Committee/Subcommittee hearing bill: Commerce Committee
Representative Killebrew offered the following:

**Amendment (with title amendment)**

Remove line 162 and insert:
1. Board of Architecture and Interior Design, created

Remove lines 1158-1874 and insert:
Section 59. Subsection (5) of section 481.203, Florida Statutes, is amended to read:
481.203 Definitions.—As used in this part:
(5) "Business organization" means a partnership, a limited liability company, a corporation, or an individual operating under a fictitious name "Certificate of authorization" means a certificate issued by the department to a corporation or partnership to practice architecture or interior design.

Section 60. Section 481.219, Florida Statutes, is amended

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to read:

481.219 Business organization; qualifying agents

Certification of partnerships, limited liability companies, and corporations.—

(1) A licensee may The practice of or the offer to practice architecture or interior design by licensees through a business organization that offers corporation, limited liability company, or partnership offering architectural or interior design services to the public, or through by a business organization that offers corporation, limited liability company, or partnership offering architectural or interior design services to the public through such licensees under this part as agents, employees, officers, or partners, is permitted, subject to the provisions of this section.

(2) If a licensee or an applicant proposes to engage in the practice of architecture or interior design as a business organization, the licensee or applicant must apply to qualify the business organization For the purposes of this section, a certificate of authorization shall be required for a corporation, limited liability company, partnership, or person practicing under a fictitious name, offering architectural services to the public jointly or separately. However, when an individual is practicing architecture in her or his own name, she or he shall not be required to be certified under this section. Certification under this subsection to offer
architectural services shall include all the rights and
privileges of certification under subsection (3) to offer
interior design services.

(a) An application to qualify a business organization
must:

1. If the business is a partnership, state the names of
the partnership and its partners.

2. If the business is a corporation, state the names of
the corporation and its officers and directors and the name of
each of its stockholders who is also an officer or a director.

3. If the business is operating under a fictitious name,
state the fictitious name under which it is doing business.

4. If the business is not a partnership, a corporation, or
operating under a fictitious name, state the name of such other
legal entity and its members.

(b) The board may deny an application to qualify a
business organization if the applicant or any person required to
be named pursuant to paragraph (a) has been involved in past
disciplinary actions or on any grounds for which an individual
registration or certification may be denied.

(3)(a) A business organization may not engage in the
practice of architecture unless its qualifying agent is a
registered architect under this part. A business organization
may not engage in the practice of interior design unless its
qualifying agent is a registered architect or a registered
interior designer under this part. A qualifying agent who
terminates her or his affiliation with a business organization
shall immediately notify the department of such termination. If
the qualifying agent who terminates her or his affiliation is
the only qualifying agent for a business organization, the
business organization must be qualified by another qualifying
agent within 60 days after the termination. Except as provided
in paragraph (b), the business organization may not engage in
the practice of architecture or interior design until it is
qualified by a qualifying agent.

(b) In the event a qualifying architect or interior
designer ceases employment with the business organization, the
executive director or the chair of the board may authorize
another registered architect or interior designer employed by
the business organization to temporarily serve as its qualifying
agent for a period of no more than 60 days. The business
organization is not authorized to operate beyond such period
under this chapter absent replacement of the qualifying
architect or interior designer who has ceased employment.

(c) A qualifying agent shall notify the department in
writing before engaging in the practice of architecture or
interior design in her or his own name or in affiliation with a
different business organization, and she or he or such business
organization shall supply the same information to the department
as required of applicants under this part. For the purposes of
this section, a certificate of authorization shall be required for a corporation, limited liability company, partnership, or person operating under a fictitious name, offering interior design services to the public jointly or separately. However, when an individual is practicing interior design in her or his own name, she or he shall not be required to be certified under this section.

(4) All final construction documents and instruments of service which include drawings, specifications, plans, reports, or other papers or documents that involve the practice of architecture which are prepared or approved for the use of the business organization corporation, limited liability company, or partnership and filed for public record within the state must bear the signature and seal of the licensee who prepared or approved them and the date on which they were sealed.

(5) All drawings, specifications, plans, reports, or other papers or documents prepared or approved for the use of the business organization corporation, limited liability company, or partnership by an interior designer in her or his professional capacity and filed for public record within the state must bear the signature and seal of the licensee who prepared or approved them and the date on which they were sealed.

(6) The department shall issue a certificate of authorization to any applicant who the board certifies as
qualified for a certificate of authorization and who has paid
the fee set in s. 481.207.

(6)(7) The board shall allow certify an applicant to
qualify one or more business organizations as qualified for a
certificate of authorization to offer architectural or interior
design services, or to use a fictitious name to offer such
services, if one of the following criteria is met provided that:

(a) One or more of the principal officers of the
corporation or limited liability company, or one or more
partners of the partnership, and all personnel of the
corporation, limited liability company, or partnership who act
in its behalf in this state as architects, are registered as
provided by this part.

(b) One or more of the principal officers of the
corporation or one or more partners of the partnership, and all
personnel of the corporation, limited liability company, or
partnership who act in its behalf in this state as interior
designers, are registered as provided by this part.

(8) The department shall adopt rules establishing a
procedure for the biennial renewal of certificates of
authorization.

(9) The department shall renew a certificate of
authorization upon receipt of the renewal application and
biennial renewal fee.

(7)(10) Each qualifying agent approved to qualify a
business organization, partnership, limited liability company, and corporation certified under this section shall notify the department within 30 days after any change in the information contained in the application upon which the qualification certification is based. Any registered architect or interior designer who qualifies the business organization shall ensure corporation, limited liability company, or partnership as provided in subsection (7) shall be responsible for ensuring responsible supervising control of projects of the business organization entity and shall notify the department of the upon termination of her or his employment with a business organization qualified partnership, limited liability company, or corporation certified under this section shall notify the department of the termination within 30 days after such termination.

(8)(11) A business organization is not No corporation, limited liability company, or partnership shall be relieved of responsibility for the conduct or acts of its agents, employees, or officers by reason of its compliance with this section. However, except as provided in s. 558.0035, the architect who signs and seals the construction documents and instruments of service is shall be liable for the professional services performed, and the interior designer who signs and seals the interior design drawings, plans, or specifications is shall be liable for the professional services performed.
Disciplinary action against a corporation, limited liability company, or partnership shall be administered in the same manner and on the same grounds as disciplinary action against a registered architect or interior designer, respectively.

Nothing in this section may not shall be construed to mean that a certificate of registration to practice architecture or interior design must shall be held by a business organization corporation, limited liability company, or partnership. Nothing in this section does not prohibit a business organization from offering prohibits corporations, limited liability companies, and partnerships from joining together to offer architectural, engineering, interior design, surveying and mapping, and landscape architectural services, or any combination of such services, to the public if the business organization, provided that each corporation, limited liability company, or partnership otherwise meets the requirements of law.

A business organization that is qualified by a registered architect may Corporations, limited liability companies, or partnerships holding a valid certificate of authorization to practice architecture shall be permitted to use in their title the term "interior designer" or "registered interior designer" in its title. designer.

Section 61. Subsection (10) of section 481.221, Florida Statutes, is amended to read:

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481.221 Seals; display of certificate number.—

(10) Each registered architect or interior designer must, and each corporation, limited liability company, or partnership holding a certificate of authorization, shall include her or his license number in any newspaper, telephone directory, or other advertising medium used by the registered licensee architect, interior designer, corporation, limited liability company, or partnership. Each business organization must include the license number of the registered architect or interior designer who serves as the qualifying agent for that business organization in any newspaper, telephone directory, or other advertising medium used by the business organization, but is not required to display the license numbers of other registered architects or interior designers employed by the business organization. A corporation, limited liability company, or partnership is not required to display the certificate number of individual registered architects or interior designers employed by or working within the corporation, limited liability company, or partnership.

Section 62. Paragraphs (a) and (c) of subsection (5) of section 481.229, Florida Statutes, are amended to read:

481.229 Exceptions; exemptions from licensure.—

(5)(a) Nothing contained in this part does not prohibit shall prevent a registered architect or a qualified business organization partnership, limited liability company, or
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corporation holding a valid certificate of authorization to
provide architectural services from performing any interior
design service or from using the title "interior designer" or
"registered interior designer."

(c) Notwithstanding any other provision of this part, a
registered architect or qualified business organization
certified any corporation, partnership, or person operating
under a fictitious name which holds a certificate of
authorization to provide architectural services must shall be
qualified, without fee, for a certificate of authorization to
provide interior design services upon submission of a completed
application for qualification therefor. For corporations,
partnerships, and persons operating under a fictitious name
which hold a certificate of authorization to provide interior
design services, satisfaction of the requirements for renewal of
the certificate of authorization to provide architectural
services under s. 481.219 shall be deemed to satisfy the
requirements for renewal of the certificate of authorization to
provide interior design services under that section.

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TITLE AMENDMENT

Remove lines 3-6 and insert:

occupations; amending s. 20.165, F.S.; deleting a provision
Remove lines 103-130 and insert:
and 477.029; conforming provisions; amending s. 481.303, F.S.;