A bill to be entitled
An act relating to construction contracting
qualifications; amending s. 489.113, F.S.; revising
requirements for a subcontractor who is not certified
or registered to perform construction work under the
supervision of a person who is certified or
registered; providing an effective date.

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

Section 1. Subsection (2) of section 489.113, Florida
Statutes, is amended to read:

489.113 Qualifications for practice; restrictions.—
(2) A person must be certified or registered in order to
engage in the business of contracting in this state. However,
for purposes of complying with the provisions of this chapter, a
subcontractor who is not certified or registered may perform
construction work under the supervision of a person who is
certified or registered, provided that the work is within the
scope of the supervising contractor's license and the
supervising contractor is responsible for the work and is in
full compliance with chapter 440 for all related insurance
obligations of the subcontractor, and the subcontractor being
supervised is not engaged in construction work that would
require a license as a contractor under any of the categories
listed in s. 489.105(3)(d)-(e). This subsection does not affect the application of any local construction licensing ordinances.

To enforce this subsection:

(a) The department shall issue a cease and desist order to prohibit any person from engaging in the business of contracting who does not hold the required certification or registration for the work being performed under this part. For the purpose of enforcing a cease and desist order, the department may file a proceeding in the name of the state seeking issuance of an injunction or a writ of mandamus against any person who violates any provision of such order.

(b) A county, municipality, or local licensing board created by special act may issue a cease and desist order to prohibit any person from engaging in the business of contracting who does not hold the required certification or registration for the work being performed under this part.

Section 2. This act shall take effect July 1, 2019.