



## OCCUPATIONAL/SPECIALTY LICENSING

### ISSUE:

Monroe County has maintained a specialty license program for a variety of industries and trades with the primary purpose of protecting consumers, residents, and small businesses in the County. However, during the 2021 legislative session, HB 135 was passed amending s.489.13 FS, prohibiting local governments from licensing most occupations after July 1, 2023.

- The loss of local licensing **threatens the livelihoods and businesses of over 300** small contractors and tradespeople in Monroe County who have spent years working only under their local specialty license.
- **State general contractor licensure is not an option** for many local contractors, as there are several steep hurdles to gain this licensing, for example, many are unable to qualify to test for a state specialty license because their experience is only local and not under a licensed state contractor, even if that experience is several decades.
- Monroe County's local contracting board and individual local contractors and tradespeople are **urging state lawmakers to help them keep local licensing programs** in place for the many benefits local licensing provides them.

### BENEFITS OF LOCAL LICENSING:

- Local licenses **enable local contractors the ability to pull permits** and perform work without having to obtain a state license that may require knowledge or skills that exceed the scope of specialty contractors.
- Local licenses provide small contractors with a **valuable marketing tool** because they serve as an official, scrutinized demonstration of their backgrounds and qualifications, enabling them to differentiate themselves from contractors without that vetted experience.
- Local licensing benefits small contractors' **ability to be hired by licensed general contractors** as sub-contractors. Because general contractors are required to carry insurance for themselves and subs, they prefer to hire sub-contractors that are already licensed and insured, to save them the cost of having to carry additional insurance.
- Local licensing **protects General Contractors**, who do not have to bear the risk/cost of liability for unlicensed sub-contractors.
- Local licensing **protects consumers** by giving consumers a tool for differentiating between contractors with **experience and qualifications** from those without, and ensuring qualified workmanship by contractors with sufficient insurance to protect homeowners and workers.
- Local licensing **protects consumers from risk of liability** by ensuring that contractors are insured, protecting homeowners who often are not properly informed that they are at risk of liability for any harm that befalls unlicensed, uninsured contractors working on their property.
- Local licensing **ensures property owners are in compliance with federal regulations** by requiring that contractors have knowledge of unique local environmental regulations, like federal floodplain or Endangered Species Act requirements. For example, fence installations in Key Deer habitat is a violation of federal law. An unlicensed contractor may not be aware of such regulations banning fences. Violations of federal laws leave the homeowner and the County liable.

### RECOMMENDATION:

- ✓ Postpone the statutory expiration date for local government occupational licensing programs until such time that a taskforce including industry representatives can convene to draft recommendations for legislative consideration.