

1 A bill to be entitled
2 An act relating to ; providing an effective date.

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

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6 Section 1. Section 451.01, Florida Statutes, is amended to
7 read:

8 451.01 Definitions.—For purposes of this chapter, the term:

9 (1) "Healthcare services" means the provision of care or
10 services in the capacity of a healthcare worker, including, but
11 not limited to:

12 (a) Any occupation or profession certified, licensed, or
13 otherwise overseen by the:

- 14 1. Florida Board of Medicine;
15 2. Florida Board of Dentistry;
16 3. Florida Board of Veterinary Medicine;
17 4. Florida Board of Pharmacy;
18 5. Florida Board of Nursing;
19 6. Florida Board of Clinical Laboratory Personnel;
20 7. Florida Board of Physical Therapy;
21 8. Florida Board of Osteopathic Medicine;
22 9. Florida Board of Psychology; or
23 10. Florida Board of Clinical Social Work, Marriage &
24 Family Therapy and Mental Health Counseling;

25 (b) Any individual providing services to a facility, a
26 provider, or an entity licensed by the Florida Agency for Health
27 Care Administration; or

28 (c) Any individual providing related or support services to
29 any entity or individual listed in paragraph (a) or (b).

- 30 (2)~~(1)~~ "Household services" means:
- 31 (a) Furniture assembly;
- 32 (b) Interior painting;
- 33 (c) Television mounting;
- 34 (d) Local moving help, such as packing, lifting, loading,
- 35 and rearranging household items, but excluding transporting
- 36 items;
- 37 (e) Hanging pictures, mirrors, curtains, blinds, and
- 38 shelves;
- 39 (f) Home cleaning;
- 40 (g) Installation of in-home technology that does not
- 41 require a hardwired electrical connection; or
- 42 (h) Installing or replacing door hardware.

43

44 Household services do not include services that require

45 licensure under chapter 489.

- 46 (3)~~(2)~~ "Marketplace contractor" means any individual who:
- 47 (a) Enters into an agreement with a marketplace platform to
- 48 use the platform's technology application to connect with third-
- 49 party individuals or entities seeking temporary household
- 50 services or healthcare services.

- 51 (b) In return for compensation, offers or provides
- 52 temporary household services or healthcare services to third-
- 53 party individuals or entities through the marketplace platform's
- 54 technology application.

- 55 (4)~~(3)~~ "Marketplace platform" or "platform" means an entity
- 56 operating in this state which:

- 57 (a) Offers an online-enabled technology application
- 58 service, website, or system that enables marketplace contractors

59 to provide services to third-party individuals or entities
60 seeking such temporary household services or healthcare
61 services.

62 (b) Accepts service requests from the public only through
63 its online-enabled technology application service, website, or
64 system.

65 Section 2. Paragraph (e) of subsection (1) of section
66 451.02, Florida Statutes, is amended to read:

67 451.02 Marketplace contractors.—

68 (1) A marketplace contractor must be treated as an
69 independent contractor, and not as an employee, of the
70 marketplace platform for all purposes under state and local
71 laws, regulations, and ordinances, including, but not limited
72 to, chapters 440 and 443, if all of the following conditions are
73 met:

74 (e) The marketplace platform does not bear ~~contractor bears~~
75 all or substantially all of the marketplace contractor's
76 expenses incurred by the marketplace contractor in performing
77 the services.

78 Section 3. This act shall take effect July 1, 2022.