## Florida Senate - 2005

By Senator Constantine

22-748-05

1	A bill to be entitled
2	An act relating to construction contracting;
3	amending s. 489.117, F.S.; specifying when a
4	person may perform specialty contracting
5	services for the construction, remodeling,
б	repair, or improvement of a swimming pool or
7	spa without obtaining a local professional
8	license; requiring certain local authorities to
9	allow local registration, as specified, as an
10	alternative to other local licenses;
11	authorizing a fee; requiring workers'
12	compensation coverage or an exemption
13	therefrom; providing applicability to certain
14	other local licensing exemption provisions;
15	providing an effective date.
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17	Be It Enacted by the Legislature of the State of Florida:
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19	Section 1. Paragraph (f) is added to subsection (4) of
20	section 489.117, Florida Statutes, to read:
21	489.117 Registration; specialty contractors
22	(4)
23	(f) Portions of work related to the construction of a
24	swimming pool or spa require the use of specialized skill and
25	equipment that are frequently available only through specialty
26	contracting services. Due to these unique needs for specialty
27	services, any person who is not required to obtain
28	registration or certification pursuant to s. 489.105(3)(a)-(i)
29	or (m)-(o) may perform specialty contracting services for the
30	construction, remodeling, repair, or improvement of a swimming
31	pool or spa as specified in s. 489.105(3)(j)-(l) without

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1	obtaining a local professional license if such person is
2	supervised by a certified or registered commercial pool/spa
3	contractor, residential pool/spa contractor, or swimming
4	pool/spa servicing contractor acting within the scope of the
5	supervising contractor's license. A local authority that does
6	not require a local specialty contractor license or local
7	certificate of competency for any service provided by a
8	certified or registered commercial pool/spa contractor,
9	residential pool/spa contractor, or swimming pool/spa
10	servicing contractor must allow, as an alternative to the
11	local license or certificate, local registration of the person
12	contracting with a supervising contractor to perform a
13	specialty service under this paragraph. The local authority
14	may charge a fee for local registration which does not exceed
15	\$150. The local authority may not require proof of competency
16	for local registration and shall require documentation that a
17	registrant is covered by workers' compensation coverage or a
18	valid exemption from such coverage. Local registration shall
19	require the registrant to contract with a certified or
20	registered commercial pool/spa contractor, residential
21	pool/spa contractor, or swimming pool/spa servicing
22	contractor. This paragraph does not supersede or affect the
23	provisions of paragraph (e).
24	Section 2. This act shall take effect July 1, 2005.
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27	SENATE SUMMARY
28	Permits unlicensed persons to perform specialty contracting for constructing, remodeling, or repairing
29	pools or spas if they are under the supervision of a certified or registered pool/spa contractor under certain
30	circumstances. Requires local governments that do not require local licenses for such services to issue local
31	registrations. Sets fee limits for registration.

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