notice of Intent to Deny). If it is determined that the criminal history has nothing to do with the profession, the application will be processed for licensure.

C. Describe your adopted or proposed policy reforms.

Please see the attached list of criminal offenses which can be approved by the Department if noted on a licensure application.

See the below data from FY 19/20 through 22/23:

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at first level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
3,323	N/A	0/0%	0/0%	Informal: 0/0% DOAH: 0/0%	Informal: 0/0% DOAH: 0/0%	0/0%	3,323

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: State Pilots and Deputy Pilots

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Board of Pilot Commissioners</p> <p>Section 310.071(4)(a) and (b), F.S. – Deputy Pilot Certification.</p> <p>(4) Notwithstanding s. 112.011 or any other provision of law relating to the restoration of civil rights, an applicant shall be disqualified from applying for and shall be denied a deputy pilot certificate if the applicant, regardless of adjudication, has ever been found guilty of, or pled guilty or nolo contendere to, a charge which was:</p> <p>(a) A felony or first degree misdemeanor which directly related to the navigation or operation of a vessel; or</p> <p>(b) A felony involving the sale of or trafficking in, or conspiracy to sell or traffic in, a controlled substance as defined by chapter 893, or an offense under the laws of any state or country which, if committed in this state, would constitute the felony of selling or trafficking in, or conspiracy to sell or traffic in, such controlled substance.</p>	<p>2000</p> <p>Health, safety and welfare of the public.</p>	<p>Handled on a case-by-case basis.</p>	<p>Not applicable.</p>	<p>If an applicant disputes any material fact upon which the board’s decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the board pursuant to Section 120.57(2), Florida Statutes.</p>

B. Describe the procedures used to determine and review the disqualification.

Deputy Pilot and State Pilot applications require that applicants disclose any criminal history. If criminal history is disclosed, then the board consultant reviewing the applications for detailed experience requirements would also note the criminal history. The board would be notified of the criminal history but only approves the required sea time experience and the department would ultimately have the responsibility of the criminal history consideration. The criminal history would be noted on the request for Deputy Pilot selection memorandum forwarded to the Secretary for his/her decision of the Deputy Pilot appointment(s).

D. Describe your adopted or proposed policy reforms.

No proposed policy reforms at this time.

See the below data from FY 19/20 through 22/23:

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at 1 st level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
N/A	299	0/0%	0/0%	Informal: 0/0% DOAH: 0/0%	Informal: 0/0% DOAH: 0/0%	0/0%	299

A. LICENSING STATUTES FOR DISQUALIFICATION
 LICENSING CATEGORIES: Talent Agencies

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule X Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>468.402(1) (c); (5)(a), F.S. Duties of the department; authority to issue and revoke license; adoption of rules.-- (1) The department may take any one or more of the actions specified in subsection (5) against any person who has: (c) Been found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime involving moral turpitude or dishonest dealings under the laws of this state or any other state or government. (5) Upon a finding of a violation of any one or more of the grounds enumerated in subsection (1) or any other section of this part, the department may take the following actions: (a) Deny an application for licensure as a talent agency.</p> <p>Section 468.403(3), F.S.</p> <p>(a) Each owner of a talent agency if other than a corporation and each operator of a talent agency shall submit to the department with the application for licensure of the agency a full set of fingerprints and a photograph of herself or himself taken within the preceding 2 years. The department shall conduct an examination of fingerprint records and police records. (b) Each owner of a talent agency that is a corporation shall submit to the department, with the application for licensure of the agency, a full set of fingerprints of the principal officer signing the application form and the bond form, and a full set of fingerprints of each operator, and a photograph of each taken within the preceding 2 years. The department shall conduct an examination of fingerprint records and police records.</p> <p>Rule 61-19.003, F.A.C., provides in part: Each owner and operator of a talent agency wishing to obtain a license and renewal thereafter shall submit a completed application...In addition to the application form, each owner and operator shall submit the following information and documents: (1) The application must be accompanied by a complete set of</p>	<p>July 1, 1986</p> <p>Protect the health, safety, and welfare of the public.</p>	<p>Each application reviewed by the department on a case-by-case basis.</p>	<p>Civil Rights Restoration</p> <p>N/A</p>	<p>Relief mechanism(s)</p> <p>If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the board pursuant to Section 120.57(2), Florida Statutes.</p>

<p>fingerprints submitted electronically to the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigations (FBI) for state and national criminal history record checks, executed no more than 60 days prior to filing. All sets of fingerprints must be submitted by a live-scan vendor or service provider that has been approved by FDLE to electronically submit criminal history requests. If the set of fingerprints are taken on a physical fingerprint card, it must be scanned and submitted by a FDLE-approved live-scan vendor or service provider. All applicants must ensure to provide the correct Originating Agency Identifier (ORI), FL921670Z, programmed for Talent Agency License, to the live-scan vendor or service provider. Failure to provide the correct ORI number may result in an incomplete application. The cost of fingerprint processing shall be paid by the applicant directly to the FDLE-approved vendor or service provider. All personal information requested on the card must be affixed thereon by the applicant;</p>				
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B. Describe the procedures used to determine and review the disqualification.

Upon receipt of application with criminal history, the Central Intake Unit forwards the application to the licensing office for review. If additional information is required on the criminal history, the applicant is forward a letter to provide additional information on the criminal background and disposition of charges for determination of eligibility for Talent Agent license.

C. Describe your adopted or proposed policy reforms.

Please see the attached list of criminal offenses which can be approved by the Department if noted on a licensure application.

See the below data from FY 19/20 through 22/23:

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at first level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
255	N/A	0/0%	0/0%	Informal: 0/0% DOAH: 0/0%	Informal: 0/0% DOAH: 0/0%	0/0%	255

A. LICENSING STATUTES FOR DISQUALIFICATION
 LICENSING CATEGORIES: Veterinary Medicine

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule Agency / board policy

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Board of Veterinary Medicine, Section 474.207(2), F.S., Licensure by Examination:</p> <p>The department shall not issue a license to any applicant who is under investigation in any state or territory of the United States or in the District of Columbia for an act which would constitute a violation of this chapter until the investigation is complete and disciplinary proceedings have been determined, at which time the provisions of section 474.214, FS shall apply.</p> <p>Section 474.217(2), F.S., Endorsement:</p> <p>The department shall not issue a license to any applicant who is under investigation in any state or territory of the United States or in the District of Columbia for an act which would constitute a violation of this chapter until the investigation is complete and disciplinary proceedings have been determined, at which time the provisions of section 474.214, FS shall apply.</p> <p>Section 474.214, F.S., disciplinary proceedings:</p> <p>(1)(c) Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly related to the practice of veterinary medicine or the ability to practice veterinary medicine. Any crime which demonstrates a lack of regard for animal life related to the ability to practice veterinary medicine. In addition, crimes relating to the ability to practice veterinary medicine shall include, but not be limited to, crimes involving any violation of state or federal drug laws.</p> <p>(2) When the board finds any applicant or veterinarian guilty of any of the grounds set forth in subsection (1), regardless of whether the violation occurred prior to licensure, it may enter an order imposing one or more of the following penalties:</p> <p>(a) Denial of certification for examination or licensure.</p> <p>Sections 474.215(8) and (9), F.S., Premises Permits:</p> <p>The department or the board may deny, revoke, or suspend the permit of any permittee under this section and may fine, place on probation or otherwise discipline any such permitte who has been convicted or found</p>	<p>1979 Health, safety and welfare of the public.</p>	<p>No predetermined criteria, the board reviews on a case-by-case basis.</p>	<p>N/A</p>	<p>If an applicant disputes any material fact upon which the board's decision is based, the applicant may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes. If there are no disputed material facts, the applicant may request a hearing the before the board pursuant to Section 120.57(2), Florida Statutes.</p>

guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a felony in any court of this state, or any other state, or of the United States.				
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B. Describe the procedures used to determine and review the disqualification.

Applications require that applicants disclose background information. If the application indicates the applicant has been convicted of a crime, found guilty, or entered a plea of guilty or nolo contendere the applicant must provide full details which then goes before the full board for review. The board reviews on a case-by-case basis and makes a determination whether the crime relates to the profession or the ability to practice the profession.

In the case of the Board of Veterinary Medicine premise permits, a person who is not a veterinarian but desires to own and operate a veterinary medical establishment may make an application do so, but the department must submit the permittee's name for a statewide criminal records correspondence check through the Department of Law Enforcement.

C. Describe your adopted or proposed policy reforms.

No proposed policy reforms at this time.

See the below data from FY 19/20 through 22/23:

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at first level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
565	2,903	0/0%	0/0%	Informal: 0/0% DOAH: 0/0%	Informal: 0/0% DOAH: 0/0%	0/0%	3,468

*Individuals applying for a Premise permit from out-of-state are subject to a statewide criminal records check, and military endorsement applicants are subject to fingerprinting/national background checks.

Division of Real Estate

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Real Estate Sales Associates, Brokers, Appraisers, and Appraisal Management Companies

SOURCE OF DISQUALIFICATION / RESTRICTION [based on Ex-Offender Status]: Statute X Rule X Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p><u>All professions:</u> See generally Sections 455.201 and 455.213(10), Florida Statutes</p> <p><u>Sales Associates and Brokers</u> See generally Chapters 455 and 475, Part I, Florida Statutes and Rule Chapter 61J2, Florida Admin Code</p> <p>See also Sections 475.17 and 475.181, Florida Admin Code Rule 61J2-2.027 for general licensing qualifications/criteria</p> <p>Specifically: Section 475.25(1)(f), Florida Statutes</p> <p><u>Appraisers</u> See generally Chapters 455 and 475, Part II, Florida Statutes and Rule Chapter 61J1, Florida Admin Code</p> <p>See also Section 475.615, Florida Statutes; Florida Admin Code Rule 61J1-3.001</p> <p>Specifically: Section 475.624(5), Florida Statutes</p> <p><u>Appraisal Management Companies</u> See generally Chapters 455 and 475, Part II, Florida Statutes and Rule Chapter 61J1, Florida Admin Code</p> <p>See also Section 475.6235, Florida Statutes</p> <p>Specifically: Section 475.6245(1)(e), Florida Statutes</p>	<p>Legislative intent is to grant licensure wherever possible, unless to do so would endanger the health, safety, and welfare of the public.</p> <p>Legislative history of statute would indicate year passed and dates of amendments thereto</p>	<p>The FREC/FREAB may deny an application for licensure, if the applicant: has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the activities of a licensed broker or sales associate, appraiser, or appraisal management company, involves moral turpitude or fraudulent or dishonest dealing. F.S. 475.25(1)(f), F.S. 475.624(5), and F.S. 475.6245(1)(e). The FREC/FREAB reviews applications on a case by case basis.</p>	<p>This factor alone is not a basis for denial, but may be a factor considered by the FREC or FREAB</p>	<p><u>All real estate applicants:</u> See generally Chapter 120, Florida Statutes and Rule Chapter 28-106, Florida Administrative Code.</p> <p>Per F.S. 120.60, each applicant must be given written notice that the agency intends to grant or deny the application for licensure.</p> <p>More specifically, if the applicant has a criminal history involving certain crimes identified in FREC/FREAB guidelines (attached), FREC/FREAB will notify applicant of a Summary of Applicants Hearing at which the applicant may appear and present evidence and witnesses on his/her behalf. If FREC/FREAB denies licensure at this point, it sends the applicant written Notice of Intent to Deny and cites the reasons for denial. The applicant then, per Sections 120.569 and 120.57, Florida Statutes, has 21 days to request either an informal hearing (before FREC/FREAB) or a formal hearing (before DOAH). If the applicant is denied at either the informal or formal hearing, the applicant then has 30 days to appeal to a Florida District Court of Appeal per Section 120.68, Florida Statutes.</p>

B. Describe the procedures used to determine and review the disqualification.

All applications require that the applicant disclose any criminal history and submit to a criminal background check. The Department reviews all applications for approval or referral to the appropriate board for further review and consideration. The Florida Real Estate Commission (FREC) and the Florida Real Estate Appraisal Board (FREAB) have approved minimum guidelines/procedures for the Department to follow regarding affirmative responses to criminal history and have provided the Department the authority, on behalf of FREC/FREAB, to administratively approve applications involving certain “minor” crimes without further commission or board action. Affirmative answers to more serious and/or recent crimes are forwarded to DRE in Orlando to gather additional information/documentation from the applicant regarding his/her criminal background. All applications reflecting major offenses, regardless of date/time, are to appear before the FREC/FREAB for consideration on a case by case basis.

C. Describe your adopted or proposed policy reforms.

No proposed policy reforms at this time.

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at 1 st level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
FREC 248,629 FREAB 3,536	N/A	FREC 402/.0016 FREAB 13/.0037%	N/A Restoration of civil rights is not a sole factor in granting or denying licensure.	FREC Informal: 158/.00063 DOAH: 23 FREAB Informal: 4/ .001% DOAH: 16 •All cases referred to DOAH were presented to the FREC/FREAB.	FREC Informal: 158/00063 DOAH:23 FREAB Informal: 3/1 .0008% DOAH: 16 •All cases referred to DOAH were presented to the FREC/FREAB.	FREC None FREAB None	FREC 248,629 FREAB 3,536

Division of Regulation

A. LICENSING STATUTES FOR DISQUALIFICATION

LICENSING CATEGORIES: Farm Labor Contractor (FLC)

SOURCE OF DISQUALIFICATION / RESTRICTION: Statute X Rule _____ Agency / board policy _____

Cause / source	Year / rationale	Criteria	Civil Rights Restoration	Relief mechanism(s)
<p>Section 450.31(6), Florida Statutes. "The department may permanently revoke or refuse to issue or renew a certificate of registration if such applicant or certificate holder has been convicted of a crime under state or federal law relating to gambling or to the sale, distribution, or possession of alcoholic beverages, committed in connection with or incident to any farm labor contracting activities; or any felony under state or federal law involving robbery, bribery, extortion, embezzlement, grand larceny, burglary, or arson".</p> <p>The conviction must have occurred within five years of the date of application for a license as a farm labor contractor.</p>	<p>2004 – Protection of farm workers from abuse and exploitation.</p>	<p>Under Section 450.31(6) (a), Florida Statutes, the crime must have been associated with farm labor contracting activities.</p> <p>Under Section 450.31(6) (b), Florida Statutes, a felony conviction of any of the listed grievous crimes.</p>	<p>Not applicable.</p>	<p>Mediation or appeal process under the authority of Chapter 120, Florida Statutes.</p>
<p>Section 450.31(7), Florida Statutes "The department may permanently revoke or refuse to issue a certificate of registration if such applicant or certificate-holder has been convicted of a violation of narcotics laws, murder, rape, assault with intent to kill, assault that inflicts grievous bodily injury, prostitution, peonage, smuggling, or harboring individuals who have entered the country illegally".</p>	<p>2007 – Protection of farm workers from abuse and exploitation.</p>	<p>Felony conviction of any of the listed grievous crimes.</p>	<p>Not applicable.</p>	<p>Mediation or Appeal Process under the authority of Chapter 120, Florida Statutes.</p>

B. Describe the procedures used to determine and review the disqualification.

- The department will refuse to issue or deny an application after a thorough review of the relevant disqualifying facts according to Section 450.31(6) and (7), Florida Statutes and give written notice to the applicant of the decision.
- If an appeal has been filed and received on a timely basis, the department will give written notice to the applicant.
 - a) In the case of an informal hearing/mediation of a date for the mediation/informal hearing.
 - b) In the case of a formal hearing, written notice of the date, time and place of the hearing.
 - c) After proper notification and processing, give the applicant Mediation or an Appeal.
 - d) Pursuant to the decision of the mediation/appeal, either issue the proper certification or give proper written notification of the intent not to issue.

C. Describe your adopted or proposed policy reforms.

Data obtained on 12/7/23

1	2	3	4	5	6	7	8
# of people background checked	# subject only to criminal history disclosure w/o background check	# and % disqualified based on criminal history	# and % disqualified because civil rights not restored	# and % disqualified that sought review / exemption	# and % of those seeking review / exemption found qualified at 1 st level of review	# and % of those seeking review / exemption found qualified at higher level of review	Total # of people in this occupation or occupational grouping subject to criminal history restrictions
0*	716	0	0	0	0	0	716

*Effective July 1, 2008, Chapter 450 was amended and the requirement to submit fingerprints was eliminated. Background checks are performed at the federal level (United States Department of Labor, Wage & Hour Division). If the applicant does not qualify based on background check a federal certificate will not be issued which consequently will result in ineligibility for state certificate of registration.