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 to changes made by the act; 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. 455.213, F.S.; requiring the Department of Business and Professional Regulation or a board to seek reciprocal licensing agreements with other states under certain circumstances; providing requirements; repealing s. 468.381, F.S., relating to purpose; 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 prohibited acts and penalties; 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, respectively; amending s. 468.401, F.S.; revising definitions; repealing ss. 468.402, 468.403, 468.404, and 468.405, F.S., relating to duties and authority of the Department of Business and Professional Regulation with regard to licensure of talent agencies, licensure requirements, license fees and renewals, and qualification for a talent agency license, respectively; amending s. 468.406, F.S.; requiring an owner or operator of a talent agency to post an itemized schedule of fees, charges, and commissions in a specified place; repealing s. 468.407, F.S., relating to the form and posting requirements for a license; amending s. 468.408, F.S.; conforming provisions to changes made by the act; 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 to changes made by the act; 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.; prohibiting any agent, owner, or operator who commits sexual misconduct in the operation of a talent agency from acting as an agent, owner, or operator of a Florida talent agency; amending 468.524, F.S.; deleting specified exemptions from the time restriction for an employee leasing company to reapply for licensure; amending s. 468.613, F.S.; providing for waiver of specified requirements for certification under certain circumstances; amending s. 468.8314, F.S.; requiring an applicant for a license by endorsement to maintain a specified insurance policy; requiring the department to certify an applicant who holds a specified license issued by another state or territory of the United States under certain circumstances; amending s. 468.8414, F.S.; providing additional licensure requirements for mold remediators; amending s. 469.006, F.S.; providing
additional 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 to
changes made by the act; amending s. 471.005, F.S.;
revising definitions; amending s. 471.011, F.S.;
conforming a provision to changes made by the act;
amending s. 471.015, F.S.; revising licensure
requirements for engineers who hold specified licenses
in another state; amending s. 471.023, F.S.; providing
requirements for qualification of a business
organization; providing requirements for a qualifying
agent; deleting the administration of disciplinary
action against a business organization; amending s.
473.308, F.S.; deleting continuing education
requirements for license by endorsement for certified
public accountants; amending s. 474.202, F.S.;
revising the definition of the term "limited-service
veterinary medical practice" to include certain
vaccinations or immunizations; amending s. 474.207,
F.S.; revising education requirements for licensure by
examination; amending s. 474.217, F.S.; requiring the
Department of Business and Professional Regulation to
issue a license by endorsement to certain applicants
who successfully complete a specified examination;
amending s. 476.114, F.S.; revising training requirements for licensure as a barber; amending s. 476.144, F.S.; requiring the department to license an applicant who is licensed to practice barbering in another state; amending s. 477.013, F.S.; revising the definition of the term "hair braiding"; repealing s. 477.0132, F.S., relating to registration for hair braiding, hair wrapping, and body wrapping; amending s. 477.0135, F.S.; providing additional exemptions from license or registration requirements for specified occupations or practices; amending s. 477.019, F.S.; conforming provisions to changes made by the act; amending s. 477.0201, F.S.; providing requirements for registration as a specialist; amending s. 477.026, F.S.; conforming provisions to changes made by the act; amending s. 477.0263, F.S.; providing certain cosmetology services may be performed in a location other than a licensed salon under certain circumstances; amending ss. 477.0265 and 477.029, F.S.; conforming provisions to changes made by the act; amending s. 481.201, F.S.; deleting legislative findings relating to the practice of interior design; amending s. 481.203, F.S.; revising definitions; 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, 
and 481.213, F.S.; conforming provisions; amending s. 
481.2131, F.S.; requiring certain interior designers 
to include proof of completed specified examination 
requirements when submitting documents for the 
issuance of a building permit; providing that a 
license or registration is not required for specified 
persons to practice; amending ss. 481.215 and 481.217, 
F.S.; conforming provisions to changes made by the 
act; amending s. 481.219, F.S.; deleting provisions 
permitting the practice of or offer to practice 
interior design through certain business 
orizations; deleting provisions requiring 
certificates of authorization for certain business 
orizations offering interior design services to the 
public; requiring a licensee or applicant in the 
practice of architecture to qualify a business 
orization; providing requirements; amending 
481.221, F.S.; conforming provisions; requiring a 
registered architect or a qualifying agent for a 
busines organization to display their license number 
in specified advertisements; providing an exception; 
amending ss. 481.222 and 481.223, F.S.; conforming 
provisions; repealing s. 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 ss. 481.229 and 481.231, F.S.; conforming
provisions; amending s. 481.303, F.S.; deleting the
definition of the term "certificate of authorization";
amending s. 481.310, F.S.; providing that an applicant
who holds a specified degree is not required to
demonstrate 1 year of practical experience for
licensure; amending s. 481.311, F.S.; requiring the
Board of Landscape Architecture to certify an
applicant who holds a specified license issued by
another state or territory of the United States under
certain circumstances; conforming provisions; 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.; requiring a landscape
architect to display their certificate number in
specified advertisements; amending s. 481.329, F.S.;
conforming a cross-reference; amending s. 489.103,
F.S.; revising certain contract prices for exemption;
amending s. 489.111, F.S.; providing that an applicant
who is exempt from a specified examination is eligible

CODING: Words stricken are deletions; words underlined are additions.
for licensure; amending s. 489.113, F.S.; providing that an applicant holding a specified degree does not have to pass a certain examination; amending s. 489.115, F.S.; requiring the Construction Industry Licensing Board to certify any applicant who holds a specified license to practice contracting issued by another state or territory of the United States under certain circumstances; amending s. 489.511, F.S.; requiring the board to certify as qualified for certification by endorsement any applicant who holds a specified license to practice electrical or alarm system contracting issued by another state or territory of the United States under certain circumstances; amending s. 489.517, F.S.; providing a reduction in certain continuing education hours required for registered contractors; amending s. 489.518, F.S.; requiring a person to have completed a specified amount of training within a certain time period to perform the duties of an alarm system agent; amending s. 492.104, F.S.; conforming provisions to changes made by the act; amending 492.108, F.S.; requiring the department to issue a license by endorsement to any applicant who has held a specified license to practice geology in another state, territory, or possession of the United States for a
certain period of time; providing that an applicant
may take the examination required by the board if they
have not met the specified examination requirement;
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;
amending s. 553.5141, F.S.; conforming provisions to
changes made by the act; amending s. 553.74, F.S.;
revising the membership and qualifications of the
Florida Building Commission; amending ss. 553.79,
558.002, 559.25, and 287.055, F.S.; conforming
provisions to changes made by the act; providing an
effective date.

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 481.
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.
9. Board of Landscape Architecture, created under part II of chapter 481.
10. Board of Pilot Commissioners, created under chapter 471.
11. 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. Subsection (13) is added to section 455.213, Florida Statutes, to read:

455.213 General licensing provisions.—

(13) The department or a board must enter into a reciprocal licensing agreement with other states if the practice act within the purview of this chapter permits such agreement. If a reciprocal licensing agreement exists or if the department or board has determined another state's licensing requirements...
or examinations to be substantially similar to those under the practice act, the department or board must post on its website which jurisdictions have such reciprocal licensing agreements or substantially similar licenses.

Section 13. Section 468.381, Florida Statutes, is repealed.

Section 14. 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.
(5)(6) "Livestock" means any animal included in the definition of "livestock" by s. 585.01 or s. 588.13.

Section 15. Section 468.384, Florida Statutes, is repealed.
Section 16. Section 468.385, Florida Statutes, is repealed.
Section 17. Section 468.3851, Florida Statutes, is repealed.
Section 18. Section 468.3852, Florida Statutes, is repealed.
Section 19. Section 468.3855, Florida Statutes, is repealed.
Section 20. Section 468.386, Florida Statutes, is repealed.
Section 21. Section 468.387, Florida Statutes, is repealed.

Section 22. 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) 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 23. 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 an 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.

c) 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 24. 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) s. 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 25. Section 468.392, Florida Statutes, is
repealed.

Section 26. Section 468.393, Florida Statutes, is repealed.

Section 27. Section 468.394, Florida Statutes, is repealed.

Section 28. Section 468.395, Florida Statutes, is repealed.

Section 29. Section 468.396, Florida Statutes, is repealed.

Section 30. Section 468.397, Florida Statutes, is repealed.

Section 31. Section 468.398, Florida Statutes, is repealed.

Section 32. Section 468.399, Florida Statutes, is repealed.

Section 33. Section 468.401, Florida Statutes, is amended to read:

468.401 Regulation of Talent agencies; definitions.—As used in this part, the term or any rule adopted pursuant hereto:

(1)(8) "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)(7) "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)(2) "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)(9) "Person" means any individual, company, society, firm, partnership, association, corporation, manager, or any agent or employee of any of the foregoing.

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

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

Section 34. Section 468.402, Florida Statutes, is repealed.

Section 35. Section 468.403, Florida Statutes, is repealed.

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

Section 37. Section 468.405, Florida Statutes, is repealed.

Section 38. Subsection (1) of section 468.406, Florida
626 Statutes, is amended to read:
627
628 Fees to be charged by talent agencies; rates; display.—
629
630 (1) Each owner or operator of a talent agency shall post
631 in a conspicuous place in each place of business of the agency
632 applicant for a license shall file with the application an
633 itemized schedule of maximum fees, charges, and commissions that
634 which it intends to charge and collect for its services. The
635 This schedule may thereafter be raised only by filing with the
636 department an amended or supplemental schedule at least 30 days
637 before the change is to become effective. The schedule shall be
638 posted in a conspicuous place in each place of business of the
639 agency and shall be printed in not less than a 30-point
640 boldfaced type, except that an agency that uses written
641 contracts containing maximum fee schedules need not post such
642 schedules.

Section 39. Section 468.407, Florida Statutes, is
repealed.

Section 40. Subsection (1) of section 468.408, Florida
Statutes, is amended to read:
468.408 Bond required.—

(1) An owner or operator of a 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 owner or operator of 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 41. 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 42. 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 43. 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.

(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.

(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.

(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) A talent agency may not 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." A talent agency may not 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 44. 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, failing to specify such interest or interests.

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

(b)(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 45. Section 468.414, Florida Statutes, is
repealed.

Section 46. 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 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 47. Subsection (4) of section 468.524, Florida
Statutes, is amended to read:

468.524 Application for license.—

(4) An applicant or licensee is ineligible to reapply
for a license for a period of 1 year following final agency
action on the denial or revocation of a license applied for or issued under this part. This time restriction does not apply to administrative denials or revocations entered because:

(a) The applicant or licensee has made an inadvertent error or omission on the application;

(b) The experience documented to the board was insufficient at the time of the previous application; or

(c) The department is unable to complete the criminal background investigation because of insufficient information from the Florida Department of Law Enforcement, the Federal Bureau of Investigation, or any other applicable law enforcement agency;

(d) The applicant or licensee has failed to submit required fees; or

(e) An applicant or licensed employee leasing company has been deemed ineligible for a license because of the lack of good moral character of an individual or individuals when such individual or individuals are no longer employed in a capacity that would require their licensing under this part.

Section 48. Section 468.613, Florida Statutes, is amended to read:

468.613 Certification by endorsement.—The board shall examine other certification or training programs, as applicable, upon submission to the board for its consideration of an application for certification by endorsement. The board shall
waive its examination, qualification, education, or training requirements, to the extent that such examination, qualification, education, or training requirements of the applicant are determined by the board to be comparable with those established by the board. The board shall waive its examination, qualification, education, or training requirements if an applicant for certification by endorsement is at least 18 years of age; is of good moral character; has held a valid building administrator, inspector, plans examiner, or the equivalent, certification issued by another state or territory of the United States for at least 10 years before the date of application; and has successfully passed an applicable examination administered by the International Codes Council.

Section 49. Subsection (3) of section 468.8314, Florida Statutes, is amended to read:

468.8314 Licensure.—

(3) The department shall certify as qualified for a license by endorsement an applicant who is of good moral character as determined in s. 468.8313, who maintains an insurance policy as required by s. 468.8322, and who:

(a) Holds a valid license to practice home inspection services in another state or territory of the United States, whose educational requirements are substantially equivalent to those required by this part; and has passed a national, regional, state, or territorial licensing examination that is
substantially equivalent to the examination required by this part; or
(b) Has held a valid license to practice home inspection services issued by another state or territory of the United States for at least 10 years before the date of application.

Section 50. Subsection (3) of section 468.8414, Florida Statutes, is amended to read:

468.8414 Licensure.—
(3) The department shall certify as qualified for a license by endorsement an applicant who is of good moral character, who has the insurance coverage required under s. 468.8421, and who:
(a) Is qualified to take the examination as set forth in s. 468.8413 and has passed a certification examination offered by a nationally recognized organization that certifies persons in the specialty of mold assessment or mold remediation that has been approved by the department as substantially equivalent to the requirements of this part and s. 455.217; or
(b) Holds a valid license to practice mold assessment or mold remediation issued by another state or territory of the United States if the criteria for issuance of the license were substantially the same as the licensure criteria that is established by this part as determined by the department; or
(c) Has held a valid license to practice as a mold assessor or a mold remediator issued by another state or
territory of the United States for at least 10 years before the
date of application.

Section 51. 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
agents.—

(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 qualify apply
for licensure under the business organization fictitious name.

(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 shall 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

CODING: Words stricken are deletions; words underlined are additions.
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 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 that 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 is shall be grounds for denial to qualify additional business organizations.

Section 52. 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
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 53. Subsection (13) of section 471.005, Florida
Statutes, is renumbered as subsection (3), and present
subsection (3) and subsection (8) of that section are amended to
read:

471.005 Definitions.—As used in this chapter, the term:
(3) "Certificate of authorization" means a license to
practice engineering issued by the management corporation to a
corporation or partnership.
(8) "License" means the licensing of engineers or
certification of businesses to practice engineering in this
state.

Section 54. Subsection (4) of section 471.011, Florida
Statutes, is amended to read:

471.011 Fees.—
(4) The fee for a certificate of authorization shall not
exceed $125.

Section 55. Subsection (5) of section 471.015, Florida
Statutes, is amended to read:
471.015 Licensure.—

(5)(a) The board shall deem that an applicant who seeks licensure by endorsement has passed an examination substantially equivalent to the fundamentals examination when such applicant has held a valid professional engineer's license in another state for 10 years and has had 20 years of continuous professional-level engineering experience.

(b) The board shall deem that an applicant who seeks licensure by endorsement has passed an examination substantially equivalent to the fundamentals examination and the principles and practices examination when such applicant has held a valid professional engineer's license in another state for 15 years and has had 30 years of continuous professional-level engineering experience.

Section 56. Section 471.023, Florida Statutes, is amended to read:

471.023 Qualification Certification of business organizations.—

(1) The practice of, or the offer to practice, engineering by licensees or offering engineering services to the public through a business organization, including a partnership, corporation, business trust, or other legal entity or by a business organization, including a corporation, partnership, business trust, or other legal entity offering such services to the public through licensees under this chapter as agents,
employees, officers, or partners is permitted only if the
business organization is qualified by an engineer licensed under
this chapter possesses a certification issued by the management
corporation pursuant to qualification by the board, subject to
the provisions of this chapter. One or more of the principal
officers of the business organization or one or more partners of
the partnership and all personnel of the business organization
who act in its behalf as engineers in this state shall be
licensed as provided by this chapter. All final drawings,
specifications, plans, reports, or documents involving practices
licensed under this chapter which are prepared or approved for
the use of the business organization or for public record within
the state shall be dated and shall bear the signature and seal
of the licensee who prepared or approved them. Nothing in this
section shall be construed to mean that a license to practice
engineering shall be held by a business organization. Nothing
herein prohibits business organizations from joining together to
offer engineering services to the public, if each business
organization otherwise meets the requirements of this section.
No business organization shall be relieved of responsibility for
the conduct or acts of its agents, employees, or officers by
reason of its compliance with this section, nor shall any
individual practicing engineering be relieved of responsibility
for professional services performed by reason of his or her
employment or relationship with a business organization.
(2) For the purposes of this section, a certificate of authorization shall be required for any business organization or other person practicing under a fictitious name, offering engineering services to the public must be qualified by an engineer licensed under this chapter. However, when an individual is practicing engineering in his or her own given name, he or she shall not be required to be licensed under this section.

(3) Except as provided in s. 558.0035, the fact that a licensed engineer practices through a business organization does not relieve the licensee from personal liability for negligence, misconduct, or wrongful acts committed by him or her. Partnerships and all partners shall be 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 business organization other than a partnership shall be personally liable and accountable only for negligent acts, wrongful acts, or misconduct committed by him or her or committed by any person under his or her direct supervision and control, while rendering professional services on behalf of the business organization. The personal liability of a shareholder or owner of a business organization, in his or her capacity as shareholder or owner, shall be no greater than that of a shareholder-employee of a corporation incorporated under chapter...
607. The business organization shall be 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 its behalf in the rendering of professional services.

(4) Each certification of authorization shall be renewed every 2 years. Each qualifying agent of a business organization qualified certified under this section must notify the board within 30 days 1 month after any change in the information contained in the application upon which the certification is based.

(a) A qualifying agent who terminates an affiliation with a qualified business organization shall notify the management corporation of such termination within 24 hours. If such qualifying agent is the only qualifying agent for that business organization, the business organization must be qualified by another qualifying agent within 60 days after the termination. Except as provided in paragraph (b), the business organization may not engage in the practice of engineering until it is qualified by another qualifying agent.

(b) In the event a qualifying agent ceases employment with a qualified business organization and such qualifying agent is the only licensed individual affiliated with the business organization, the executive director of the management corporation or the chair of the board may authorize another
licensee employed by the business organization to temporarily serve as its qualifying agent for a period of no more than 60 days to proceed with incomplete contracts. The business organization is not authorized to operate beyond such period under this chapter absent replacement of the qualifying agent.

(c) A qualifying agent shall notify the department in writing before engaging in the practice of engineering in the licensee's name or in affiliation with a different business organization.

(5) Disciplinary action against a business organization shall be administered in the same manner and on the same grounds as disciplinary action against a licensed engineer.

Section 57. Subsection (7) of section 473.308, Florida Statutes, is amended to read:

473.308 Licensure.—

(7) The board shall certify as qualified for a license by endorsement an applicant who:

(a) Is not licensed and has not been licensed in another state or territory and who has met the requirements of this section for education, work experience, and good moral character and has passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by s. 473.306; or and

2. Has completed such continuing education courses as the board deems appropriate, within the limits for each applicable
2-year period as set forth in s. 473.312, but at least such courses as are equivalent to the continuing education requirements for a Florida certified public accountant licensed in this state during the 2 years immediately preceding her or his application for licensure by endorsement; or

(b) 1. a. Holds a valid license to practice public accounting issued by another state or territory 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;

2. b. Holds a valid license to practice public accounting issued by another state or territory of the United States but the criteria for issuance of such license did not meet the requirements of sub-subparagraph a.; has met the requirements of this section for education, work experience, and good moral character; and has passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by s. 473.306; or

3. c. Has held a valid license to practice public accounting issued by another state or territory of the United States for at least 10 years before the date of application; has passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by s. 473.306; and has met the requirements of this section for good moral character.
2. Has completed continuing education courses that are equivalent to the continuing education requirements for a Florida certified public accountant licensed in this state during the 2 years immediately preceding her or his application for licensure by endorsement.

Section 58. Subsection (6) of section 474.202, Florida Statutes, is amended to read:

474.202 Definitions.—As used in this chapter:

(6) "Limited-service veterinary medical practice" means offering or providing veterinary services at any location that has a primary purpose other than that of providing veterinary medical service at a permanent or mobile establishment permitted by the board; provides veterinary medical services for privately owned animals that do not reside at that location; operates for a limited time; and provides limited types of veterinary medical services, including vaccinations or immunizations against disease, preventative procedures for parasitic control, and microchipping.

Section 59. Paragraph (b) of subsection (2) of section 474.207, Florida Statutes, is amended to read:

474.207 Licensure by examination.—

(2) The department shall license each applicant who the board certifies has:

(b)1. Graduated from a college of veterinary medicine accredited by the American Veterinary Medical Association
Council on Education; or

2. Graduated from a college of veterinary medicine listed in the American Veterinary Medical Association Roster of Veterinary Colleges of the World and obtained a certificate from the Education Commission for Foreign Veterinary Graduates or the Program for the Assessment of Veterinary Education Equivalence.

The department shall not issue a license to any applicant who is under investigation in any state or territory of the United States or in the District of Columbia for an act which would constitute a violation of this chapter until the investigation is complete and disciplinary proceedings have been terminated, at which time the provisions of s. 474.214 shall apply.

Section 60. Subsection (1) of section 474.217, Florida Statutes, is amended to read:

474.217 Licensure by endorsement.—

(1) The department shall issue a license by endorsement to any applicant who, upon applying to the department and remitting a fee set by the board, demonstrates to the board that she or he:

(a) Has demonstrated, in a manner designated by rule of the board, knowledge of the laws and rules governing the practice of veterinary medicine in this state; and

(b) either

1. Holds, and has held for the 3 years immediately preceding the application for licensure, a valid,
active license to practice veterinary medicine in another state
of the United States, the District of Columbia, or a territory
of the United States, provided that the applicant has
successfully completed a state, regional, national, or other
examination that is equivalent to or more stringent than the
examination required by the board requirements for licensure in
the issuing state, district, or territory are equivalent to or
more stringent than the requirements of this chapter; or

2. Meets the qualifications of s. 474.207(2)(b) and has
successfully completed a state, regional, national, or other
examination which is equivalent to or more stringent than the
examination given by the department and has passed the board's
clinical competency examination or another clinical competency
examination specified by rule of the board.

Section 61. Subsection (2) of section 476.114, Florida
Statutes, is amended to read:

476.114 Examination; prerequisites.—
(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 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 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 1,200 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.

Section 62. Subsection (5) of section 476.144, Florida Statutes, is amended to read:

476.144  Licensure.—
(5) The board shall certify as qualified for licensure by endorsement as a barber in this state an applicant who holds a current active license to practice barbering in another state. The board shall adopt rules specifying procedures for the
licensure by endorsement of practitioners desiring to be licensed in this state who hold a current active license in another state or country and who have met qualifications substantially similar to, equivalent to, or greater than the qualifications required of applicants from this state.

Section 63. Subsection (9) of section 477.013, Florida Statutes, is amended to read:

477.013 Definitions.—As used in this chapter:

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

Section 64. Section 477.0132, Florida Statutes, is repealed.

Section 65. Subsections (7) through (11) 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).

(10) A license or registration is not required for a person whose occupation or practice is confined solely to applying polish to fingernails and toenails.

(11) A license or registration is not required for a person whose occupation or practice is confined solely to makeup application.

Section 66. Subsections (6) and (7) of section 477.019, Florida Statutes, are amended to read:

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

(6) The board shall certify as qualified for licensure by endorsement as a cosmetologist in this state an applicant who holds a current active license to practice cosmetology in another state. The board may not require proof of educational hours if the license was issued in a state that requires 1,200 or more hours of prelicensure education and passage of a written examination. This subsection does not apply to applicants who received their license in another state through an apprenticeship program.

(7)(a) The board shall prescribe by rule continuing education requirements intended to ensure protection of the
public through updated training of licensees and registered
specialists, not to exceed 10 hours biennially, as a
condition for renewal of a license or registration as a
specialist under this chapter. Continuing education courses
shall include, but not be limited to, the following subjects as
they relate to the practice of cosmetology: human
immunodeficiency virus and acquired immune deficiency syndrome;
Occupational Safety and Health Administration regulations;
workers' compensation issues; state and federal laws and rules
as they pertain to cosmetologists, cosmetology, salons,
specialists, specialty salons, and booth renters; chemical
makeup as it pertains to hair, skin, and nails; and
environmental issues. Courses given at cosmetology conferences
may be counted toward the number of continuing education hours
required if approved by the board.

(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.

(b)(c) The board may, by rule, require any licensee in
violation of a continuing education requirement to take a
refresher course or refresher course and examination in addition
to any other penalty. The number of hours for the refresher
course may not exceed 48 hours.
Section 67. Subsection (1) of section 477.0201, Florida Statutes, is amended 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 certificate of completion for:

1. 150 hours of training, as established by the board, which shall focus primarily on sanitation and safety, to practice specialties as defined in s. 477.013(6)(a) and (b); specialty pursuant to s. 477.013(6)

2. 165 hours of training, as established by the board, which shall focus primarily on sanitation and safety, to practice the specialty as defined in s. 477.013(6)(c); or

3. 300 hours of training, as established by the board, which shall focus primarily on sanitation and safety, to practice the specialties as defined in s. 477.013(6)(a)–(c).

(c) The certificate of completion specified in paragraph (b) must be 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 68. 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 69. Subsection (4) of section 477.0263, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

477.0263 Cosmetology services to be performed in licensed salon; exceptions.—

(4) Pursuant to rules adopted by the board, any cosmetology or specialty service may be performed in a location other than a licensed salon when the service is performed in connection with a special event and is performed by a person who is employed by a licensed salon and who holds the proper license or specialty registration. An appointment for the performance of any such service in a location other than a licensed salon must

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be made through a licensed salon.

(5) Hair shampooing, hair cutting, and hair arranging may be performed in a location other than a licensed salon when the service is performed by a person who holds the proper license.

Section 70. 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 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 71. 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 72. 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 73. 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. 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)(5) "Business organization" means a partnership, a limited liability company, a corporation, or an individual operating under a fictitious name. "Certificate of authorization" means a certificate issued by the department to a corporation or partnership to practice architecture or interior design.

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

(6)(13) "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.

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

(8)(14) "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)(8).

(9)(15) "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 fire safety 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.

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

"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.

(13) "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.

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

(15) "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 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 74. 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 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 75. 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 76. 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 Accreditation Board.

(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 77. 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 78. Section 481.2131, Florida Statutes, is amended to read:

481.2131 Interior design; practice requirements; disclosure of compensation for professional services.—

(1) A registered interior designer is authorized to perform "interior design" as defined in s. 481.203. Interior design documents prepared by a registered interior designer shall contain a statement that the document is not an architectural or engineering study, drawing, specification, or design and is not to be used for construction of any load-bearing columns, load-bearing framing or walls of structures, or issuance of any building permit, except as otherwise provided by law. Interior design documents that are prepared and sealed by an a registered interior designer must may, if required by a permitting body, be accepted by the permitting body be submitted for the issuance of a building permit for interior construction excluding design of any structural, mechanical, plumbing,
heating, air-conditioning, ventilating, electrical, or vertical transportation systems or that materially affect 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. Interior design documents submitted for the issuance of a building permit by an individual performing interior design services who is not a licensed architect must include written proof that such individual has successfully passed the qualification examination prescribed by either the National Council for Interior Design Qualifications or the California Council for Interior Design Certification. All drawings, plans, specifications, or reports prepared or issued by the interior designer and filed for public record shall bear the signature of the interior designer who prepared or approved the document and the date on which they were signed. The signature and date shall be evidence of the authenticity of that to which they are affixed. Final plans, specifications, or reports prepared or issued by an interior designer may be transmitted electronically and may be electronically signed by the interior designer.

(2) A license or registration is not required for a person whose occupation or practice is confined to interior design or interior decorator services. An interior designer shall, before
entering into a contract, verbal or written, clearly determine
the scope and nature of the project and the method or methods of
compensation. The interior designer may offer professional
services to the client as a consultant, specifier, or supplier
on the basis of a fee, percentage, or markup. The interior
designer shall have the responsibility of fully disclosing to
the client the manner in which all compensation is to be paid.
Unless the client knows and agrees, the interior designer shall
not accept any form of compensation from a supplier of goods and
services in cash or in kind.

Section 79. 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 80. 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 81. 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 The practice of or the offer to practice architecture or interior design by licensees through a qualified business organization that offers corporation, limited liability company, or partnership offering architectural or
interior design services to the public, or by a corporation, limited liability company, or partnership offering architectural or interior design services to the public through 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 shall qualify the business organization upon approval of the board. 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.

(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 an affiliation with a qualified business organization shall immediately notify the department of such termination. If such qualifying agent is the only qualifying agent for that
business organization, the business organization must be qualified by another qualifying agent within 60 days after the termination. Except as provided in paragraph (b), the business organization may not engage in the practice of architecture until it is qualified by another qualifying agent.

(b) In the event a qualifying agent ceases employment with a qualified 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 a period of no more than 60 days. The business organization is not authorized to operate beyond such period under this chapter absent replacement of the qualifying 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 and filed for public record within the
state must bear the signature and seal of the licensee who
prepared or approved them and the date on which they were
sealed.

(5) All drawings, specifications, plans, reports, or other
papers or documents prepared or approved for the use of the
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 a licensee to certify an
applicant to qualify one or more business organizations as
qualified for a certificate of authorization to offer
architectural or interior design services, or to use a
fictitious name to offer such services, if 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 who qualifies a business organization partnership, limited liability company, and corporation certified under this section shall notify the department within 30 days after of any change in the information contained in the application upon which the qualification certification is based. Any registered architect or interior designer who qualifies the business organization shall ensure
corporation, limited liability company, or partnership as
provided in subsection (7) shall be responsible for ensuring
responsible supervising control of projects of the business
organization entity and shall notify the department of the upon
termination of her or his employment with a business
organization qualified partnership, limited liability company,
or corporation certified under this section shall notify the
department of the termination within 30 days after such
termination.

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

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to mean that a certificate of registration to practice architecture or interior design must 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 82. Subsections (4), (6), (8), (10), (11), and (12) of section 481.221, Florida Statutes, are renumbered as subsections (3), (4), (5), (6), (7), and (8), 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; permitting requirements.—

(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.
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.

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. A business organization 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.

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,
her or his seal shall be returned upon expiration of the period
of suspension.

Section 83. 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(5) and (8) 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 84. Section 481.223, Florida Statutes, is 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.

(b)(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.

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

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

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

(f)(g) Employ unlicensed persons to practice architecture or interior design.

(g)(h) 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 85. Section 481.2251, Florida Statutes, is repealed.

Section 86. 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 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.
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 87. Subsection (1) of section 481.231, Florida Statutes, is amended to read:

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 88. 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.
(4) "Certificate of authorization" means a license issued by the department to a corporation or partnership to engage in the practice of landscape architecture.
(5) "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

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for tangible objects and irrigation systems shall be designed or
approved by licensed professionals as required by law.

(6) "Registered landscape architect" means a person who
holds a license to practice landscape architecture in this state
under the authority of this act.

Section 89. Section 481.310, Florida Statutes, is amended
to read:

481.310 Practical experience requirement.—Beginning
October 1, 1990, every applicant for licensure as a registered
landscape architect shall demonstrate, prior to licensure, 1
year of practical experience in landscape architectural work. An
applicant who holds a master of landscape architecture degree is
not required to demonstrate 1 year of practical experience in
landscape architectural work to obtain licensure. The board
shall adopt rules providing standards for the required
experience. An applicant who qualifies for examination pursuant
to s. 481.309(1)(b)1. may obtain the practical experience after
completing the required professional degree. Experience used to
qualify for examination pursuant to s. 481.309(1)(b)2. may not
be used to satisfy the practical experience requirement under
this section.

Section 90. Subsections (5) and (6) of section 481.311,
Florida Statutes, are renumbered as subsections (4) and (5),
respectively, and subsection (3) and present subsection (4) of
that section are amended, to read:
481.311 Licensure.—

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

(a) Qualifies to take the examination as set forth in s. 481.309; and has passed a national, regional, state, or territorial licensing examination which is substantially equivalent to the examination required by s. 481.309; or

(b) Holds a valid license to practice landscape architecture issued by another state or territory of the United States, if the criteria for issuance of such license were substantially identical to the licensure criteria which existed in this state at the time the license was issued; or

(c) Has held a valid license to practice landscape architecture in another state or territory of the United States for at least 10 years before the date of application and has successfully completed a state, regional, national, or other examination that is equivalent to or more stringent than the examination required by the board, subject to subsection (5). An applicant who has met the requirements to be qualified for a license by endorsement except for successful completion of an examination that is equivalent to or more stringent than the examination required by the board may take the examination required by the board without completing additional education requirements.
(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 91. 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 92. 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** An applicant partnership must shall 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 shall 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 93. 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 94. 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(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 95. Subsection (9) of section 489.103, Florida Statutes, is amended to read:

489.103  Exemptions.—This part does not apply to:

(9) Any work or operation of a casual, minor, or inconsequential nature in which the aggregate contract price for labor, materials, and all other items is less than $2,500, but this exemption does not apply:

(a) If the construction, repair, remodeling, or improvement is a part of a larger or major operation, whether undertaken by the same or a different contractor, or in which a division of the operation is made in contracts of amounts less than $2,500 for the purpose of evading this part or otherwise.

(b) To a person who advertises that he or she is a contractor or otherwise represents that he or she is qualified to engage in contracting.

Section 96. Subsection (2) of section 489.111, Florida Statutes, is amended to read:

489.111  Licensure by examination.—

(2) A person shall be eligible for licensure by
examination if the person:

(a) Is 18 years of age;
(b) Is of good moral character; and
(c) Meets eligibility requirements according to one of the following criteria:

1. Has received a baccalaureate degree from an accredited 4-year college in the appropriate field of engineering, architecture, or building construction and has 1 year of proven experience in the category in which the person seeks to qualify. For the purpose of this part, a minimum of 2,000 person-hours shall be used in determining full-time equivalency. An applicant who is exempt from passing an examination as provided in s. 489.113(1) is eligible for a license under this section.

2. Has a total of at least 4 years of active experience as a worker who has learned the trade by serving an apprenticeship as a skilled worker who is able to command the rate of a mechanic in the particular trade or as a foreman who is in charge of a group of workers and usually is responsible to a superintendent or a contractor or his or her equivalent, provided, however, that at least 1 year of active experience shall be as a foreman.

3. Has a combination of not less than 1 year of experience as a foreman and not less than 3 years of credits for any accredited college-level courses; has a combination of not less than 1 year of experience as a skilled worker, 1 year of

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experience as a foreman, and not less than 2 years of credits for any accredited college-level courses; or has a combination of not less than 2 years of experience as a skilled worker, 1 year of experience as a foreman, and not less than 1 year of credits for any accredited college-level courses. All junior college or community college-level courses shall be considered accredited college-level courses.

4.a. An active certified residential contractor is eligible to receive a certified building contractor license after passing or having previously passed the building contractors' examination if he or she possesses a minimum of 3 years of proven experience in the classification in which he or she is certified.

b. An active certified residential contractor is eligible to receive a certified general contractor license after passing or having previously passed the general contractors' examination if he or she possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.

c. An active certified building contractor is eligible to receive a certified general contractor license after passing or having previously passed the general contractors' examination if he or she possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.
5.a. An active certified air-conditioning Class C contractor is eligible to receive a certified air conditioning Class B contractor license after passing or having previously passed the air-conditioning Class B contractors' examination if he or she possesses a minimum of 3 years of proven experience in the classification in which he or she is certified.

b. An active certified air-conditioning Class C contractor is eligible to receive a certified air conditioning Class A contractor license after passing or having previously passed the air-conditioning Class A contractors' examination if he or she possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.

c. An active certified air-conditioning Class B contractor is eligible to receive a certified air conditioning Class A contractor license after passing or having previously passed the air-conditioning Class A contractors' examination if he or she possesses a minimum of 1 year of proven experience in the classification in which he or she is certified.

6.a. An active certified swimming pool servicing contractor is eligible to receive a certified residential swimming pool contractor license after passing or having previously passed the residential swimming pool contractors' examination if he or she possesses a minimum of 3 years of proven experience in the classification in which he or she is certified.
she is certified.

b. An active certified swimming pool servicing contractor is eligible to receive a certified commercial swimming pool contractor license after passing or having previously passed take the swimming pool commercial contractors' examination if he or she possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.

c. An active certified residential swimming pool contractor is eligible to receive a certified commercial swimming pool contractor license after passing or having previously passed take the commercial swimming pool contractors' examination if he or she possesses a minimum of 1 year of proven experience in the classification in which he or she is certified.

d. An applicant is eligible to receive a certified swimming pool/spa servicing contractor license after passing or having previously passed take the swimming pool/spa servicing contractors' examination if he or she has satisfactorily completed 60 hours of instruction in courses related to the scope of work covered by that license and approved by the Construction Industry Licensing Board by rule and has at least 1 year of proven experience related to the scope of work of such a contractor.

Section 97. Subsection (1) of section 489.113, Florida Statutes, is amended to read:
489.113 Qualifications for practice; restrictions.—

(1) Any person who desires to engage in contracting on a statewide basis shall, as a prerequisite thereto, establish his or her competency and qualifications to be certified pursuant to this part. To establish competency, a person shall pass the appropriate examination approved by the board and certified by the department. If an applicant has received a baccalaureate degree from an accredited 4-year college in building construction, or a related degree as approved by the board by rule, such applicant is not required to pass such examination.

Any person who desires to engage in contracting on other than a statewide basis shall, as a prerequisite thereto, be registered pursuant to this part, unless exempted by this part.

Section 98. Subsection (3) of section 489.115, Florida Statutes, is amended to read:

489.115 Certification and registration; endorsement; reciprocity; renewals; continuing education.—

(3) The board shall certify as qualified for certification by endorsement any applicant who:

(a) Meets the requirements for certification as set forth in this section; has passed a national, regional, state, or United States territorial licensing examination that is substantially equivalent to the examination required by this part; and has satisfied the requirements set forth in s. 489.111;
(b) Holds a valid license to practice contracting issued by another state or territory of the United States, if the criteria for issuance of such license were substantially equivalent to Florida's current certification criteria; or

(c) Holds a valid, current license to practice contracting issued by another state or territory of the United States, if the state or territory has entered into a reciprocal agreement with the board for the recognition of contractor licenses issued in that state, based on criteria for the issuance of such licenses that are substantially equivalent to the criteria for certification in this state; or

(d) Has held a valid, current license to practice contracting issued by another state or territory for at least 10 years before the date of application and is applying for the same or similar license in this state, subject to subsections (5)-(9).

Section 99. Subsection (5) of section 489.511, Florida Statutes, is amended to read:

489.511 Certification; application; examinations; endorsement.—

(5) The board shall certify as qualified for certification by endorsement any individual applying for certification who:

(a) Meets the requirements for certification as set forth in this section; has passed a national, regional, state, or United States territorial licensing examination that is
substantially equivalent to the examination required by this part; and has satisfied the requirements set forth in s. 489.521; or

(b) Holds a valid license to practice electrical or alarm system contracting issued by another state or territory of the United States, if the criteria for issuance of such license was substantially equivalent to the certification criteria that existed in this state at the time the certificate was issued; or

c) Has held a valid, current license to practice electrical or alarm system contracting issued by another state or territory for at least 10 years before the date of application and is applying for the same or similar license in this state, subject to ss. 489.510 and 489.521(3)(a), and subparagraph (1)(b)1.

Section 100. Subsection (3) and paragraph (b) of subsection (4) of section 489.517, Florida Statutes, are amended to read:

489.517 Renewal of certificate or registration; continuing education.—

(3) Each certificateholder or registrant shall provide proof, in a form established by rule of the board, that the certificateholder or registrant has completed at least 7 hours of at least 50 minutes each of continuing education courses during each biennium since the issuance or renewal of the certificate or registration. The board shall by
rule establish criteria for the approval of continuing education courses and providers and may by rule establish criteria for accepting alternative nonclassroom continuing education on an hour-for-hour basis.

(4)

(b) Of the 7-14 classroom hours of continuing education required, at least 7-14 hours must be on technical subjects, 1 hour on workers' compensation, 1 hour on workplace safety, 1 hour on business practices, and for alarm system contractors and electrical contractors engaged in alarm system contracting, 2 hours on false alarm prevention.

Section 101. Paragraph (b) of subsection (1) of section 489.518, Florida Statutes, is amended to read:

489.518 Alarm system agents.—

(1) A licensed electrical or alarm system contractor may not employ a person to perform the duties of a burglar alarm system agent unless the person:

(b) Has successfully completed a minimum of 14 hours of training within 90 days after employment, to include basic alarm system electronics in addition to related training including CCTV and access control training, with at least 2 hours of training in the prevention of false alarms. Such training shall be from a board-approved provider, and the employee or applicant for employment shall provide proof of successful completion to the licensed employer. The board shall by rule establish
criteria for the approval of training courses and providers and may by rule establish criteria for accepting alternative nonclassroom education on an hour-for-hour basis. The board shall approve providers that conduct training in other than the English language. The board shall establish a fee for the approval of training providers or courses, not to exceed $60. Qualified employers may conduct training classes for their employees, with board approval.

Section 102. Section 492.104, Florida Statutes, is amended, to read:

492.104 Rulemaking authority.—The Board of Professional Geologists has 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 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 shall be established as follows:

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

(2) The examination fee 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 shall not exceed $100.
(4) The biennial renewal fee 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 shall not exceed $50.
(6)(7) The fee for a provisional license may shall not exceed $400.
(7)(8) The fee for application, examination, and licensure for a license by endorsement is shall be as provided in this section for licenses in general.

Section 103. Subsection (1) of section 492.108, Florida Statutes, is amended to read:

492.108  Licensure by endorsement; requirements; fees.—
(1) The department shall issue a license by endorsement to any applicant who, upon applying to the department and remitting an application fee, has been certified by the board that he or she:
(a) Has met the qualifications for licensure in s.
492.105(1)(b)-(e)
1.(b) Is the holder of an active license in good standing in a state, trust, territory, or possession of the United
2. (c) Was licensed through written examination in at least one state, trust, territory, or possession of the United States, the examination requirements of which have been approved by the board as substantially equivalent to or more stringent than those of this state, and has received a score on such examination which is equal to or greater than the score required by this state for licensure by examination.

3. (d) Has taken and successfully passed the laws and rules portion of the examination required for licensure as a professional geologist in this state.

(b) Has held a valid license to practice geology in another state, trust, territory, or possession of the United States for at least 10 years before the date of application and has successfully completed a state, regional, national, or other examination that is equivalent to or more stringent than the examination required by the department. If such applicant has met the requirements for a license by endorsement except successful completion of an examination that is equivalent to or more stringent than the examination required by the board, such applicant may take the examination required by the board.

Section 104. Section 492.111, Florida Statutes, is amended to read:

492.111 Practice of professional geology by a firm, corporation, or partnership; certificate of authorization. —
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
has 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 to 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)(3) 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)(4) 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 105. 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 106. 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 107. Paragraph (i) of subsection (2) of section 548.003, Florida Statutes, 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 108. 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 109. Paragraph (d) of subsection (1) of section 553.5141, Florida Statutes, is amended to read:

553.5141 Certifications of conformity and remediation plans.—

(1) For purposes of this section:
(d) "Qualified expert" means:
1. An engineer licensed pursuant to chapter 471.
2. A certified general contractor licensed pursuant to chapter 489.
3. A certified building contractor licensed pursuant to chapter 489.
4. A building code administrator licensed pursuant to chapter 468.
5. A building inspector licensed pursuant to chapter 468.
6. A plans examiner licensed pursuant to chapter 468.
7. An interior designer who has passed the qualification examination prescribed by either the National Council for Interior Design Qualifications or the California Council for Interior Design Certification licensed pursuant to chapter 481.
8. An architect licensed pursuant to chapter 481.
9. A landscape architect licensed pursuant to chapter 481.
10. Any person who has prepared a remediation plan related to a claim under Title III of the Americans with Disabilities Act, 42 U.S.C. s. 12182, that has been accepted by a federal court in a settlement agreement or court proceeding, or who has been qualified as an expert in Title III of the Americans with Disabilities Act, 42 U.S.C. s. 12182, by a federal court.

Section 110. Subsection (1) of section 553.74, Florida Statutes, is amended to read:

553.74 Florida Building Commission.—
(1) The Florida Building Commission is created and located within the Department of Business and Professional Regulation for administrative purposes. Members are appointed by the Governor subject to confirmation by the Senate. The commission is composed of 17 members, consisting of the following members:

(a) One architect licensed pursuant to chapter 481 with at least 5 years of experience in the design and construction of buildings containing Florida Building Code designated Group R occupancy at or above 210 feet in height above the elevation of the lowest level of emergency services access registered to practice in this state and actively engaged in the profession. The American Institute of Architects, Florida Section, is encouraged to recommend a list of candidates for consideration.

(b) One structural engineer registered to practice in this state and actively engaged in the profession. The Florida Engineering Society is encouraged to recommend a list of candidates for consideration.

(c) One air-conditioning or mechanical contractor certified to do business in this state and actively engaged in the profession. The Florida Air Conditioning Contractors Association, the Florida Refrigeration and Air Conditioning Contractors Association, and the Mechanical Contractors Association of Florida are encouraged to recommend a list of candidates for consideration.
(d) One electrical contractor or electrical engineer certified to do business in this state and actively engaged in the profession. The Florida Association of Electrical Contractors and the National Electrical Contractors Association, Florida Chapter, are encouraged to recommend a list of candidates for consideration.

(e) One member from fire protection engineering or technology who is actively engaged in the profession. The Florida Chapter of the Society of Fire Protection Engineers and the Florida Fire Marshals and Inspectors Association are encouraged to recommend a list of candidates for consideration.

(f) One certified general contractor or one certified building contractor certified to do business in this state and actively engaged in the profession. The Associated Builders and Contractors of Florida, the Florida Associated General Contractors Council, the Florida Home Builders Association, and the Union Contractors Association are encouraged to recommend a list of candidates for consideration.

(g) One plumbing contractor licensed to do business in this state and actively engaged in the profession. The Florida Association of Plumbing, Heating, and Cooling Contractors is encouraged to recommend a list of candidates for consideration.

(h) One roofing or sheet metal contractor certified to do business in this state and actively engaged in the profession. The Florida Roofing, Sheet Metal, and Air
Conditioning Contractors Association and the Sheet Metal and Air Conditioning Contractors' National Association are encouraged to recommend a list of candidates for consideration.

(h) One certified residential contractor licensed to do business in this state and actively engaged in the profession.

(i) Three members who are municipal, county, or district codes enforcement officials, one of whom is also a fire official. The Building Officials Association of Florida and the Florida Fire Marshals and Inspectors Association are encouraged to recommend a list of candidates for consideration.

(k) One member who represents the Department of Financial Services.

(l) One member who is a county codes enforcement official. The Building Officials Association of Florida is encouraged to recommend a list of candidates for consideration.

(j) One member of a Florida-based organization of persons with disabilities or a nationally chartered organization of persons with disabilities with chapters in this state which complies with or is certified to be compliant with the requirements of the Americans with Disability Act of 1990, as amended.

(k) One member of the manufactured buildings industry who is licensed to do business in this state and is actively
engaged in the industry. The Florida Manufactured Housing Association is encouraged to recommend a list of candidates for consideration.

(e) One mechanical or electrical engineer registered to practice in this state and actively engaged in the profession. The Florida Engineering Society is encouraged to recommend a list of candidates for consideration.

(p) One member who is a representative of a municipality or a charter county. The Florida League of Cities and the Florida Association of Counties are encouraged to recommend a list of candidates for consideration.

(l)(q) One member of the building products manufacturing industry who is authorized to do business in this state and is actively engaged in the industry. The Florida Building Material Association, the Florida Concrete and Products Association, and the Fenestration Manufacturers Association are encouraged to recommend a list of candidates for consideration.

(r) One member who is a representative of the building owners and managers industry who is actively engaged in commercial building ownership or management. The Building Owners and Managers Association is encouraged to recommend a list of candidates for consideration.

(m)(s) One member who is a representative of the insurance industry. The Florida Insurance Council is encouraged to recommend a list of candidates for consideration.
(t) One member who is a representative of public education.

(n) One member who is a swimming pool contractor licensed to do business in this state and actively engaged in the profession. The Florida Swimming Pool Association and the United Pool and Spa Association are encouraged to recommend a list of candidates for consideration.

(v) One member who is a representative of the green building industry and who is a third-party commission agent, a Florida board member of the United States Green Building Council or Green Building Initiative, a professional who is accredited under the International Green Construction Code (IGCC), or a professional who is accredited under Leadership in Energy and Environmental Design (LEED).

(o) One member who is a representative of a natural gas distribution system and who is actively engaged in the distribution of natural gas in this state. The Florida Natural Gas Association is encouraged to recommend a list of candidates for consideration.

(x) One member who is a representative of the Department of Agriculture and Consumer Services' Office of Energy. The Commissioner of Agriculture is encouraged to recommend a list of candidates for consideration.

(y) One member who shall be the chair.

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CODING: Words stricken are deletions; words underlined are additions.
Section 111. Paragraph (c) of subsection (5) of section 553.79, Florida Statutes, is amended to read:

(c) 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 112. Subsection (7) of section 558.002, Florida Statutes, is amended to read:

(7) "Design professional" means a person, as defined in s. 1.01, who is licensed in this state as an architect, interior designer, a landscape architect, an engineer, a surveyor, or a geologist.

Section 113. Subsection (3) of section 559.25, Florida Statutes, is amended to read:

(3) Duly licensed auctioneers, selling at auction.

Section 114. Paragraphs (h) and (k) of subsection (2) of
section 287.055, Florida Statutes, are 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 qualified certified under s. 471.023 to practice or to offer to practice engineering; qualified certified under s. 481.219 to practice or to offer to practice architecture; or qualified certified under s. 481.319 to practice or to offer to practice landscape architecture.

(k) A "design criteria professional" means a firm that is qualified who holds a current certificate of registration under chapter 481 to practice architecture or landscape architecture or a firm who holds a current certificate as a registered engineer under chapter 471 to practice engineering and who is employed by or under contract to the agency for the providing of professional architect services, landscape architect services, or engineering services in connection with the preparation of...
3041 the design criteria package.
3042 Section 115. This act shall take effect July 1, 2019.