A bill to be entitled
An act relating to the deregulation of professions and occupations; amending s. 20.165, F.S.; renaming the Board of Architecture and Interior Design as the Board of Architecture within the Department of Business and Professional Regulation; deleting a provision establishing the Florida Board of Auctioneers; amending s. 326.004, F.S.; deleting the requirement for a yacht broker to maintain a separate license for each branch office; deleting the requirement for the division to establish a fee; amending s. 447.02, F.S.; conforming provisions; repealing s. 447.04, F.S., relating to licensure and permit requirements for business agents; repealing s. 447.041, F.S., relating to hearings for persons or labor organizations denied licensure as a business agent; repealing s. 447.045, F.S., relating to confidential information obtained during the application process; repealing s. 447.06, F.S., relating to required registration of labor organizations; amending s. 447.09, F.S.; deleting certain prohibited actions relating to the right of franchise of a member of a labor organization; repealing s. 447.12, F.S., relating to registration fees; repealing s. 447.16, F.S., relating to applicability; amending s. 447.305, F.S.; deleting a
provision that requires notification of registrations and renewals to the department; amending s. 468.381, F.S.; revising legislative findings and intent related to auctioneers and auction businesses; amending s. 468.382, F.S.; revising definitions; repealing s. 468.384, F.S., relating to the Florida Board of Auctioneers; repealing s. 468.385, F.S., relating to licensure requirements for the practice of auctioneering; repealing s. 468.3851, F.S., relating to licensure renewal; repealing s. 468.3852, F.S., relating to license reactivation; repealing s. 468.3855, F.S., relating to training requirements for auctioneer apprenticeships; repealing s. 468.386, F.S., relating to fees and local licensing requirements; repealing s. 468.387, F.S., relating to licensure by endorsement; amending s. 468.388, F.S.; deleting certain requirements relating to auctioneer licenses with regard to the conduct of an auction; amending s. 468.389, F.S.; revising penalties to provide grounds for a civil cause of action for damages; amending s. 468.391, F.S.; conforming cross-references; repealing ss. 468.392, 468.393, 468.394, 468.395, 468.396, 468.397, 468.398, and 458.399, F.S., relating to the Auctioneer Recovery Fund, surcharges and assessments on license fees, payment of interest
earned into the recovery fund, recovery from the recovery fund, claims against a single licensee in excess of a specified dollar limitation and joinder of claims, payment of claims from the recovery fund, suspension of a judgment debtor's license, and the expenditure of excess funds; amending s. 468.401, F.S.; deleting definitions; repealing ss. 468.402, 468.403, 468.404, and 408.405, F.S., relating to duties and authority of the department with regard to licensure of talent agencies, licensure requirements, license fees and renewals, and qualification for a talent agency license; amending s. 468.406, F.S.; revising the requirement for an owner or operator of a talent agency to provide an itemized schedule of fees and charges; repealing s. 468.407, F.S., relating to the form and posting requirements for a license; amending s. 468.408, F.S.; conforming provisions; amending s. 468.409, F.S.; deleting a requirement for record inspection; amending s. 468.410, F.S.; deleting a requirement to include specified information in a contract between a talent agency and applicant; amending s. 468.412, F.S.; deleting recordkeeping and posting requirements; amending s. 468.413, F.S.; revising criminal penalties; conforming provisions; repealing s. 468.414, F.S., relating to the deposit of
certain funds in the Professional Regulation Trust
Fund; amending s. 468.415, F.S.; revising the penalty
for sexual misconduct in the operation of a talent
agency; amending s. 469.006, F.S.; revising licensure
requirements for asbestos abatement consulting or
contracting as a partnership, corporation, business
trust, or other legal entity; amending s. 469.009,
F.S.; conforming provisions; amending s. 476.034,
F.S.; defining the terms "restricted barber" and
"restricted barbering"; amending s. 476.114, F.S.;
revising training requirements for licensure as a
barber; providing requirements for licensure by
examination as a restricted barber; amending s.
476.144, F.S.; requiring the department to license an
applicant who the board certifies is qualified to
practice restricted barbering; amending s. 477.013,
F.S.; revising and providing definitions; repealing s.
477.0132, F.S., relating to registration for hair
braiding, hair wrapping, and body wrapping; amending
s. 477.0135, F.S.; providing that licensure or
registration is not required for persons whose
occupation or practice is confined solely to hair
braiding, hair wrapping, and body wrapping; amending
s. 477.019, F.S.; conforming provisions; amending s.
477.0201, F.S.; providing requirements for
registration as a nail specialist, facial specialist, or full specialist; amending ss. 477.026, 477.0265, and 477.029; conforming provisions; repealing ss. 481.2131 and 481.2251, F.S., relating to the practice and regulation of interior design, registration for interior designers, and disciplinary proceedings against registered interior designers; amending s. 481.201, F.S.; deleting legislative findings relating to the practice of interior design; amending s. 481.203, F.S.; revising the definition of the term "architecture" to include interior design; deleting the definition of the term "certificate of authorization"; defining the term "business organization"; amending s. 481.205, F.S.; renaming the Board of Architecture and Interior Design as the Board of Architecture; revising membership of the board; conforming provisions; amending ss. 481.207, 481.209, 481.213, 481.215, and 481.217, F.S.; conforming provisions; amending s. 481.219, F.S.; deleting provisions permitting the practice of or offer to practice interior design through certain business organizations; deleting provisions requiring certificates of authorization for certain business organizations offering interior design services to the public; requiring a licensee or applicant in the
practice of architecture to apply to qualify as a business organization; providing requirements for qualification; amending ss. 481.221, 481.222, 481.223, 481.229, 481.231, 553.79, and 558.002, F.S.; conforming provisions; amending s. 481.303, F.S.; deleting the definition of the term "certificate of authorization"; amending ss. 481.311 and 481.317, F.S.; conforming provisions; amending s. 481.319, F.S.; deleting the requirement for a certificate of authorization; authorizing landscape architects to practice through a corporation or partnership; amending s. 481.321, F.S.; revising requirements related to the display of a certificate number; amending s. 481.329, F.S.; conforming a cross-reference; amending s. 287.055, F.S.; conforming a provision; amending s. 492.104, F.S.; making conforming and technical changes; amending s. 492.111, F.S.; deleting the requirements for a certificate of authorization for a professional geologist; amending ss. 492.113 and 492.115, F.S.; conforming provisions; amending s. 548.003, F.S.; deleting the requirement that the Florida State Boxing Commission adopt rules relating to a knockdown timekeeper; amending s. 548.017, F.S.; deleting the licensure requirement for a timekeeper or announcer; providing an effective
Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (4) of section 20.165, Florida Statutes, is amended to read:

20.165 Department of Business and Professional Regulation.—There is created a Department of Business and Professional Regulation.

(4)(a) The following boards and programs are established within the Division of Professions:

1. Board of Architecture and Interior Design, created under part I of chapter 481.

2. Florida Board of Auctioneers, created under part VI of chapter 468.

3. Barbers' Board, created under chapter 476.

4. Florida Building Code Administrators and Inspectors Board, created under part XII of chapter 468.

5. Construction Industry Licensing Board, created under part I of chapter 489.

6. Board of Cosmetology, created under chapter 477.

7. Electrical Contractors' Licensing Board, created under part II of chapter 489.

8. Board of Employee Leasing Companies, created under part XI of chapter 468.
8.9. Board of Landscape Architecture, created under part II of chapter 481.

9.10. Board of Pilot Commissioners, created under chapter 310.

10.11. Board of Professional Engineers, created under chapter 471.

11.12. Board of Professional Geologists, created under chapter 492.

12.13. Board of Veterinary Medicine, created under chapter 474.


14.15. Mold-related services licensing program, created under part XVI of chapter 468.

Section 2. Subsection (13) of section 326.004, Florida Statutes, is amended to read:

326.004 Licensing.—

(13) Each broker must maintain a principal place of business in this state and may establish branch offices in the state. A separate license must be maintained for each branch office. The division shall establish by rule a fee not to exceed $100 for each branch office license.

Section 3. Subsection (3) of section 447.02, Florida Statutes, is amended to read:

447.02 Definitions.—The following terms, when used in this
chapter, shall have the meanings ascribed to them in this section:

(3) The term "department" means the Department of Business and Professional Regulation.

Section 4. Section 447.04, Florida Statutes, is repealed.

Section 5. Section 447.041, Florida Statutes, is repealed.

Section 6. Section 447.045, Florida Statutes, is repealed.

Section 7. Section 447.06, Florida Statutes, is repealed.

Section 8. Subsections (6) and (8) of section 447.09, Florida Statutes, are amended to read:

447.09 Right of franchise preserved; penalties.—It shall be unlawful for any person:

(6) To act as a business agent without having obtained and possessing a valid and subsisting license or permit.

(8) To make any false statement in an application for a license.

Section 9. Section 447.12, Florida Statutes, is repealed.

Section 10. Section 447.16, Florida Statutes, is repealed.

Section 11. Subsection (4) of section 447.305, Florida Statutes, is amended to read:

447.305 Registration of employee organization.—

(4) Notification of registrations and renewals of registration shall be furnished at regular intervals by the commission to the Department of Business and Professional Regulation.
Section 12. Section 468.381, Florida Statutes, is amended to read:

468.381 Purpose.—The Legislature finds that dishonest or unscrupulous unqualified auctioneers and apprentices and unreliable auction businesses present a significant threat to the public. It is the intent of the Legislature to protect the public by creating civil and criminal causes of action against a board to regulate auctioneers, apprentices, and auction businesses and by requiring a license to operate.

Section 13. Section 468.382, Florida Statutes, is amended to read:

468.382 Definitions.—As used in this act, the term:

1. "Absolute auction" means an auction that requires no minimum opening bid that limits the sale other than to the highest bidder.

2. "Agricultural product" means the natural products from a farm, nursery, grove, orchard, vineyard, garden, or apiary, including livestock, tobacco, and vegetables and includes those agricultural products as defined in chapter 618.

3. "Auction business" means a sole proprietorship, partnership, or corporation which in the regular course of business arranges, manages, sponsors, advertises, promotes, or carries out auctions, employs auctioneers to conduct auctions in its facilities, or uses or allows the use of its facilities for auctions.
(4) "Auctioneer" means any person who conducts auctions within the state licensed pursuant to this part who holds a valid Florida auctioneer license.

(3) "Apprentice" means any person who is being trained as an auctioneer by a licensed auctioneer.

(4) "Board" means the Florida Board of Auctioneers.

(5) "Department" means the Department of Business and Professional Regulation.

(6) "Livestock" means any animal included in the definition of "livestock" by s. 585.01 or s. 588.13.

Section 14. Section 468.384, Florida Statutes, is repealed.

Section 15. Section 468.385, Florida Statutes, is repealed.

Section 16. Section 468.3851, Florida Statutes, is repealed.

Section 17. Section 468.3852, Florida Statutes, is repealed.

Section 18. Section 468.3855, Florida Statutes, is repealed.

Section 19. Section 468.386, Florida Statutes, is repealed.

Section 20. Section 468.387, Florida Statutes, is repealed.

Section 21. Subsections (6) through (11) of section...
468.388, Florida Statutes, are renumbered as subsections (4) through (9), respectively, and present subsections (3), (4), (5), (9), (10), and (11) are amended to read:

468.388 Conduct of an auction.—

(3) Each auctioneer or auction business shall maintain a record book of all sales. The record book shall be open to inspection by the board at reasonable times.

(4) Each auction must be conducted by an auctioneer who has an active license or by an apprentice who has an active apprentice auctioneer license and who has received prior written sponsor consent. Each auction must be conducted under the auspices of a licensed auction business. Any auctioneer or apprentice auctioneer conducting an auction, and any auction business under whose auspices such auction is held, shall be responsible for determining that any auctioneer, apprentice, or auction business with whom they are associated in conducting such auction has an active Florida auctioneer, apprentice, or auction business license.

(5) The principal auctioneer shall prominently display at the auction site the licenses of the principal auctioneer, the auction business, and any other licensed auctioneers or apprentices who are actively participating in the auction. If such a display is not practicable, then an oral announcement at the beginning of the auction or a prominent written announcement that these licenses are available for inspection at the auction.
site must be made.

(7)(9) The auction business under which the auction is conducted is responsible for all other aspects of the auction as required by this part board rule. The auction business may delegate in whole, or in part, different aspects of the auction only to the extent that such delegation is permitted by law and that such delegation will not impede the principal auctioneer's ability to ensure the proper conduct of his or her independent responsibility for the auction. The auction business under whose auspices the auction is conducted is responsible for ensuring compliance as required by this part board rule.

(8)(10)(a) When settlement is not made immediately after an auction, all sale proceeds received for another person must be deposited in an escrow or trust account in an insured bank or savings and loan association located in this state within 2 working days after the auction. A maximum of $100 may be kept in the escrow account for administrative purposes.

(b) Each auction business shall maintain, for not less than 2 years, a separate ledger showing the funds held for another person deposited and disbursed by the auction business for each auction. The escrow or trust account must be reconciled monthly with the bank statement. A signed and dated record shall be maintained for a 2-year period and be available for inspection by the department or at the request of the board.

(c) Any interest which accrues to sale proceeds on deposit
shall be the property of the seller for whom the funds were received unless the parties have agreed otherwise by written agreement executed prior to the auction.

(d) Unless otherwise provided by written agreement executed prior to the auction, funds received by an auctioneer or auction business a licensee from the seller or his or her agent for expenses, including advertising, must be expended for the purposes advanced or refunded to the seller at the time of final settlement. Any funds so received shall be maintained in an escrow or trust account in an insured bank or savings and loan association located in this state. However, this does not prohibit advanced payment of a flat fee.

(11)(a) All advertising by an auctioneer or auction business shall include the name and Florida license number of such auctioneer and auction business. The term "advertising" shall not include articles of clothing, directional signs, or other promotional novelty items.

(9)(a) (b) No licensed auctioneer, apprentice, or auction business may disseminate or cause to be disseminated any advertisement or advertising which is false, deceptive, misleading, or untruthful. Any advertisement or advertising shall be deemed to be false, deceptive, misleading, or untruthful if it:

1. Contains misrepresentations of facts.

2. Is misleading or deceptive because, in its content or
in the context in which it is presented, it makes only a partial disclosure of relevant facts.

3. Creates false or unjustified expectations of the services to be performed.

4. Contains any representation or claim which the advertising licensee fails to perform.

5. Fails to include the name and license number of the principal auctioneer and the auction business.

6. Fails to include the name and license number of the sponsor if an apprentice is acting as the principal auctioneer.

4.7. Advertises an auction as absolute without specifying any and all items to be sold with reserve or with minimum bids.

5.8. Fails to include the percentage amount of any buyer's premium or surcharge which is a condition to sale.

(b)(c) The provisions of this subsection apply to media exposure of any nature, regardless of whether it is in the form of paid advertising.

(c)(d) The auction business shall be responsible for the content of all advertising disseminated in preparation for an auction.

Section 22. Section 468.389, Florida Statutes, is amended to read:

468.389 Prohibited acts; penalties.—

(1) The following acts shall be grounds for a civil cause of action for damages against the auctioneer, auction business,
or any owner or manager thereof, or, in the case of corporate
ownership, any substantial stockholder of the corporation owning
the auction business the disciplinary activities provided in
subsections (2) and (3):
    (1) (a) A violation of any law relating to trade or
commerce of this state or of the state in which an auction is
conducted.
    (2) (b) Misrepresentation of property for sale at auction
or making false promises concerning the use, value, or condition
of such property by an auctioneer or auction business or by
anyone acting as an agent of or with the consent of the
auctioneer or auction business.
    (3) (c) Failure to account for or to pay or return, within
a reasonable time not to exceed 30 days, money or property
belonging to another which has come into the control of an
auctioneer or auction business through an auction.
    (4) (d) False, deceptive, misleading, or untruthful
advertising.
    (5) (e) Any conduct in connection with a sales transaction
which demonstrates bad faith or dishonesty.
    (6) (f) Using or permitting the use of false bidders,
cappers, or shills.
    (g) Making any material false statement on a license
application.
    (7) (h) Commingling money or property of another person
with his or her own. Every auctioneer and auction business shall
maintain a separate trust or escrow account in an insured bank
or savings and loan association located in this state in which
shall be deposited all proceeds received for another person
through an auction sale.

(8)(i) Refusal or neglect of any auctioneer or other
receiver of public moneys to pay the moneys so received into the
State Treasury at the times and under the regulations prescribed
by law.

(9)(j) Violating a statute or administrative rule
regulating practice under this part or a lawful disciplinary
order of the board or the department.

(k) Having a license to practice a comparable profession
revoked, suspended, or otherwise acted against by another state,
territory, or country.

(10)(l) Being convicted or found guilty, regardless of
adjudication, of a crime in any jurisdiction which directly
relates to the practice or the ability to practice the
profession of auctioneering.

(2) When the board finds any person guilty of any of the
prohibited acts set forth in subsection (1), it may enter an
order imposing one or more of the following penalties:

(a) Refusal to certify to the department an application
for licensure.

(b) Revocation or suspension of a license.
(e) Imposition of an administrative fine not to exceed $1,000 for each count or separate offense.

(d) Issuance of a reprimand.

(e) Placement of the auctioneer on probation for a period of time and subject to conditions as the board may specify, including requiring the auctioneer to successfully complete the licensure examination.

(f) Requirement that the person in violation make restitution to each consumer affected by that violation. Proof of such restitution shall be a signed and notarized release executed by the consumer or the consumer's estate.

(3)(a) Failure to pay a fine within a reasonable time, as prescribed by board rule, may be grounds for disciplinary action.

(b) The department may file for an injunction or bring any other appropriate civil action against anyone who violates this part.

Section 23. Section 468.391, Florida Statutes, is amended to read:

468.391 Penalty.—Any auctioneer, apprentice, or auction business or any owner or manager thereof, or, in the case of corporate ownership, any substantial stockholder of the corporation owning the auction business, who operates without an active license or violates s. 468.389(3), (5), (6), (7), or (8) 468.389(1)(e), (e), (f), (h), or (i) commits a felony of the
third degree, punishable as provided in s. 775.082 or s. 775.083.

Section 24. Section 468.392, Florida Statutes, is repealed.

Section 25. Section 468.393, Florida Statutes, is repealed.

Section 26. Section 468.394, Florida Statutes, is repealed.

Section 27. Section 468.395, Florida Statutes, is repealed.

Section 28. Section 468.396, Florida Statutes, is repealed.

Section 29. Section 468.397, Florida Statutes, is repealed.

Section 30. Section 468.398, Florida Statutes, is repealed.

Section 31. Section 468.399, Florida Statutes, is repealed.

Section 32. Section 468.401, Florida Statutes, is amended to read:

468.401 Regulation of Talent agencies; definitions. As used in this part, the term "Artist" means a person performing on the professional stage or in the production of television, radio, or motion pictures; a musician or group of musicians; or a model.
(2) "Buyer" or "employer" means a person, company, partnership, or corporation that uses the services of a talent agency to provide artists.

(3) "Compensation" means any one or more of the following:

(a) Any money or other valuable consideration paid or promised to be paid for services rendered by any person conducting the business of a talent agency under this part;

(b) Any money received by any person in excess of that which has been paid out by such person for transportation, transfer of baggage, or board and lodging for any applicant for employment; or

(c) The difference between the amount of money received by any person who furnishes employees, performers, or entertainers for circus, vaudeville, theatrical, or other entertainments, exhibitions, engagements, or performances and the amount paid by him or her to such employee, performer, or entertainer.

(4) "Engagement" means any employment or placement of an artist, where the artist performs in his or her artistic capacity. However, the term "engagement" shall not apply to procuring opera, music, theater, or dance engagements for any organization defined in s. 501(c)(3) of the Internal Revenue Code or any nonprofit Florida arts organization that has received a grant from the Division of Cultural Affairs of the Department of State or has participated in the state touring program of the Division of Cultural Affairs.
(5) "Operator" means the person who is or who will be in actual charge of a talent agency.

(6) "Owner" means any partner in a partnership, member of a firm, or principal officer or officers of a corporation, whose partnership, firm, or corporation owns a talent agency, or any individual who is the sole owner of a talent agency.

(7) "Person" means any individual, company, society, firm, partnership, association, corporation, manager, or any agent or employee of any of the foregoing.

(8) "Talent agency" means any person who, for compensation, engages in the occupation or business of procuring or attempting to procure engagements for an artist.

(5) "Department" means the Department of Business and Professional Regulation.

10 (10) "License" means a license issued by the Department of Business and Professional Regulation to carry on the business of a talent agency under this part.

11 (11) "Licensee" means a talent agency which holds a valid unrevoked and unforfeited license issued under this part.

Section 33. Section 468.402, Florida Statutes, is repealed.

Section 34. Section 468.403, Florida Statutes, is repealed.

Section 35. Section 468.404, Florida Statutes, is repealed.
Section 36. Section 468.405, Florida Statutes, is repealed.

Section 37. Subsection (1) of section 468.406, Florida Statutes, is amended to read:

468.406 Fees to be charged by talent agencies; rates; display.—

(1) Each owner or operator of a talent agency shall post an applicant for a license shall file with the application an itemized schedule of maximum fees, charges, and commissions that it intends to charge and collect for its services. This schedule may thereafter be raised only by filing with the department an amended or supplemental schedule at least 30 days before the change is to become effective. The schedule shall be posted in a conspicuous place in each place of business of the agency. The schedule and shall be printed in not less than a 30-point boldfaced type, except that an agency that uses written contracts containing maximum fee schedules need not post such schedules.

Section 38. Section 468.407, Florida Statutes, is repealed.

Section 39. Subsection (1) of section 468.408, Florida Statutes, is amended to read:

468.408 Bond required.—

(1) A There shall be filed with the department for each talent agency shall obtain license a bond in the form of a
surety by a reputable company engaged in the bonding business and authorized to do business in this state. The bond shall be for the penal sum of $5,000, with one or more sureties to be approved by the department, and be conditioned that the talent agency applicant conform to and not violate any of the duties, terms, conditions, provisions, or requirements of this part.

(a) If any person is aggrieved by the misconduct of any talent agency, the person may maintain an action in his or her own name upon the bond of the agency in any court having jurisdiction of the amount claimed. All such claims shall be assignable, and the assignee shall be entitled to the same remedies, upon the bond of the agency or otherwise, as the person aggrieved would have been entitled to if such claim had not been assigned. Any claim or claims so assigned may be enforced in the name of such assignee.

(b) The bonding company shall notify the talent agency department of any claim against such bond, and a copy of such notice shall be sent to the talent agency against which the claim is made.

Section 40. Section 468.409, Florida Statutes, is amended to read:

468.409 Records required to be kept.—Each talent agency shall keep on file the application, registration, or contract of each artist. In addition, such file must include the name and address of each artist, the amount of the compensation received,
and all attempts to procure engagements for the artist. No such agency or employee thereof shall knowingly make any false entry in applicant files or receipt files. Each card or document in such files shall be preserved for a period of 1 year after the date of the last entry thereon. Records required under this section shall be readily available for inspection by the department during reasonable business hours at the talent agency's principal office. A talent agency must provide the department with true copies of the records in the manner prescribed by the department.

Section 41. Subsection (3) of section 468.410, Florida Statutes, is amended to read:

468.410  Prohibition against registration fees; referral.—
(3) A talent agency shall give each applicant a copy of a contract, within 24 hours after the contract's execution, which lists the services to be provided and the fees to be charged. The contract shall state that the talent agency is regulated by the department and shall list the address and telephone number of the department.

Section 42. Subsections (4) through (11) of section 468.412, Florida Statutes, are renumbered as subsections (3) through (10), respectively, and present subsections (2), (3), (4), (6), and (11) are amended to read:

468.412  Talent agency regulations; prohibited acts.—
(2) Each talent agency shall keep records in which shall
be entered:

(a) The name and address of each artist employing such talent agency;
(b) The amount of fees received from each such artist; and
(c) The employment in which each such artist is engaged at the time of employing such talent agency and the amount of compensation of the artist in such employment, if any, and the employments subsequently secured by such artist during the term of the contract between the artist and the talent agency and the amount of compensation received by the artist pursuant thereto;

and

(d) Other information which the department may require from time to time.

(3) All books, records, and other papers kept pursuant to this act by any talent agency shall be open at all reasonable hours to the inspection of the department and its agents. Each talent agency shall furnish to the department, upon request, a true copy of such books, records, and papers, or any portion thereof, and shall make such reports as the department may prescribe from time to time.

(3)(4) Each talent agency shall post in a conspicuous place in the office of such talent agency a printed copy of this part and of the rules adopted under this part. Such copies shall also contain the name and address of the officer charged with enforcing this part. The department shall furnish to talent
agencies printed copies of any statute or rule required to be posted under this subsection.

(5) No talent agency may publish or cause to be published any false, fraudulent, or misleading information, representation, notice, or advertisement. All advertisements of a talent agency by means of card, circulars, or signs, and in newspapers and other publications, and all letterheads, receipts, and blanks shall be printed and contain the licensed name, department license number, and address of the talent agency and the words "talent agency." No talent agency may give any false information or make any false promises or representations concerning an engagement or employment to any applicant who applies for an engagement or employment.

(10) A talent agency may assign an engagement contract to another talent agency licensed in this state only if the artist agrees in writing to the assignment. The assignment must occur, and written notice of the assignment must be given to the artist, within 30 days after the artist agrees in writing to the assignment.

Section 43. Section 468.413, Florida Statutes, is amended to read:

468.413 Legal requirements; penalties.—
(1) Each of the following acts constitutes a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
(a) Owning or operating, or soliciting business as, a
talent agency in this state without first procuring a license
from the department.

(b) Obtaining or attempting to obtain a license by means
of fraud, misrepresentation, or concealment.

(1)(2) Each of the following acts constitutes a
misdemeanor of the second degree, punishable as provided in s.
775.082 or s. 775.083:

(a) Relocating a business as a talent agency, or operating
under any name other than that designated on the license, unless
written notification is given to the department and to the
surety or sureties on the original bond, and unless the license
is returned to the department for the recording thereon of such
changes.

(b) Assigning or attempting to assign a license issued
under this part.

(c) Failing to show on a license application whether or
not the agency or any owner of the agency is financially
interested in any other business of like nature and, if so,
fail to specify such interest or interests.

(d) Failing to maintain the records required by s.
468.409 or knowingly making false entries in such records.

(e) Requiring as a condition to registering or
obtaining employment or placement for any applicant that the
applicant subscribe to, purchase, or attend any publication,
postcard service, advertisement, resume service, photography service, school, acting school, workshop, or acting workshop.

(c)(f) Failing to give each applicant a copy of a contract which lists the services to be provided and the fees to be charged by, which states that the talent agency is regulated by the department, and which lists the address and telephone number of the department.

(d)(g) Failing to maintain a record sheet as required by s. 468.412(1).

(e)(h) Knowingly sending or causing to be sent any artist to a prospective employer or place of business, the character or operation of which employer or place of business the talent agency knows to be in violation of the laws of the United States or of this state.

(3) The court may, in addition to other punishment provided for in subsection (2), suspend or revoke the license of any licensee under this part who has been found guilty of any misdemeanor listed in subsection (2).

(2)(4) In the event that the department or any state attorney shall have probable cause to believe that a talent agency or other person has violated any provision of subsection (1), an action may be brought by the department or any state attorney to enjoin such talent agency or any person from continuing such violation, or engaging therein or doing any acts in furtherance thereof, and for such other relief as to the
court seems appropriate. In addition to this remedy, the department may assess a penalty against any talent agency or any person in an amount not to exceed $5,000.

Section 44. Section 468.414, Florida Statutes, is repealed.

Section 45. Section 468.415, Florida Statutes, is amended to read:

468.415 Sexual misconduct in the operation of a talent agency.—The talent agent-artist relationship is founded on mutual trust. Sexual misconduct in the operation of a talent agency means violation of the talent agent-artist relationship through which the talent agent uses the relationship to induce or attempt to induce the artist to engage or attempt to engage in sexual activity. Sexual misconduct is prohibited in the operation of a talent agency. If any agent, owner, or operator of a licensed talent agency who commits sexual misconduct in the operation of a talent agency is found to have committed sexual misconduct in the operation of a talent agency, the agency license shall be permanently revoked. Such agent, owner, or operator shall be permanently prohibited from acting disqualified from present and future licensure as an agent, owner, or operator of a Florida talent agency.

Section 46. Paragraphs (a) and (e) of subsection (2), subsection (3), paragraph (b) of subsection (4), and subsection (6) of section 469.006, Florida Statutes, are amended to read:

469.006 Licensure of business organizations; qualifying
(2)(a) If the applicant proposes to engage in consulting or contracting as a partnership, corporation, business trust, or other legal entity, or in any name other than the applicant's legal name, the legal entity must apply for licensure through a qualifying agent or the individual applicant must apply for licensure under the fictitious name of the business organization.

(e) A, The license, when issued upon application of a business organization, must be in the name of the qualifying agent business organization, and the name of the business organization qualifying agent must be noted on the license thereon. If there is a change in any information that is required to be stated on the application, the qualifying agent business organization shall, within 45 days after such change occurs, mail the correct information to the department.

(3) The qualifying agent must be licensed under this chapter in order for the business organization to be qualified licensed in the category of the business conducted for which the qualifying agent is licensed. If any qualifying agent ceases to be affiliated with such business organization, the agent shall so inform the department. In addition, if such qualifying agent is the only licensed individual affiliated with the business organization, the business organization shall notify the department of the termination of the qualifying agent and has
shall have 60 days after from the date of termination of the qualifying agent's affiliation with the business organization in which to employ another qualifying agent. The business organization may not engage in consulting or contracting until a qualifying agent is employed, unless the department has granted a temporary nonrenewable license to the financially responsible officer, the president, the sole proprietor, a partner, or, in the case of a limited partnership, the general partner, who assumes all responsibilities of a primary qualifying agent for the entity. This temporary license only allows the entity to proceed with incomplete contracts.

(4)

(b) Upon a favorable determination by the department, after investigation of the financial responsibility, credit, and business reputation of the qualifying agent and the new business organization, the department shall issue, without any examination, a new license in the qualifying agent's business organization's name, and the name of the business organization qualifying agent shall be noted thereon.

(6) Each qualifying agent shall pay the department an amount equal to the original fee for licensure of a new business organization. If the qualifying agent for a business organization desires to qualify additional business organizations, the department shall require the agent to present evidence of supervisory ability and financial.
responsibility of each such organization. Allowing a licensee to qualify more than one business organization must shall be conditioned upon the licensee showing that the licensee has both the capacity and intent to adequately supervise each business organization. The department may shall not limit the number of business organizations which the licensee may qualify except upon the licensee's failure to provide such information as is required under this subsection or upon a finding that the such information or evidence as is supplied is incomplete or unpersuasive in showing the licensee's capacity and intent to comply with the requirements of this subsection. A qualification for an additional business organization may be revoked or suspended upon a finding by the department that the licensee has failed in the licensee's responsibility to adequately supervise the operations of the business organization. Failure to adequately supervise the operations of a business organization shall be grounds for denial to qualify additional business organizations.

Section 47. Subsection (1) of section 469.009, Florida Statutes, is amended to read:

469.009 License revocation, suspension, and denial of issuance or renewal.—

(1) The department may revoke, suspend, or deny the issuance or renewal of a license; reprimand, censure, or place on probation any contractor, consultant, or financially

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responsible officer, or business organization; require financial
restitution to a consumer; impose an administrative fine not to
exceed $5,000 per violation; require continuing education; or
assess costs associated with any investigation and prosecution
if the contractor or consultant, or business organization or
officer or agent thereof, is found guilty of any of the
following acts:

(a) Willfully or deliberately disregarding or violating
the health and safety standards of the Occupational Safety and
Health Act of 1970, the Construction Safety Act, the National
Emission Standards for Asbestos, the Environmental Protection
Agency Asbestos Abatement Projects Worker Protection Rule, the
Florida Statutes or rules promulgated thereunder, or any
ordinance enacted by a political subdivision of this state.

(b) Violating any provision of chapter 455.

(c) Failing in any material respect to comply with the
provisions of this chapter or any rule promulgated hereunder.

(d) Acting in the capacity of an asbestos contractor or
asbestos consultant under any license issued under this chapter
except in the name of the licensee as set forth on the issued
license.

(e) Proceeding on any job without obtaining all applicable
approvals, authorizations, permits, and inspections.

(f) Obtaining a license by fraud or misrepresentation.

(g) Being convicted or found guilty of, or entering a plea
of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of asbestos consulting or contracting or the ability to practice asbestos consulting or contracting.

(h) Knowingly violating any building code, lifesafety code, or county or municipal ordinance relating to the practice of asbestos consulting or contracting.

(i) Performing any act which assists a person or entity in engaging in the prohibited unlicensed practice of asbestos consulting or contracting, if the licensee knows or has reasonable grounds to know that the person or entity was unlicensed.

(j) Committing mismanagement or misconduct in the practice of contracting that causes financial harm to a customer. Financial mismanagement or misconduct occurs when:

1. Valid liens have been recorded against the property of a contractor's customer for supplies or services ordered by the contractor for the customer's job; the contractor has received funds from the customer to pay for the supplies or services; and the contractor has not had the liens removed from the property, by payment or by bond, within 75 days after the date of such liens;

2. The contractor has abandoned a customer's job and the percentage of completion is less than the percentage of the total contract price paid to the contractor as of the time of
abandonment, unless the contractor is entitled to retain such
funds under the terms of the contract or refunds the excess
funds within 30 days after the date the job is abandoned; or

3. The contractor's job has been completed, and it is
shown that the customer has had to pay more for the contracted
job than the original contract price, as adjusted for subsequent
change orders, unless such increase in cost was the result of
circumstances beyond the control of the contractor, was the
result of circumstances caused by the customer, or was otherwise
permitted by the terms of the contract between the contractor
and the customer.

(k) Being disciplined by any municipality or county for an
act or violation of this chapter.

(l) Failing in any material respect to comply with the
provisions of this chapter, or violating a rule or lawful order
of the department.

(m) Abandoning an asbestos abatement project in which the
asbestos contractor is engaged or under contract as a
contractor. A project may be presumed abandoned after 20 days if
the contractor terminates the project without just cause and
without proper notification to the owner, including the reason
for termination; if the contractor fails to reasonably secure
the project to safeguard the public while work is stopped; or if
the contractor fails to perform work without just cause for 20
days.
(n) Signing a statement with respect to a project or contract falsely indicating that the work is bonded; falsely indicating that payment has been made for all subcontracted work, labor, and materials which results in a financial loss to the owner, purchaser, or contractor; or falsely indicating that workers' compensation and public liability insurance are provided.

(o) Committing fraud or deceit in the practice of asbestos consulting or contracting.

(p) Committing incompetency or misconduct in the practice of asbestos consulting or contracting.

(q) Committing gross negligence, repeated negligence, or negligence resulting in a significant danger to life or property in the practice of asbestos consulting or contracting.

(r) Intimidating, threatening, coercing, or otherwise discouraging the service of a notice to owner under part I of chapter 713 or a notice to contractor under chapter 255 or part I of chapter 713.

(s) Failing to satisfy, within a reasonable time, the terms of a civil judgment obtained against the licensee, or the business organization qualified by the licensee, relating to the practice of the licensee's profession.
For the purposes of this subsection, construction is considered to be commenced when the contract is executed and the contractor has accepted funds from the customer or lender.

Section 48. Subsections (2) and (3) of section 476.034, Florida Statutes, are amended, and subsections (6) and (7) are added to that section, to read:

476.034 Definitions.—As used in this act:

(2) "Barbering" means any of the following practices when done for remuneration and for the public, but not when done for the treatment of disease or physical or mental ailments: shaving, cutting, trimming, coloring, shampooing, arranging, dressing, curling, or waving the hair or beard or applying oils, creams, lotions, or other preparations to the face, scalp, or neck, either by hand or by mechanical appliances, and includes any services defined as restricted barbering.

(3) "Barbershop" means any place of business wherein the practice of barbering or restricted barbering is carried on.

(6) "Restricted barber" means a person who is licensed to engage in the practice of restricted barbering in this state under the authority of this chapter and is subject to the same requirements and restrictions as a barber, except as specifically provided in s. 476.114.

(7) "Restricted barbering" means any of the following practices when done for remuneration and for the public, but not when done for the treatment of disease or physical or mental
ailments:

(a) Hair cutting and styling, including the application of hair tonics and hair spray, but not including the application of other chemical preparations or solutions to the hair;
(b) Full facial shaves;
(c) Mustache and beard trimming; and
(d) Shampooing hair, including the application of shampoos and conditioners and blow drying the hair.

Section 49. Section 476.114, Florida Statutes, is amended to read:

476.114 Examination; prerequisites.—
(1) A person desiring to be licensed as a barber shall apply to the department for licensure and—
(2) An applicant shall be eligible for licensure by examination to practice barbering if the applicant:
   (a) Is at least 16 years of age;
   (b) Pays the required application fee; and
   (c)1. Holds an active valid license to practice barbering in another state, has held the license for at least 1 year, and does not qualify for licensure by endorsement as provided for in s. 476.144(5); or
   2. Has received a minimum of 600 1,200 hours of training in sanitation, safety, and laws and rules, as established by the board, which shall include, but shall not be limited to, the equivalent of completion of services directly related to the
The practice of barbering at one of the following:

   a. A school of barbering licensed pursuant to chapter 1005;
   b. A barbering program within the public school system; or
   c. A government-operated barbering program in this state.

The board shall establish by rule procedures whereby the school or program may certify that a person is qualified to take the required examination after the completion of a minimum of 1,000 actual school hours. If the person passes the examination, she or he shall have satisfied this requirement; but if the person fails the examination, she or he shall not be qualified to take the examination again until the completion of the full requirements provided by this section.

(2) A person desiring to be licensed as a restricted barber shall apply to the department for licensure and shall be eligible for licensure by examination to practice restricted barbering if the applicant:

   (a) Is at least 16 years of age;
   (b) Pays the required application fee; and
   (c) 1. Holds an active valid license to practice barbering in another state, has held the license for at least 1 year, and does not qualify for licensure by endorsement as provided for in s. 476.144(5); or
   2. Has received a minimum of 325 hours of training in
sanitation, safety, and laws and rules, as established by the
board, which shall include, but not be limited to, the
equivalent of completion of services directly related to the
practice of restricted barbering at one of the following:
a. A school of barbering licensed pursuant to chapter
1005;
b. A barbering program within the public school system; or
c. A government-operated barbering program in this state.
(3) An applicant who meets the requirements set forth in
paragraph (1)(c)1. and 2. subparagraphs (2)(c)1. and 2. who
fails to pass the examination may take subsequent examinations
as many times as necessary to pass, except that the board may
specify by rule reasonable timeframes for rescheduling the
examination and additional training requirements for applicants
who, after the third attempt, fail to pass the examination.
Prior to reexamination, the applicant must file the appropriate
form and pay the reexamination fee as required by rule.

Section 50. Subsections (1) and (6) of section 476.144,
Florida Statutes, are amended to read:

476.144  Licensure.—
(1) The department shall license any applicant who the
board certifies is qualified to practice barbering or restricted
barbering in this state.
(6) A person may apply for a restricted license to
practice barbering. The board shall adopt rules specifying
procedures for an applicant to obtain a restricted license if the applicant:

(a) 1. Has successfully completed a restricted barber course, as established by rule of the board, at a school of barbering licensed pursuant to chapter 1005, a barbering program within the public school system, or a government-operated barbering program in this state; or

2.a. Holds or has within the previous 5 years held an active valid license to practice barbering in another state or country or has held a Florida barbering license which has been declared null and void for failure to renew the license, and the applicant fulfilled the requirements of s. 476.114(2)(c)2. for initial licensure; and

b. Has not been disciplined relating to the practice of barbering in the previous 5 years; and

(b) Passes a written examination on the laws and rules governing the practice of barbering in Florida, as established by the board.

The restricted license shall limit the licensee's practice to those specific areas in which the applicant has demonstrated competence pursuant to rules adopted by the board.

Section 51. Subsections (6) and (9) of section 477.013, Florida Statutes, are amended to read:

477.013 Definitions.—As used in this chapter:
(6) "Specialty" means the practice of one or more of the following:

(a) "Nail specialty" means manicuring, or the cutting, polishing, tinting, coloring, cleansing, adding, or extending of the nails, and massaging of the hands. This term includes any procedure or process for the affixing of artificial nails, except those nails which may be applied solely by use of a simple adhesive; and-

(b) pedicuring, or the shaping, polishing, tinting, or cleansing of the nails of the feet, and massaging or beautifying of the feet.

(b) "Facial specialty" means facials, or the massaging or treating of the face or scalp with oils, creams, lotions, or other preparations, and skin care services.

(c) "Full specialty" means all services within the definition of nail specialty and facial specialty, including manicuring, pedicuring, and facial services.

(9) "Hair braiding" means the weaving or interweaving of natural human hair or commercial hair for compensation without cutting, coloring, permanent waving, relaxing, removing, or chemical treatment and does not include the use of adhesives or bonders hair extensions or wefts.

Section 52. Section 477.0132, Florida Statutes, is repealed.
Section 53. Subsections (7), (8), and (9) are added to section 477.0135, Florida Statutes, to read:

477.0135 Exemptions.—

(7) A license or registration is not required for a person whose occupation or practice is confined solely to hair braiding as defined in s. 477.013(9).

(8) A license or registration is not required for a person whose occupation or practice is confined solely to hair wrapping as defined in s. 477.013(10).

(9) A license or registration is not required for a person whose occupation or practice is confined solely to body wrapping as defined in s. 477.013(12).

Section 54. Paragraph (b) of subsection (7) of section 477.019, Florida Statutes, is amended to read:

477.019 Cosmetologists; qualifications; licensure; supervised practice; license renewal; endorsement; continuing education.—

(7)

(b) Any person whose occupation or practice is confined solely to hair braiding, hair wrapping, or body wrapping is exempt from the continuing education requirements of this subsection.

Section 55. Subsections (2) through (6) of section 477.0201, Florida Statutes, are renumbered as subsections (4), (5), and (6).
through (8), respectively, subsection (1) is amended, and new subsections (2) and (3) are added to that section, to read:

477.0201 Specialty registration; qualifications; registration renewal; endorsement.—

(1) Any person is qualified for registration as a specialist in any one or more of the specialty practices within the practice of cosmetology under this chapter who:

(a) Is at least 16 years of age or has received a high school diploma.

(b) Has received a minimum of 150 hours of training as established by the board, which shall focus primarily on sanitation and safety and shall include, but shall not be limited to, the equivalent of completion of services directly related to the practice of a nail certificate of completion in a specialty pursuant to s. 477.013(6)(a) from one of the following:

1. A school licensed pursuant to s. 477.023.

2. A school licensed pursuant to chapter 1005 or the equivalent licensing authority of another state.

3. A specialty program within the public school system.

4. A specialty division within the Cosmetology Division of the Florida School for the Deaf and the Blind, provided the training programs comply with minimum curriculum requirements established by the board.
(2) Any person is qualified for registration as a specialist in a facial specialty practice within the practice of cosmetology under this chapter who:
   (a) Is at least 16 years of age or has received a high school diploma.
   (b) Has received a minimum of 165 hours of training as established by the board, which shall focus on sanitation and safety and shall include, but not be limited to, the equivalent of completion of services directly related to the practice of facial specialty pursuant to s. 477.013(6)(b) from one of the following:
      1. A school licensed pursuant to s. 477.023.
      2. A school licensed pursuant to chapter 1005 or the equivalent licensing authority of another state.
      3. A specialty program within the public school system.
      4. A specialty division within the Cosmetology Division of the Florida School for the Deaf and the Blind, provided the training programs comply with minimum curriculum requirements established by the board.

(3) Any person is qualified for registration as a specialist in a full specialty practice within the practice of cosmetology under this chapter who:
   (a) Is at least 16 years of age or has received a high school diploma.
   (b) Has received a minimum of 300 hours of training as
established by the board, which shall focus primarily on sanitation and safety and shall include, but not be limited to, the equivalent of completion of services directly related to the practice of full specialty pursuant to s. 477.013(6)(c) from one of the following:

1. A school licensed pursuant to s. 477.023.
2. A school licensed pursuant to chapter 1005 or the equivalent licensing authority of another state.
3. A specialty program within the public school system.
4. A specialty division within the Cosmetology Division of the Florida School for the Deaf and the Blind, provided the training programs comply with minimum curriculum requirements established by the board.

Section 56. Paragraph (f) of subsection (1) of section 477.026, Florida Statutes, is amended to read:

477.026 Fees; disposition.—
(1) The board shall set fees according to the following schedule:
(f) For hair braiders, hair wrappers, and body wrappers, fees for registration shall not exceed $25.

Section 57. Paragraph (f) of subsection (1) of section 477.0265, Florida Statutes, is amended to read:
477.0265 Prohibited acts.—
(1) It is unlawful for any person to:
(f) Advertise or imply that skin care services or body skin care services are provided by a person who has not

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wrapping, as performed under this chapter, have any relationship
to the practice of massage therapy as defined in s. 480.033(3),
except those practices or activities defined in s. 477.013.

Section 58. Paragraph (a) of subsection (1) of section
477.029, Florida Statutes, is amended to read:

477.029 Penalty.—
(1) It is unlawful for any person to:
(a) Hold himself or herself out as a cosmetologist or
specialist, hair wrapper, hair braider, or body wrapper unless
duly licensed or registered, or otherwise authorized, as
provided in this chapter.

Section 59. Section 481.2131, Florida Statutes, is
repealed.

Section 60. Section 481.2251, Florida Statutes, is
repealed.

Section 61. Section 481.201, Florida Statutes, is amended
to read:

481.201 Purpose.—The primary legislative purpose for
enacting this part is to ensure that every architect practicing
in this state meets minimum requirements for safe practice. It
is the legislative intent that architects who fall below minimum
competency or who otherwise present a danger to the public shall
be prohibited from practicing in this state. The Legislature
further finds that it is in the interest of the public to limit
the practice of interior design to interior designers or
architects who have the design education and training required
by this part or to persons who are exempted from the provisions
of this part.

Section 62. Section 481.203, Florida Statutes, is amended
to read:

481.203 Definitions.—As used in this part, the term:

(1) "Architect" or "registered architect" means a
natural person who is licensed under this part to engage in the
practice of architecture.

(2) "Architecture" means the rendering or offering to
render services in connection with the design and construction
of a structure or group of structures which have as their
principal purpose human habitation or use, and the utilization
of space within and surrounding such structures, and interior
design. These services include planning, providing preliminary
study designs, drawings and specifications, job-site inspection,
and administration of construction contracts.

(3) "Board" means the Board of Architecture and
Interior Design.

(4) "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.
"Certificate of registration" means a license issued by the department to a natural person to engage in the practice of architecture or interior design.

"Common area" means an area that is held out for use by all tenants or owners in a multiple-unit dwelling, including, but not limited to, a lobby, elevator, hallway, laundry room, clubhouse, or swimming pool.

"Department" means the Department of Business and Professional Regulation.

"Diversified interior design experience" means experience which substantially encompasses the various elements of interior design services set forth under the definition of "interior design" in subsection (10).

"Interior decorator services" includes the selection or assistance in selection of surface materials, window treatments, wallcoverings, paint, floor coverings, surface-mounted lighting, surface-mounted fixtures, and loose furnishings not subject to regulation under applicable building codes.

"Interior design" means designs, consultations, studies, drawings, specifications, and administration of design construction contracts relating to nonstructural interior elements of a building or structure. "Interior design" includes, but is not limited to, reflected ceiling plans, space planning, furnishings, and the fabrication of nonstructural elements.
within and surrounding interior spaces of buildings. "Interior
design" specifically excludes the design of or the
responsibility for architectural and engineering work, except
for specification of fixtures and their location within interior
spaces. As used in this subsection, "architectural and
engineering interior construction relating to the building
systems" includes, but is not limited to, construction of
structural, mechanical, plumbing, heating, air-conditioning,
ventilating, electrical, or vertical transportation systems, or
construction which materially affects lifesafety systems
pertaining to firesafety protection such as fire-rated
separations between interior spaces, fire-rated vertical shafts
in multistory structures, fire-rated protection of structural
elements, smoke evacuation and compartmentalization, emergency
ingress or egress systems, and emergency alarm systems.

(9) "Registered interior designer" or "interior designer"
means a natural person who is licensed under this part.

(11) "Nonstructural element" means an element which
does not require structural bracing and which is something other
than a load-bearing wall, load-bearing column, or other load-
bearing element of a building or structure which is essential to
the structural integrity of the building.

(12) "Reflected ceiling plan" means a ceiling design
plan which is laid out as if it were projected downward and
which may include lighting and other elements.
"Responsible supervising control" means the exercise of direct personal supervision and control throughout the preparation of documents, instruments of service, or any other work requiring the seal and signature of a licensee under this part.

"Space planning" means the analysis, programming, or design of spatial requirements, including preliminary space layouts and final planning.

"Townhouse" is a single-family dwelling unit not exceeding three stories in height which is constructed in a series or group of attached units with property lines separating such units. Each townhouse shall be considered a separate building and shall be separated from adjoining townhouses by the use of separate exterior walls meeting the requirements for zero clearance from property lines as required by the type of construction and fire protection requirements; or shall be separated by a party wall; or may be separated by a single wall meeting the following requirements:

(a) Such wall shall provide not less than 2 hours of fire resistance. Plumbing, piping, ducts, or electrical or other building services shall not be installed within or through the 2-hour wall unless such materials and methods of penetration have been tested in accordance with the Standard Building Code.

(b) Such wall shall extend from the foundation to the underside of the roof sheathing, and the underside of the roof sheathing, and the underside of the roof sheathing.
shall have at least 1 hour of fire resistance for a width not less than 4 feet on each side of the wall.

(c) Each dwelling unit sharing such wall shall be designed and constructed to maintain its structural integrity independent of the unit on the opposite side of the wall.

Section 63. Subsection (1) and paragraph (a) of subsection (3) of section 481.205, Florida Statutes, are amended to read:

481.205 Board of Architecture and Interior Design.—

(1) The Board of Architecture and Interior Design is created within the Department of Business and Professional Regulation. The board shall consist of seven members. Five members must be registered architects who have been engaged in the practice of architecture for at least 5 years; three members must be registered interior designers who have been offering interior design services for at least 5 years and who are not also registered architects; and two members must be laypersons who are not, and have never been, architects, interior designers, or members of any closely related profession or occupation. At least one member of the board must be 60 years of age or older.

(3)(a) Notwithstanding the provisions of ss. 455.225, 455.228, and 455.32, the duties and authority of the department to receive complaints and investigate and discipline persons licensed under this part, including the ability to determine legal sufficiency and probable cause; to initiate proceedings
and issue final orders for summary suspension or restriction of a license pursuant to s. 120.60(6); to issue notices of noncompliance, notices to cease and desist, subpoenas, and citations; to retain legal counsel, investigators, or prosecutorial staff in connection with the licensed practice of architecture and interior design; and to investigate and deter the unlicensed practice of architecture and interior design as provided in s. 455.228 are delegated to the board. All complaints and any information obtained pursuant to an investigation authorized by the board are confidential and exempt from s. 119.07(1) as provided in s. 455.225(2) and (10).

Section 64. Section 481.207, Florida Statutes, is amended to read:

481.207 Fees.—The board, by rule, may establish separate fees for architects and interior designers, to be paid for applications, examination, reexamination, licensing and renewal, delinquency, reinstatement, and recordmaking and recordkeeping. The examination fee shall be in an amount that covers the cost of obtaining and administering the examination and shall be refunded if the applicant is found ineligible to sit for the examination. The application fee is nonrefundable. The fee for initial application and examination for architects and interior designers may not exceed $775 plus the actual per applicant cost to the department for purchase of the examination from the National Council of Architectural Registration Boards or the...
National Council of Interior Design Qualifications, respectively, or similar national organizations. The biennial renewal fee for architects may not exceed $200. The biennial renewal fee for interior designers may not exceed $500. The delinquency fee may not exceed the biennial renewal fee established by the board for an active license. The board shall establish fees that are adequate to ensure the continued operation of the board and to fund the proportionate expenses incurred by the department which are allocated to the regulation of architects and interior designers. Fees shall be based on department estimates of the revenue required to implement this part and the provisions of law with respect to the regulation of architects and interior designers.

Section 65. Section 481.209, Florida Statutes, is amended to read:

481.209 Examinations.—

(1) A person desiring to be licensed as a registered architect by initial examination shall apply to the department, complete the application form, and remit a nonrefundable application fee. The department shall license any applicant who the board certifies:

(a) has passed the licensure examination prescribed by board rule; and

(b) is a graduate of a school or college of architecture with a program accredited by the National Architectural...
(2) A person desiring to be licensed as a registered interior designer shall apply to the department for licensure. The department shall administer the licensure examination for interior designers to each applicant who has completed the application form and remitted the application and examination fees specified in s. 481.207 and who the board certifies:

(a) Is a graduate from an interior design program of 5 years or more and has completed 1 year of diversified interior design experience;

(b) Is a graduate from an interior design program of 4 years or more and has completed 2 years of diversified interior design experience;

(c) Has completed at least 3 years in an interior design curriculum and has completed 3 years of diversified interior design experience; or

(d) Is a graduate from an interior design program of at least 2 years and has completed 4 years of diversified interior design experience.

Subsequent to October 1, 2000, for the purpose of having the educational qualification required under this subsection accepted by the board, the applicant must complete his or her education at a program, school, or college of interior design whose curriculum has been approved by the board as of the time of completion. Subsequent to October 1, 2003, all of the
required amount of educational credits shall have been obtained
in a program, school, or college of interior design whose
curriculum has been approved by the board, as of the time each
educational credit is gained. The board shall adopt rules
providing for the review and approval of programs, schools, and
colleges of interior design and courses of interior design study
based on a review and inspection by the board of the curriculum
of programs, schools, and colleges of interior design in the
United States, including those programs, schools, and colleges
accredited by the Foundation for Interior Design Education
Research. The board shall adopt rules providing for the review
and approval of diversified interior design experience required
by this subsection.

Section 66. Subsections (1) through (4) of section
481.213, Florida Statutes, are amended to read:

481.213 Licensure.—

(1) The department shall license any applicant who the
board certifies is qualified for licensure and who has paid the
initial licensure fee. Licensure as an architect under this
section shall be deemed to include all the rights and privileges
of licensure as an interior designer under this section.

(2) The board shall certify for licensure by examination
any applicant who passes the prescribed licensure examination
and satisfies the requirements of ss. 481.209 and 481.211, for
architects, or the requirements of s. 481.209, for interior
designers.

(3) The board shall certify as qualified for a license by endorsement as an architect or as an interior designer an applicant who:

(a) Qualifies to take the prescribed licensure examination, and has passed the prescribed licensure examination or a substantially equivalent examination in another jurisdiction, as set forth in s. 481.209 for architects or interior designers, as applicable, and has satisfied the internship requirements set forth in s. 481.211 for architects;

(b) Holds a valid license to practice architecture or interior design issued by another jurisdiction of the United States, if the criteria for issuance of such license were substantially equivalent to the licensure criteria that existed in this state at the time the license was issued; provided, however, that an applicant who has been licensed for use of the title "interior design" rather than licensed to practice interior design shall not qualify hereunder; or

(c) Has passed the prescribed licensure examination and holds a valid certificate issued by the National Council of Architectural Registration Boards, and holds a valid license to practice architecture issued by another state or jurisdiction of the United States.
(4) The board may refuse to certify any applicant who has
violated any of the provisions of s. 481.223 or s. 481.225, or
s. 481.2251, as applicable.

Section 67. Subsections (3) and (5) of section 481.215, Florida Statutes, are amended to read:

481.215 Renewal of license.—

(3) A license renewal may not be issued to an architect or an interior designer by the department until the licensee submits proof satisfactory to the department that, during the 2 years before application for renewal, the licensee participated per biennium in not less than 20 hours of at least 50 minutes each per biennium of continuing education approved by the board. The board shall approve only continuing education that builds upon the basic knowledge of architecture or interior design. The board may make exception from the requirements of continuing education in emergency or hardship cases.

(5) The board shall require, by rule adopted pursuant to ss. 120.536(1) and 120.54, a specified number of hours in specialized or advanced courses, approved by the Florida Building Commission, on any portion of the Florida Building Code, adopted pursuant to part IV of chapter 553, relating to the licensee's respective area of practice.

Section 68. Subsection (1) of section 481.217, Florida Statutes, is amended to read:
481.217 Inactive status.—
(1) The board may prescribe by rule continuing education requirements as a condition of reactivating a license. The rules may not require more than one renewal cycle of continuing education to reactivate a license for a registered architect or interior designer. For interior design, the board may approve only continuing education that builds upon the basic knowledge of interior design.

Section 69. Section 481.219, Florida Statutes, is amended to read:
481.219 Qualification of business organizations certification of partnerships, limited liability companies, and corporations.—
(1) A licensee may 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 a 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 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 qualifying agent who terminates her or his affiliation with a business organization shall immediately notify the department of such termination. If such agent 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), such a business organization may not engage in the practice of architecture until it is qualified by a qualifying agent.

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

(c) A qualifying agent shall notify the department in writing before engaging in the practice of architecture 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.

(3) 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 shall 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 corporation, limited liability company, or partnership by an interior designer in her or his professional capacity and filed for public record within the state shall 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.

(5)(7) The board shall allow 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 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; or

(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.

(6) 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 that 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 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.

(7) 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 shall be liable for the professional services performed.

(12) 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.

(8)(13) 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 or 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.

(14) 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."

Section 70. Subsections (4), (6), and (8) of section
481.221, Florida Statutes, are renumbered as sections (3), (4), and (5), respectively, and present subsections (3), (5), (7), (9), (10), (11), and (12) of that section are amended to read:

481.221 Seals; display of certificate number.—

(3) The board shall adopt a rule prescribing the distinctly different seals to be used by registered interior designers holding valid certificates of registration. Each registered interior designer shall obtain a seal as prescribed by the board, and all drawings, plans, specifications, or reports prepared or issued by the registered interior designer and being filed for public record shall bear the signature and seal of the registered interior designer who prepared or approved the document and the date on which they were sealed. The signature, date, and seal shall be evidence of the authenticity of that to which they are affixed. Final plans, specifications, or reports prepared or issued by a registered interior designer may be transmitted electronically and may be signed by the registered interior designer, dated, and sealed electronically with the seal in accordance with ss. 668.001–668.006.

(5) No registered interior designer shall affix, or permit to be affixed, her or his seal or signature to any plan, specification, drawing, or other document which depicts work which she or he is not competent or licensed to perform.

(7) No registered interior designer shall affix her or his
signature or seal to any plans, specifications, or other
documents which were not prepared by her or him or under her or
his responsible supervising control or by another registered
interior designer and reviewed, approved, or modified and
adopted by her or him as her or his own work according to rules
adopted by the board.

(9) Studies, drawings, specifications, and other related
documents prepared by a registered interior designer in
providing interior design services shall be of a sufficiently
high standard to clearly and accurately indicate all essential
parts of the work to which they refer.

(6)(10) Each registered architect must or interior
designer, and each corporation, limited liability company, or
partnership holding a certificate of authorization, shall
include her or his license its certificate 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 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 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.

(7)(11) When the certificate of registration of a
registered architect or interior designer has been revoked or
suspended by the board, the registered architect or interior
designer shall surrender her or his seal to the secretary of the
board within a period of 30 days after the revocation or
suspension has become effective. If the certificate of the
registered architect or interior designer has been suspended for
a period of time, her or his seal shall be returned to her or
him upon expiration of the suspension period.

(8)(12) A person may not sign and seal by any means any
final plan, specification, or report after her or his
certificate of registration has expired or is suspended or
revoked. A registered architect or interior designer whose
certificate of registration is suspended or revoked shall,
within 30 days after the effective date of the suspension or
revocation, surrender her or his seal to the executive director
of the board and confirm in writing to the executive director
the cancellation of the registered architect's or interior
designer's electronic signature in accordance with ss. 668.001-
668.006. When a registered architect's or interior designer's
certificate of registration is suspended for a period of time,
Section 71. Section 481.222, Florida Statutes, is amended to read:

481.222 Architects performing building code inspection services.—Notwithstanding any other provision of law, a person who is currently licensed to practice as an architect under this part may provide building code inspection services described in s. 468.603(6) and (7) to a local government or state agency upon its request, without being certified by the Florida Building Code Administrators and Inspectors Board under part XII of chapter 468. With respect to the performance of such building code inspection services, the architect is subject to the disciplinary guidelines of this part and s. 468.621(1)(c)-(h). Any complaint processing, investigation, and discipline that arise out of an architect's performance of building code inspection services shall be conducted by the Board of Architecture and Interior Design rather than the Florida Building Code Administrators and Inspectors Board. An architect may not perform plans review as an employee of a local government upon any job that the architect or the architect's company designed.

Section 72. Section 481.223, Florida Statutes, are amended to read:

481.223 Prohibitions; penalties; injunctive relief.—
(1) A person may not knowingly:

(a) Practice architecture unless the person is an architect or a registered architect; however, a licensed architect who has been licensed by the board and who chooses to relinquish or not to renew his or her license may use the title "Architect, Retired" but may not otherwise render any architectural services.

(b) Practice interior design unless the person is a registered interior designer unless otherwise exempted herein; however, an interior designer who has been licensed by the board and who chooses to relinquish or not to renew his or her license may use the title "Interior Designer, Retired" but may not otherwise render any interior design services.

(c) Use the name or title "architect" or "registered architect," or "interior designer" or "registered interior designer," or words to that effect, when the person is not then the holder of a valid license issued pursuant to this part.

(d) Present as his or her own the license of another.

(e) Give false or forged evidence to the board or a member thereof.

(f) Use or attempt to use an architect or interior designer license that has been suspended, revoked, or placed on inactive or delinquent status.

(g) Employ unlicensed persons to practice architecture or interior design.
Conceal information relative to violations of this part.

(2) Any person who violates any provision of subsection (1) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(3)(a) Notwithstanding chapter 455 or any other law to the contrary, an affected person may maintain an action for injunctive relief to restrain or prevent a person from violating paragraph (1)(a) or paragraph (1)(b), or paragraph (1)(c). The prevailing party is entitled to actual costs and attorney's fees.

(b) For purposes of this subsection, the term "affected person" means a person directly affected by the actions of a person suspected of violating paragraph (1)(a) or paragraph (1)(b), or paragraph (1)(c) and includes, but is not limited to, the department, any person who received services from the alleged violator, or any private association composed primarily of members of the profession the alleged violator is practicing or offering to practice or holding himself or herself out as qualified to practice.

Section 73. Subsections (5) through (8) of section 481.229, Florida Statutes, are amended to read:

481.229 Exceptions; exemptions from licensure.—

(5)(a) Nothing contained in this part shall prevent a registered architect or a partnership, limited liability
company, or 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."

(b) Notwithstanding any other provision of this part, all persons licensed as architects under this part shall be qualified for interior design licensure upon submission of a completed application for such license and a fee not to exceed $30. Such persons shall be exempt from the requirements of s. 481.209(2). For architects licensed as interior designers, satisfaction of the requirements for renewal of licensure as an architect under s. 481.215 shall be deemed to satisfy the requirements for renewal of licensure as an interior designer under that section. Complaint processing, investigation, or other discipline-related legal costs related to persons licensed as interior designers under this paragraph shall be assessed against the architects' account of the Regulatory Trust Fund.

(c) Notwithstanding any other provision of this part, any corporation, partnership, or person operating under a fictitious name which holds a certificate of authorization to provide architectural services shall be qualified, without fee, for a certificate of authorization to provide interior design services upon submission of a completed application therefor. For corporations, partnerships, and persons operating under a fictitious name which hold a certificate of authorization to provide architectural services shall be qualified, without fee, for a certificate of authorization to provide interior design services upon submission of a completed application therefor. For
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.

(6) This part shall not apply to:
(a) A person who performs interior design services or
interior decorator services for any residential application,
provided that such person does not advertise as, or represent
himself or herself as, an interior designer. For purposes of
this paragraph, "residential applications" includes all types of
residences, including, but not limited to, residence buildings,
single-family homes, multifamily homes, townhouses, apartments,
condominiums, and domestic outbuildings appurtenant to one-
family or two-family residences. However, "residential
applications" does not include common areas associated with
instances of multiple-unit dwelling applications.

(b) An employee of a retail establishment providing
"interior decorator services" on the premises of the retail
establishment or in the furtherance of a retail sale or
prospective retail sale, provided that such employee does not
advertise as, or represent himself or herself as, an interior
designer.

(7) Nothing in this part shall be construed as authorizing
or permitting an interior designer to engage in the business of, or to act as, a contractor within the meaning of chapter 489, unless registered or certified as a contractor pursuant to chapter 489.

(5)(8) A manufacturer of commercial food service equipment or the manufacturer's representative, distributor, or dealer or an employee thereof, who prepares designs, specifications, or layouts for the sale or installation of such equipment is exempt from licensure as an architect or interior designer, if:

(a) The designs, specifications, or layouts are not used for construction or installation that may affect structural, mechanical, plumbing, heating, air conditioning, ventilating, electrical, or vertical transportation systems.

(b) The designs, specifications, or layouts do not materially affect lifesafety systems pertaining to firesafety protection, smoke evacuation and compartmentalization, and emergency ingress or egress systems.

(c) Each design, specification, or layout document prepared by a person or entity exempt under this subsection contains a statement on each page of the document that the designs, specifications, or layouts are not architectural, interior design, or engineering designs, specifications, or layouts and not used for construction unless reviewed and approved by a licensed architect or engineer.

Section 74. Subsection (1) of section 481.231, Florida
481.231 Effect of part locally.—

(1) Nothing in this part does not shall be construed to repeal, amend, limit, or otherwise affect any specific provision of any local building code or zoning law or ordinance that has been duly adopted, now or hereafter enacted, which is more restrictive, with respect to the services of registered architects or registered interior designers, than the provisions of this part; provided, however, that a licensed architect shall be deemed licensed as an interior designer for purposes of offering or rendering interior design services to a county, municipality, or other local government or political subdivision.

Section 75. Paragraph (c) of subsection (5) of section 553.79, Florida Statutes, is amended to read:

553.79 Permits; applications; issuance; inspections.—

(5) The architect or engineer of record may act as the special inspector provided she or he is on the Board of Professional Engineers' or the Board of Architecture's Architecture and Interior Design's list of persons qualified to be special inspectors. School boards may utilize employees as special inspectors provided such employees are on one of the professional licensing board's list of persons qualified to be special inspectors.
Section 76. Subsection (7) of section 558.002, Florida Statutes, is amended to read:

558.002 Definitions.—As used in this chapter, the term:
(7) "Design professional" means a person, as defined in s. 1.01, who is licensed in this state as an architect, interior designer, landscape architect, engineer, surveyor, or geologist.

Section 77. Section 481.303, Florida Statutes, is amended to read:

481.303 Definitions.—As used in this chapter, the term:
(1) "Board" means the Board of Landscape Architecture.
(2) "Certificate of registration" means a license issued by the department to a natural person to engage in the practice of landscape architecture.
(3) "Department" means the Department of Business and Professional Regulation.
(5) "Certificate of authorization" means a license issued by the department to a corporation or partnership to engage in the practice of landscape architecture.
(4) "Landscape architecture" means professional services, including, but not limited to, the following:
(a) Consultation, investigation, research, planning, design, preparation of drawings, specifications, contract documents and reports, responsible construction supervision, or landscape management in connection with the planning and development of land and incidental water areas, including the
use of Florida-friendly landscaping as defined in s. 373.185,
where, and to the extent that, the dominant purpose of such
services or creative works is the preservation, conservation,
enhancement, or determination of proper land uses, natural land
features, ground cover and plantings, or naturalistic and
aesthetic values;
(b) The determination of settings, grounds, and approaches
for and the siting of buildings and structures, outdoor areas,
or other improvements;
(c) The setting of grades, shaping and contouring of land
and water forms, determination of drainage, and provision for
storm drainage and irrigation systems where such systems are
necessary to the purposes outlined herein; and
(d) The design of such tangible objects and features as
are necessary to the purpose outlined herein.
(5) "Landscape design" means consultation for and
preparation of planting plans drawn for compensation, including
specifications and installation details for plant materials,
soil amendments, mulches, edging, gravel, and other similar
materials. Such plans may include only recommendations for the
conceptual placement of tangible objects for landscape design
projects. Construction documents, details, and specifications
for tangible objects and irrigation systems shall be designed or
approved by licensed professionals as required by law.
"Registered landscape architect" means a person who holds a license to practice landscape architecture in this state under the authority of this act.

Section 78. Subsection (4) of section 481.311, Florida Statutes, is amended to read:

481.311 Licensure.—

(4) The board shall certify as qualified for a certificate of authorization any applicant corporation or partnership who satisfies the requirements of s. 481.319.

Section 79. Subsection (2) of section 481.317, Florida Statutes, is amended to read:

481.317 Temporary certificates.—

(2) Upon approval by the board and payment of the fee set in s. 481.307, the department shall grant a temporary certificate of authorization for work on one specified project in this state for a period not to exceed 1 year to an out-of-state corporation, partnership, or firm, provided one of the principal officers of the corporation, one of the partners of the partnership, or one of the principals in the fictitiously named firm has obtained a temporary certificate of registration in accordance with subsection (1).

Section 80. Section 481.319, Florida Statutes, is amended to read:

481.319 Corporate and partnership practice of landscape architecture; certificate of authorization.—
(1) The practice of or offer to practice landscape architecture by registered landscape architects registered under this part through a corporation or partnership offering landscape architectural services to the public, or through a corporation or partnership offering landscape architectural services to the public through individual registered landscape architects as agents, employees, officers, or partners, is permitted, subject to the provisions of this section, if:

(a) One or more of the principal officers of the corporation, or partners of the partnership, and all personnel of the corporation or partnership who act in its behalf as landscape architects in this state are registered landscape architects; and

(b) One or more of the officers, one or more of the directors, one or more of the owners of the corporation, or one or more of the partners of the partnership is a registered landscape architect; and

(c) The corporation or partnership has been issued a certificate of authorization by the board as provided herein.

(2) All documents involving the practice of landscape architecture which are prepared for the use of the corporation or partnership shall bear the signature and seal of a registered landscape architect.

(3) A landscape architect applying to practice in the name of a corporation must file with the
department the names and addresses of all officers and board
members of the corporation, including the principal officer or
officers, duly registered to practice landscape architecture in
this state and, also, of all individuals duly registered to
practice landscape architecture in this state who shall be in
responsible charge of the practice of landscape architecture by
the corporation in this state. A landscape architect applying to
practice in the name of a partnership must file with the department the names and addresses of all partners
of the partnership, including the partner or partners duly
registered to practice landscape architecture in this state and, also, of an individual or individuals duly registered to
practice landscape architecture in this state who shall be in
responsible charge of the practice of landscape architecture by
said partnership in this state.

(4) Each landscape architect qualifying a partnership or
corporation licensed under this part must notify the
department within 1 month after any change in the information
contained in the application upon which the license is based.
Any landscape architect who terminates her or his employment with a partnership or corporation licensed under this
part shall notify the department of the termination within 1
month after such termination.

(5) Disciplinary action against a corporation or
partnership shall be administered in the same manner and on the
same grounds as disciplinary action against a registered landscape architect.

(5)(6) Except as provided in s. 558.0035, the fact that a registered landscape architect practices landscape architecture through a corporation or partnership as provided in this section does not relieve the landscape architect from personal liability for her or his or her professional acts.

Section 81. Subsection (5) of section 481.321, Florida Statutes, is amended to read:

481.321 Seals; display of certificate number.—

(5) Each registered landscape architect must and each corporation or partnership holding a certificate of authorization shall include her or his its certificate number in any newspaper, telephone directory, or other advertising medium used by the registered landscape architect, corporation, or partnership. A corporation or partnership must is not required to display the certificate number numbers of at least one officer, director, owner, or partner who is a individual registered landscape architect architects employed by or practicing with the corporation or partnership.

Section 82. Subsection (5) of section 481.329, Florida Statutes, is amended to read:

481.329 Exceptions; exemptions from licensure.—

(5) This part does not prohibit any person from engaging in the practice of landscape design, as defined in s. 481.303(5)
481.303(7), or from submitting for approval to a governmental agency planting plans that are independent of, or a component of, construction documents that are prepared by a Florida-registered professional. Persons providing landscape design services shall not use the title, term, or designation "landscape architect," "landscape architectural," "landscape architecture," "L.A.," "landscape engineering," or any description tending to convey the impression that she or he is a landscape architect unless she or he is registered as provided in this part.

Section 83. Paragraph (h) of subsection (2) of section 287.055, Florida Statutes, is amended to read:

287.055 Acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services; definitions; procedures; contingent fees prohibited; penalties.—

(2) DEFINITIONS.—For purposes of this section:

(h) A "design-build firm" means a partnership, corporation, or other legal entity that:

1. Is certified under s. 489.119 to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or

2. Is certified under s. 471.023 to practice or to offer to practice engineering or certified under s. 481.219 to
practice or to offer to practice architecture; or certified under s. 481.319 to practice or to offer to practice landscape architecture.

Section 84. Section 492.104, Florida Statutes, is amended to read:

492.104 Rulemaking authority.—The Board of Professional Geologists may have authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this chapter. Every licensee shall be governed and controlled by this chapter and the rules adopted by the board. The board may establish is authorized to set, by rule, fees for application, examination, certificate of authorization, late renewal, initial licensure, and license renewal. These fees may should not exceed the cost of implementing the application, examination, initial licensure, and license renewal or other administrative process and are shall be established as follows:

(1) The application fee may shall not exceed $150 and is shall be nonrefundable.

(2) The examination fee may shall not exceed $250, and the fee may be apportioned to each part of a multipart examination. The examination fee shall be refundable in whole or part if the applicant is found to be ineligible to take any portion of the licensure examination.

(3) The initial license fee may shall not exceed $100.

(4) The biennial renewal fee may shall not exceed $150.
(5) The fee for a certificate of authorization shall not exceed $350 and the fee for renewal of the certificate shall not exceed $350.

(5)(6) The fee for reactivation of an inactive license may not exceed $50.

(6)(7) The fee for a provisional license may not exceed $400.

(7)(8) The fee for application, examination, and licensure for a license by endorsement is as provided in this section for licenses in general.

Section 85. Section 492.111, Florida Statutes, is amended to read:

492.111 Practice of professional geology by a firm, corporation, or partnership; certificate of authorization.—The practice of, or offer to practice, professional geology by individual professional geologists licensed under the provisions of this chapter through a firm, corporation, or partnership offering geological services to the public through individually licensed professional geologists as agents, employees, officers, or partners thereof is permitted subject to the provisions of this chapter, if provided that:

(1) At all times that it offers geological services to the public, the firm, corporation, or partnership is qualified by having on file with the department the name and license number of one or more individuals who hold a current, active license as a
professional geologist in the state and are serving as a
geologist of record for the firm, corporation, or partnership. A
geologist of record may be any principal officer or employee of
such firm or corporation, or any partner or employee of such
partnership, who holds a current, active license as a
professional geologist in this state, or any other Florida-
licensed professional geologist with whom the firm, corporation,
or partnership has entered into a long-term, ongoing
relationship, as defined by rule of the board, to serve as one
of its geologists of record. It shall be the responsibility of
the firm, corporation, or partnership and the geologist of
record shall notify the department of any changes in the
relationship or identity of that geologist of record within 30
days after such change.

(2) The firm, corporation, or partnership has been issued
a certificate of authorization by the department as provided in
this chapter. For purposes of this section, a certificate of
authorization shall be required of any firm, corporation,
partnership, association, or person practicing under a
fictitious name and offering geological services to the public;
except that, when an individual is practicing professional
geology in her or his own name, she or he shall not be required
to obtain a certificate of authorization under this section.
Such certificate of authorization shall be renewed every 2
years.
(2) All final geological papers or documents involving the practice of the profession of geology which have been prepared or approved for the use of such firm, corporation, or partnership, for delivery to any person for public record with the state, shall be dated and bear the signature and seal of the professional geologist or professional geologists who prepared or approved them.

(3) Except as provided in s. 558.0035, the fact that a licensed professional geologist practices through a corporation or partnership does not relieve the registrant from personal liability for negligence, misconduct, or wrongful acts committed by her or him. The partnership and all partners are jointly and severally liable for the negligence, misconduct, or wrongful acts committed by their agents, employees, or partners while acting in a professional capacity. Any officer, agent, or employee of a corporation is personally liable and accountable only for negligent acts, wrongful acts, or misconduct committed by her or him or committed by any person under her or his direct supervision and control, while rendering professional services on behalf of the corporation. The personal liability of a shareholder of a corporation, in her or his capacity as shareholder, may be no greater than that of a shareholder-employee of a corporation incorporated under chapter 607. The corporation is liable up to the full value of its property for any negligent acts, wrongful acts, or misconduct committed by
any of its officers, agents, or employees while they are engaged
on behalf of the corporation in the rendering of professional
services.

(5) The firm, corporation, or partnership desiring a
certificate of authorization shall file with the department an
application therefor, upon a form to be prescribed by the
department, accompanied by the required application fee.

(6) The department may refuse to issue a certificate of
authorization if any facts exist which would entitle the
department to suspend or revoke an existing certificate of
authorization or if the department, after giving persons
involved a full and fair hearing, determines that any of the
officers or directors of said firm or corporation, or partners
of said partnership, have violated the provisions of s. 492.113.

Section 86. Subsection (4) of section 492.113, Florida
Statutes, is amended to read:

492.113 Disciplinary proceedings.—

(4) The department shall reissue the license of a
disciplined professional geologist or business upon
certification by the board that the disciplined person has
complied with all of the terms and conditions set forth in the
final order.

Section 87. Section 492.115, Florida Statutes, is amended
to read:

492.115 Roster of licensed professional geologists.—A
roster showing the names and places of business or residence of all licensed professional geologists and all properly qualified firms, corporations, or partnerships practicing holding certificates of authorization to practice professional geology in the state shall be prepared annually by the department. A copy of this roster must be made available to shall be obtainable by each licensed professional geologist and each firm, corporation, or partnership qualified by a professional geologist holding a certificate of authorization, and copies thereof shall be placed on file with the department.

Section 88. Paragraphs (j) and (k) of subsection (2) of section 548.003, Florida Statutes, are redesignated as paragraphs (i) and (j), respectively, and paragraph (i) of that subsection is amended to read:

548.003 Florida State Boxing Commission.—
(2) The Florida State Boxing Commission, as created by subsection (1), shall administer the provisions of this chapter. The commission has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter and to implement each of the duties and responsibilities conferred upon the commission, including, but not limited to:

(i) Designation and duties of a knockdown timekeeper.

Section 89. Subsection (1) of section 548.017, Florida Statutes, is amended to read:

548.017 Participants, managers, and other persons required
to have licenses.—

(1) A participant, manager, trainer, second, timekeeper, referee, judge, announcer, physician, matchmaker, or promoter must be licensed before directly or indirectly acting in such capacity in connection with any match involving a participant. A physician approved by the commission must be licensed pursuant to chapter 458 or chapter 459, must maintain an unencumbered license in good standing, and must demonstrate satisfactory medical training or experience in boxing, or a combination of both, to the executive director before working as the ringside physician.

Section 90. This act shall take effect July 1, 2017.