

## 2016 Legislative Update

### **House Bill 303**

#### **Relating to Unlicensed Activity Fees**

The bill requires the Department to waive the \$5.00 unlicensed activity renewal fee assessed against each licensee of a profession when the profession's unlicensed activity account balance at the beginning of the previous fiscal year totals more than twice the prior two fiscal years' expenditures on unlicensed activity enforcement efforts and the profession's operating account is not in a deficit or projected to be in a deficit anytime within the next 5 fiscal years.

### **Senate Bill 826**

#### **Relating to Mobile Homes**

This bill amends certain notice requirements for written complaints; authorizing a mobile home park owner to pass on non-ad valorem assessments to a tenant under certain circumstances; authorizing a mobile home purchaser to cancel or rescind the contract to purchase under certain circumstances; revising the rights that mobile home owners exercise if they form an association; adding definitions for "member" or "shareholder; specifying who is entitled to vote in a mobile home or subdivision lot when there is joint ownership; and providing what constitutes a majority vote.

### **Senate Bill 180**

#### **Relating to Trade Secrets**

The bill expands the definition of trade secret to include financial information, which is not defined. If the information in the Department of Business and Professional Regulation's (Department) possession is deemed to be financial information and therefore a trade secret, the current practices of multiple divisions, such as the publication of reports and data on their respective websites, may no longer be lawful. In addition, the Department may have to amend its procedures for responding to public record requests.

### **House Bill 183**

#### **Relating to Administrative Procedures**

The bill amends procedures for agencies to follow when initiating rulemaking in response to a petition for rulemaking and for rule challenges. The bill also requires an agency that uses an email notification system to notify licensees or other recipients of notices to use that service to notify recipients of the publication of notices of development and notices of proposed rulemaking. The bill requires agency review and certification of what violations of rules have been designated as minor violations. The bill also requires that minor violations be published on the agency website or incorporated into the disciplinary guidelines by rulemaking.