

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

IN RE: EMERGENCY MANAGEMENT
HURRICANE HELENE

DBPR EO 2024-08

AMENDED EMERGENCY ORDER

WHEREAS, on September 23, 2024, the Governor of the State of Florida issued Executive Order 24-208, declaring a state of emergency for the state to prepare for and respond to the impact of Potential Tropical Cyclone 9, which became a named storm, Hurricane Helene, on September 25, 2024; and

WHEREAS, on September 24, 2024, the Governor of the State of Florida issued Executive Order 24-209, thereby amending, ratifying, and reaffirming Executive Order 24-208, to declare a state of emergency in the following 61 Counties: Alachua, Baker, Bay, Bradford, Brevard, Calhoun, Charlotte, Citrus, Clay, Collier, Columbia, DeSoto, Dixie, Duval, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hardee, Hendry, Hernando, Highlands, Hillsborough, Holmes, Jackson, Jefferson, Lafayette, Lake, Lee, Leon, Levy, Liberty, Madison, Manatee, Marion, Monroe, Nassau, Okaloosa, Okeechobee, Orange, Osceola, Pasco, Pinellas, Polk, Putnam, Santa Rosa, Sarasota, Seminole, St. Johns, Sumter, Suwannee, Taylor, Union, Volusia, Wakulla, Walton, and Washington; and

WHEREAS, as of September 26, 2024, 64 of Florida's 67 Counties were under a watch or warning related to Hurricane Helene; and

WHEREAS, Section 4.B. of Executive Order 24-208 provides each state agency authority to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of the agency if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, the Department of Business and Professional Regulation's timely execution of disaster mitigation, response, and recovery functions of the State's emergency management plan, as it relates to Hurricane Helene, would be hindered by the application of certain provisions imposed by statute, order, or rule; and

WHEREAS, this Amended Emergency Order supersedes and replaces Department of Business and Professional Regulation Emergency Order 2024-08.

NOW, THEREFORE, pursuant to the authority granted to me by Executive Order 24-208, as amended by Executive Order 24-209, I, Melanie S. Griffin, Secretary of Florida's Department of Business and Professional Regulation, order the following:

Certified and Registered Contractors

1. The provisions of section 489.113(3), Florida Statutes, are suspended to the extent that a certified or registered general, building, or residential contractor is not required to subcontract roofing work for the repair or installation of any roof type when providing contracting services.
2. The provisions of section 489.117, Florida Statutes, are suspended to the extent that registered contractors are not subject to the geographical scope limitations or requirements as provided in sections 489.117(1)(b) and (c), Florida Statutes, when providing contracting services. Registered contractors shall provide their state registration, proof of compliance with applicable workers' compensation as required by Chapter 440, Florida Statutes, and liability and property damage insurance as required by section 489.115(5)(a), Florida Statutes, to the jurisdiction in which the work is being performed. Additionally, registered contractors working outside the geographical scope of their registration in compliance with this Order are not guilty of unlicensed contracting, as defined in section 489.13(1), Florida Statutes, for the time that this Order is in effect.
3. The provisions of section 489.513, Florida Statutes, are suspended to the extent that registered electrical and alarm system contractors are not subject to the geographical scope limitations or requirements as provided in section 489.513(5), Florida Statutes, when providing contracting services. Registered electrical and alarm system contractors shall provide their state registration, proof of compliance with applicable workers' compensation as required by section 440.09, Florida Statutes, and otherwise required within Chapter 440, Florida Statutes, and liability and property damage insurance as required by section 489.515(1)(b), Florida Statutes, to the jurisdiction in which the work is being performed. Additionally, registered electrical and alarm system contractors working outside the geographical scope of their registration in compliance with this order are not committing an act of unlicensed contracting, as described in section 489.532, Florida Statutes, or practicing beyond the scope of a certification or registration, as specified under section 489.533(1)(s), Florida Statutes, for the time that this Order is in effect.
4. Paragraphs one through three shall continue to be applicable to all projects for which a building permit has been applied for or obtained during the effective date of this Emergency Order. The scope of this order, including the Counties covered, may be amended by subsequent order.

5. For clarification, the installation of non-permanent, emergency tarps to relieve damage caused by Hurricane Helene falls within the exemptions listed in section 489.103(6), Florida Statutes. This shall not abrogate any local ordinances regarding permits or inspections that may exist.

Drugs, Devices, and Cosmetics

6. The renewal dates for the following licenses are suspended and tolled during this emergency:
 - a. The existing renewal deadline of September 30, 2024, as established by sections 499.012(5)(a), 499.028(11)(b), 499.62(6), and 499.832(1), Florida Statutes, and rules 61N-1.015(10)(a) and 61N-1.018, Florida Administrative Code, is suspended and tolled through October 31, 2024, unless extended by subsequent order, for any license type under this category, including Prescription Drug Wholesalers, Prescription Drug Wholesalers – Broker Only, and Out-of-State-Prescription Drug Wholesalers.
 - b. Licenses renewed on or before October 31, 2024, shall be considered as timely renewals and will not be assessed any late fees.

Hotels, Restaurants, and Elevator Safety

7. The renewal dates for the following licenses are suspended and tolled during this emergency:
 - a. The existing renewal deadline of October 1, 2024, as established by rule 61C-1.002(6), Florida Administrative Code, is suspended and tolled through October 31, 2024, unless extended by subsequent order, for the following licenses: Public Lodging Establishments, Vacation Rentals, Timeshare Projects, and Public Food Service Establishments.
 - b. Licenses renewed on or before October 31, 2024, shall be considered as timely renewals and will not be assessed any late fees.
8. The provisions of section 509.032(3), Florida Statutes, and rule 61C-1.002(3)(a)4., Florida Administrative Code, as they relate to sponsors of temporary food service events providing notice of temporary food service events to the Division of Hotels and Restaurants, and the duty of public food service establishments and other food service vendors to obtain an individual license for each temporary food service event, are amended and suspended. Sponsors of temporary food service events must provide advanced notice to the Division of Hotels and Restaurants of the temporary food service event before the event at <https://www2.myfloridalicense.com/hotels-restaurants/licensing/temporary-food-establishment/>. Temporary food service events, public food service establishments, and

other food service vendors must comply with all sanitation provisions at temporary food service events.

9. The provisions of section 509.102(1)(b) and 509.102(3), Florida Statutes, and rules 61C-1.002(6)(a)3 and 61C-4.0161(3)(c), Florida Administrative Code, as they relate to the time that a public food service establishment may operate a temporary commercial kitchen, the location of a temporary commercial kitchen, the requirement that a public food service establishment provide notice of a temporary commercial kitchen to the Division of Hotels and Restaurants, and the requirement that a mobile food dispensing vehicle only serve food in individually portioned and packaged or pre-packaged containers, are amended and suspended. Public food service establishments operating a temporary commercial kitchen must provide advanced notice to the Division of Hotels and Restaurants of the temporary commercial kitchen before opening at <https://www2.myfloridalicense.com/hotels-restaurants/licensing/temporary-food-establishment/>.
10. The following permit fees associated with replacing, relocating, and repairing elevators regulated by the Department, where such replacement, relocation, or repair arises from the damages caused by Hurricane Helene and its effects, are hereby waived for elevators having a current license issued by the Department:
 - a. The \$250 fee required by section 399.03(2), Florida Statutes, and rule 61C-5.006(1)(a)1, Florida Administrative Code, for installing an elevator.
 - b. The \$250 fee required by section 399.03(2), Florida Statutes, and rule 61C-5.006(1)(a)1, Florida Administrative Code, for relocating an elevator.
 - c. The \$200 fee required by section 399.03(2), Florida Statutes, and rule 61C-5.006(1)(a)2, Florida Administrative Code, for altering an elevator.
11. Due to anticipated statewide labor and material shortages, the provisions of section 399.03(4), Florida Statutes, and rule 61C-5.006(1)(c), Florida Administrative Code, are suspended to the extent that a permit issued to install, relocate, or alter an elevator will not expire or become invalid if the work authorized by such permit is not commenced within six months after the date of issuance or within a shorter period of time as the Department may specify at the time the permit is issued. Additionally, a permit issued to install, relocate, or alter an elevator will not expire or become invalid if the work authorized by such permit is suspended or abandoned for a period of 60 days or such shorter period of time as the Department may specify at the time the permit is issued, after the work has started.

Veterinarians

12. The \$200.00 fee required by rules 61G18-25.001(1)(b) and 61G18-12.010, Florida Administrative Code, for the issuance of a temporary license to out-of-state veterinarians during an emergency as described by section 474.2125, Florida Statutes, is suspended.

Division of Real Estate

13. The renewal dates for the following licenses are suspended and tolled during this emergency:
 - a. The existing license renewal deadline of September 30, 2024, as established by section 475.182, Florida Statutes, and rule 61-6.001(4), Florida Administrative Code, is suspended and tolled through October 31, 2024, unless extended by subsequent order, for the following licenses: Sales Associates, Broker Sales Associates, Brokers, Corporate Brokers, Partnerships, and Corporations and Branch Offices.
 - b. In addition, any existing renewal conditions related to the completion of hours of continuing education as set forth in rule 61J2-3.009(2)(b), Florida Administrative Code, are suspended and tolled through October 31, 2024.
 - c. Licenses renewed on or before October 31, 2024, shall be considered as timely renewals and will not be assessed any late fees.

Division of Alcoholic Beverages and Tobacco

14. The renewal dates for the following licenses are suspended and tolled during this emergency:
 - a. The existing license renewal deadline of September 30, 2024, as established by rules 61A-3.0101(1)(a) and 61A-3.0101(1)(c), Florida Administrative Code, is suspended and tolled through October 31, 2024, unless extended by subsequent order, for the following Alcoholic Beverage Licenses: Retail Vendors, Distributors, Manufacturers, Importers, Brokers, Sales Agents, Passenger Common Carriers, and Bottle Clubs.
 - b. Licenses renewed on or before October 31, 2024, shall be considered as timely renewals and will not be assessed any late fees.
15. All time requirements and deadlines for licensees and permittees filing monthly reports and returns as required by sections 210.02, 210.09, 210.55, 561.50, and 561.55, Florida Statutes, are suspended and tolled through October 31, 2024, unless extended by subsequent order.

16. The existing deadline of October 2, 2024, for the 45-day entry period for the quota beverage license drawing, as established pursuant to rule 61A-5.0105, Florida Administrative Code, is extended until 5:00 p.m. on October 31, 2024, unless extended by subsequent order.

**Community Association Managers, Mobile Homes, Residential Condominium Directors,
and Homeowner Association Directors**

17. The renewal dates for the following licenses are suspended and tolled during this emergency:
- a. The existing license renewal deadline of September 30, 2024, as established by rule 61-20.002(1)(b), Florida Administrative Code, is suspended and tolled through October 31, 2024, unless extended by subsequent order, for Community Association Managers.
 - b. In addition, any existing renewal conditions related to the completion of hours of continuing education as set forth in rule 61E14-4.001, Florida Administrative Code, are suspended and tolled through October 31, 2024.
 - c. Licenses renewed on or before October 31, 2024, shall be considered as timely renewals and will not be assessed any late fees.
18. The annual \$4 fee per mobile home, as established by section 723.007(1), Florida Statutes, and the \$1 surcharge, as established by section 723.007(2), Florida Statutes, are suspended and tolled through October 31, 2024, unless extended by subsequent order. Payments remitted by October 31, 2024, shall be considered as timely renewals and will not be assessed any late penalties.
19. Any existing written certification or educational certificate requirements for residential condominium directors, as set forth in section 718.112(2)(d)4. b. (II), Florida Statutes, are suspended and tolled through October 31, 2024. Written certifications and educational certificates submitted on or before October 31, 2024, shall be considered timely.
20. Any existing written certification or educational certificate requirements for homeowner association directors, as set forth in section 720.3033, Florida Statutes, are suspended and tolled through October 31, 2024. Written certifications and educational certificates submitted on or before October 31, 2024, shall be considered timely.

Location Change Fees

21. The relocation fees for the following licenses are suspended during this emergency:
- a. Barbershop: The \$130 total relocation fee for all categories of Barbershop licenses, which includes a \$125 transfer fee, pursuant to section 476.184(7),

Florida Statutes, and the special fee of \$5 to combat unlicensed activity, pursuant to section 455.2281, Florida Statutes.

- b. Cosmetology Salon: The \$95 total relocation fee for all categories of Cosmetology Salon licenses, which includes a \$90 transfer fee, pursuant to section 477.025(7), Florida Statutes, and the special fee of \$5 to combat unlicensed activity, pursuant to section 455.2281, Florida Statutes.
- c. Veterinary Premises: The \$250 permit fee for Veterinary Premises permits, pursuant to section 474.215(1), Florida Statutes.
- d. Veterinary Limited Services: The \$25 location registration fee for Veterinary Limited Services permits, pursuant to section 474.215(7)(a), Florida Statutes.
- e. Talent Agencies: The \$25 location change fee for all Talent Agency licenses, pursuant to section 468.404(3), Florida Statutes.
- f. Real Estate Offices: The \$69 total relocation fee for adding an additional branch to a pre-existing Real Estate branch license, for a Corporation, Partnership, Limited Liability Company, or Limited Liability Partnership, which includes a \$64 fee pursuant to rule 61J2-1.011(6)(b), Florida Administrative Code, and section 455.219, Florida Statutes, and the special fee of \$5 to combat unlicensed activity, pursuant to section 455.2281, Florida Statutes.
- g. Real Estate Schools: The \$50 total application fee for adding a Real Estate School Additional Location to pre-existing Real Estate School license, which includes a \$45 fee pursuant to rule 61J2-1.011(4)(b), Florida Administrative Code and section 455.219, Florida Statutes, and the special fee of \$5 to combat unlicensed activity, pursuant to section 455.2281, Florida Statutes.

Departmental Orders

- 22. All final orders reflecting agency action are suspended and tolled until October 31, 2024, unless extended by subsequent order.
- 23. All time requirements, notice requirements, and deadlines for filing responses as outlined in DBPR orders are suspended and tolled until October 31, 2024, unless extended by subsequent order. However, deadlines for filing responses to issues relating to deputy harbor pilot examinations and exam challenges shall only be extended by seven (7) days from the date of the original deadline.

This Amended Emergency Order shall be effective during the timeframe beginning upon the execution of the Emergency Order and shall expire on November 22, 2024, or upon rescission of Executive Order 24-208, as modified or extended, or upon earlier order by the Department of Business and Professional Regulation.

DONE AND ORDERED in Tallahassee, Leon County, Florida this 29th day of September 2024.

FLORIDA DEPARTMENT OF BUSINESS
AND PROFESSIONAL REGULATION

Melanie S. Griffin

Melanie S. Griffin, Secretary
2601 Blair Stone Road
Tallahassee, Florida 32399

Filed on this date, with
The designated Agency Clerk,
Receipt of which is hereby
acknowledged.

Ronda L. Bryan

Agency Clerk's Office
Date: 09/29/2024

