

1 A bill to be entitled
 2 An act relating to land surveyors and mappers;
 3 amending ss. 472.0101 and 472.013, F.S.; deleting
 4 certain education requirements for an applicant to
 5 take the licensure examination to practice as a
 6 surveyor or mapper or to be qualified as a surveyor or
 7 mapper intern; deleting provisions relating to
 8 rulemaking; amending s. 472.015, F.S.; revising
 9 licensure by endorsement requirements; amending s.
 10 472.018, F.S.; revising the required continuing
 11 education hours for licensed surveyors or mappers;
 12 providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Subsection (1) of section 472.0101, Florida
 17 Statutes, is amended to read:

18 472.0101 Foreign-trained professionals; special
 19 examination and license provisions.—

20 (1) When not otherwise provided by law, the department
 21 shall by rule provide procedures under which exiled
 22 professionals may be examined under this chapter. A person is
 23 eligible for the examination if the exiled professional:

24 (a) Immigrated to the United States after leaving the
 25 person's home country because of political reasons, provided the

26 | country is located in the Western Hemisphere and does not have
 27 | diplomatic relations with the United States.†

28 | (b) Applies to the department and submits a fee.†

29 | (c) Was a resident of this state immediately preceding the
 30 | person's application.†

31 | ~~(d) Demonstrates to the department, through submission of~~
 32 | ~~documentation verified by the applicant's respective~~
 33 | ~~professional association in exile, that the applicant was~~
 34 | ~~graduated with an appropriate professional or occupational~~
 35 | ~~degree from a college or university. However,~~

36 | The department may not require receipt of any documentation from
 37 | the Republic of Cuba as a condition of eligibility under this
 38 | section.†

39 | (d)~~(e)~~ Lawfully practiced the profession for at least 3
 40 | years.†

41 | (e)~~(f)~~ Prior to 1980, successfully completed an approved
 42 | course of study pursuant to chapters 74-105 and 75-177, Laws of
 43 | Florida.†~~and~~

44 | (f)~~(g)~~ Presents a certificate demonstrating the successful
 45 | completion of a continuing education program which offers a
 46 | course of study that will prepare the applicant for the
 47 | examination offered under subsection (2). The department shall
 48 | develop rules for the approval of such programs for the board.

49 | Section 2. Subsections (2), (3), and (4) of section
 50 | 472.013, Florida Statutes, are amended to read:

51 472.013 Examinations, prerequisites.—

52 (2) An applicant shall be entitled to take the licensure
53 examination to practice in this state as a surveyor and mapper
54 if the applicant is of good moral character and has ~~satisfied~~
55 ~~one of the following requirements:~~

56 ~~(a) The applicant has received a bachelor's degree, its~~
57 ~~equivalent, or higher in surveying and mapping or a similarly~~
58 ~~titled program, including, but not limited to, geomatics,~~
59 ~~geomatics engineering, and land surveying, from a college or~~
60 ~~university recognized by the board and has a specific experience~~
61 ~~record of 4 or more years as a subordinate to a professional~~
62 ~~surveyor and mapper in the active practice of surveying and~~
63 ~~mapping, which experience is of a nature indicating that the~~
64 ~~applicant was in responsible charge of the accuracy and~~
65 ~~correctness of the surveying and mapping work performed. Work~~
66 ~~experience acquired as a part of the education requirement may~~
67 ~~not be construed as experience in responsible charge.~~

68 ~~(b) The applicant has received a bachelor's degree, its~~
69 ~~equivalent, or higher in a course of study, other than in~~
70 ~~surveying and mapping, at an accredited college or university~~
71 ~~and has a specific experience record of 6 or more years as a~~
72 ~~subordinate to a registered surveyor and mapper in the active~~
73 ~~practice of surveying and mapping, 5 years of which shall be of~~
74 ~~a nature indicating that the applicant was in responsible charge~~
75 ~~of the accuracy and correctness of the surveying and mapping~~

76 ~~work performed. The applicant must have completed a minimum of~~
77 ~~25 semester hours from a college or university approved by the~~
78 ~~board in surveying and mapping subjects or in any combination of~~
79 ~~courses in civil engineering, surveying, mapping, mathematics,~~
80 ~~photogrammetry, forestry, or land law and the physical sciences.~~
81 ~~Any of the required 25 semester hours of study completed not as~~
82 ~~a part of the bachelor's degree, its equivalent, or higher may~~
83 ~~be approved at the discretion of the board. Work experience~~
84 ~~acquired as a part of the education requirement may not be~~
85 ~~construed as experience in responsible charge.~~

86 (3) A person shall be entitled to take an examination for
87 the purpose of determining whether he or she is qualified as a
88 surveyor and mapper intern if:

89 ~~(a) the person is in good standing in, or is a graduate~~
90 ~~of, a bachelor degree program, its equivalent or higher, at an~~
91 ~~accredited college or university and has obtained a minimum of~~
92 ~~25 semester hours in surveying, mapping, mathematics,~~
93 ~~photogrammetry, forestry, civil engineering, or land law and the~~
94 ~~physical sciences, or any combination thereof; or~~

95 ~~(b) The person has obtained, from an accredited college or~~
96 ~~university, a minimum of 15 semester hours in surveying,~~
97 ~~mapping, mathematics, photogrammetry, forestry, civil~~
98 ~~engineering, or land law and the physical sciences, or any~~
99 ~~combination thereof, and has a specific surveying and mapping~~
100 ~~experience record of 2 or more years as a subordinate to a~~

101 registered surveyor and mapper.

102

103 ~~This subsection may not be construed as a substitute for the~~
 104 ~~degree requirement to take the exams for licensure as outlined~~
 105 ~~in subsection (2).~~

106 ~~(4) The board shall adopt rules providing for the review~~
 107 ~~and approval of schools and colleges and the courses of study in~~
 108 ~~surveying and mapping in such schools and colleges. The rules~~
 109 ~~shall be based on the educational requirements for surveying and~~
 110 ~~mapping as defined in s. 472.005. The board may adopt rules~~
 111 ~~providing for the acceptance of the approval and accreditation~~
 112 ~~of schools and courses of study by a nationally accepted~~
 113 ~~accreditation organization.~~

114 Section 3. Subsection (5) of section 472.015, Florida
 115 Statutes, is amended to read:

116 472.015 Licensure.—

117 (5) (a) The board shall certify as qualified for a license
 118 by endorsement an applicant who, at the time of application:

119 1. Holds a valid license to practice surveying and mapping
 120 issued before July 1, 1999, by another state or territory of the
 121 United States; has passed a national, regional, state, or
 122 territorial licensing examination that is substantially
 123 equivalent to the examination required by s. 472.013; and has a
 124 specific experience record of at least 8 years as a subordinate
 125 to a registered surveyor and mapper in the active practice of

126 | surveying and mapping, 6 years of which must be of a nature
 127 | indicating that the applicant was in responsible charge of the
 128 | accuracy and correctness of the surveying and mapping work
 129 | performed; or

130 | 2. Holds a valid license to practice surveying and mapping
 131 | issued by another state or territory of the United States ~~if the~~
 132 | ~~criteria for issuance of the license were substantially the same~~
 133 | ~~as the licensure criteria that existed in Florida at the time~~
 134 | ~~the license was issued.~~

135 | (b) All applicants for licensure by endorsement must pass
 136 | the Florida law and rules portion of the examination prior to
 137 | licensure.

138 | Section 4. Section 472.018, Florida Statutes, is amended
 139 | to read:

140 | 472.018 Continuing education.—The department may not renew
 141 | a license until the licensee submits proof satisfactory to the
 142 | board that during the 2 years before her or his application for
 143 | renewal the licensee has completed ~~at least 24 hours of~~
 144 | ~~continuing education. The board may provide by rule for~~
 145 | continuing education hours ~~carryover for each renewal cycle~~ not
 146 | to exceed 12 hours.

147 | (1) The board shall adopt rules to establish the criteria
 148 | for continuing education providers. The rules may provide that
 149 | up to a maximum of 25 percent of the required continuing
 150 | education hours may be fulfilled by the performance of pro bono

151 services to the indigent or to underserved populations or in
152 areas of critical need within the state where the licensee
153 practices. The board must require that any pro bono services be
154 approved in advance in order to receive credit for continuing
155 education under this section. The board shall use the standard
156 recognized by the Federal Poverty Income Guidelines produced by
157 the United States Department of Health and Human Services in
158 determining indigency. The board may adopt rules that may
159 provide that a part of the continuing education hours may be
160 fulfilled by performing research in critical need areas or for
161 training leading to advanced professional certification. The
162 board may adopt rules to define underserved and critical need
163 areas. The department shall adopt rules for the administration
164 of continuing education requirements adopted by the board.

165 (2) The board may provide by rule the method of delivery
166 and criteria that may be used to satisfy continuing education
167 requirements.

168 (3) The board may prorate the required continuing
169 education hours in the following circumstances:

170 (a) For new licensees:

171 1. By requiring half of the required continuing education
172 hours for any applicant who becomes licensed with more than half
173 the renewal period remaining and no continuing education for any
174 applicant who becomes licensed with half or less than half of
175 the renewal period remaining; or

176 2. Requiring no continuing education hours until the first
177 full renewal cycle of the licensee.

178 (b) When the number of hours required is increased by law
179 or the board.

180 (4) Upon the request of a licensee, the provider must also
181 furnish to the department information regarding courses
182 completed by the licensee, in an electronic format required by
183 rule of the department.

184 (5) Each continuing education provider shall retain all
185 records relating to a licensee's completion of continuing
186 education courses for at least 4 years after completion of a
187 course.

188 (6) A continuing education provider may not be approved,
189 and the approval may not be renewed, unless the provider agrees
190 in writing to provide such cooperation under this section as
191 required by the department.

192 (7) For the purpose of determining which persons or
193 entities must meet the reporting, recordkeeping, and access
194 provisions of this section, the board by rule shall adopt a
195 definition of the term "continuing education provider"
196 applicable to the profession's continuing education
197 requirements. The intent of the rule is to ensure that all
198 records and information necessary to carry out the requirements
199 of this section are maintained and transmitted accordingly and
200 to minimize disputes as to what person or entity is responsible

201 for maintaining and reporting such records and information.

202 (8) The board shall approve the providers of continuing
203 education. The approval of continuing education providers must
204 be for a specified period of time, not to exceed 4 years. An
205 approval that does not include such a time limitation may remain
206 in effect under this chapter or the rules adopted under this
207 chapter.

208 (9) The department may fine, suspend, or revoke approval
209 of any continuing education provider that fails to comply with
210 its duties under this section. The fine may not exceed \$500 per
211 violation. Investigations and prosecutions of a provider's
212 failure to comply with its duties under this section shall be
213 conducted pursuant to s. 472.033.

214 (10) The board shall issue an order requiring a person or
215 entity to cease and desist from offering any continuing
216 education programs for licensees, and fining, suspending, or
217 revoking any approval of the provider previously granted by the
218 board if the board determines that the person or entity failed
219 to provide appropriate continuing education services. The fine
220 may not exceed \$500 per violation. Investigations and
221 prosecutions of a provider's failure to comply with its duties
222 under this section shall be conducted under s. 472.033.

223 (11) The board may establish, by rule, a fee not to exceed
224 \$250 for anyone seeking approval to provide continuing education
225 courses and may establish, by rule, a biennial fee not to exceed

226 | \$250 for the renewal of providership of such courses. Such
 227 | postlicensure education courses are subject to the reporting,
 228 | monitoring, and compliance provisions of this section.

229 | (12) The department and the board may adopt rules under
 230 | ss. 120.536(1) and 120.54 to administer this section.

231 | (13) Each continuing education provider shall provide to
 232 | the department, in an electronic format determined by the
 233 | department, information regarding the continuing education
 234 | status of licensees which the department determines is necessary
 235 | to carry out its duties under this chapter. After a licensee
 236 | completes a course, the information must be submitted
 237 | electronically by the continuing education provider to the
 238 | department within 30 calendar days after completion. However,
 239 | beginning on the 30th day before the renewal deadline or before
 240 | the renewal date, whichever occurs sooner, the continuing
 241 | education provider shall electronically report such information
 242 | to the department within 10 business days after completion.

243 | (14) The department shall establish a system to monitor
 244 | licensee compliance with continuing education requirements and
 245 | to determine the continuing education status of each licensee.
 246 | As used in this subsection, the term "monitor" means the act of
 247 | determining, for each licensee, whether the licensee is in full
 248 | compliance with applicable continuing education requirements as
 249 | of the date of the licensee's application for license renewal.

250 | (15) The department may refuse to renew a license until

251 | the licensee has satisfied all applicable continuing education
252 | requirements. This subsection does not preclude the department
253 | or board from imposing additional penalties pursuant to this
254 | chapter or rules adopted pursuant this chapter.

255 | Section 5. This act shall take effect July 1, 2020.