

1 A bill to be entitled
 2 An act relating to the Board of Architecture and Interior
 3 Design; amending s. 481.205, F.S.; deleting delegation of
 4 certain duties and authority of the Department of Business
 5 and Professional Regulation under ss. 455.225, 455.228,
 6 and 455.32, F.S., to the board; deleting the requirement
 7 for the board to contract with a corporation or business
 8 entity to provide investigative, legal, prosecutorial, and
 9 other required services; deleting requirements for
 10 recordkeeping by such corporation or business entity;
 11 deleting authority of the board to use specified funds to
 12 perform duties; deleting requirement for the board to
 13 submit a separate annual budget request for funding
 14 certain board activities; providing an effective date.

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

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 18 Section 1. Section 481.205, Florida Statutes, is amended
 19 to read:

20 481.205 Board of Architecture and Interior Design.--

21 (1) The Board of Architecture and Interior Design is
 22 created within the Department of Business and Professional
 23 Regulation. The board shall consist of 11 members. Five members
 24 must be registered architects who have been engaged in the
 25 practice of architecture for at least 5 years; three members
 26 must be registered interior designers who have been offering
 27 interior design services for at least 5 years and who are not
 28 also registered architects; and three members must be laypersons

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29 | who are not, and have never been, architects, interior
30 | designers, or members of any closely related profession or
31 | occupation. At least one member of the board must be 60 years of
32 | age or older.

33 | (2) Members shall be appointed for 4-year staggered terms.

34 | ~~(3)(a) Notwithstanding the provisions of ss. 455.225,~~
35 | ~~455.228, and 455.32, the duties and authority of the department~~
36 | ~~to receive complaints and investigate and discipline persons~~
37 | ~~licensed under this part, including the ability to determine~~
38 | ~~legal sufficiency and probable cause; to initiate proceedings~~
39 | ~~and issue final orders for summary suspension or restriction of~~
40 | ~~a license pursuant to s. 120.60(6); to issue notices of~~
41 | ~~noncompliance, notices to cease and desist, subpoenas, and~~
42 | ~~Citations; to retain legal counsel, investigators, or~~
43 | ~~prosecutorial staff in connection with the licensed practice of~~
44 | ~~architecture and interior design; and to investigate and deter~~
45 | ~~the unlicensed practice of architecture and interior design as~~
46 | ~~provided in s. 455.228 are delegated to the board. All~~
47 | ~~complaints and any information obtained pursuant to an~~
48 | ~~investigation authorized by the board are confidential and~~
49 | ~~exempt from s. 119.07(1) as provided in s. 455.225(2) and (10).~~

50 | ~~(b) The board shall contract with a corporation or other~~
51 | ~~business entity pursuant to s. 287.057(3) to provide~~
52 | ~~investigative, legal, prosecutorial, and other services~~
53 | ~~necessary to perform its duties.~~

54 | ~~(c) The corporation or business entity shall comply with~~
55 | ~~all the recordkeeping and reporting requirements of s. 455.32~~
56 | ~~applicable to the scope of the contract and shall report~~

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57 ~~directly to the board in lieu of the department. Records of the~~
58 ~~corporation or other business entity contracting with the board~~
59 ~~shall be considered public records as specified in s.~~
60 ~~455.32(15).~~

61 ~~(d) Notwithstanding the provisions of s. 455.228, the~~
62 ~~board may use funds in the unlicensed activity account~~
63 ~~established under s. 455.2281 to perform its duties relating to~~
64 ~~unlicensed activity under this subsection.~~

65 ~~(e) The board shall submit an annual budget request to the~~
66 ~~Legislature for the purpose of funding its activities under this~~
67 ~~subsection, which must be separate from the legislative budget~~
68 ~~request submitted by the department to the Legislature pursuant~~
69 ~~to s. 216.023.~~

70 (3) ~~(4)~~ The board may establish by rule minimum procedures,
71 documentation, and other requirements for indicating evidence of
72 the exercise of responsible supervising control by a person
73 licensed under this part in connection with work performed both
74 inside and outside the licensee's office.

75 Section 2. This act shall take effect July 1, 2008.