

By the Committee on Innovation, Industry, and Technology; and  
Senator Albritton

580-03765-19

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1                   A bill to be entitled  
2           An act relating to the deregulation of professions and  
3           occupations; amending s. 20.165, F.S.; renaming the  
4           Board of Architecture and Interior Design as the Board  
5           of Architecture within the Department of Business and  
6           Professional Regulation; deleting a provision  
7           establishing the Florida Board of Auctioneers;  
8           amending s. 326.004, F.S.; deleting the requirement  
9           for a yacht broker to maintain a separate license for  
10          each branch office; deleting the requirement for the  
11          division to establish a fee; amending s. 447.02, F.S.;  
12          conforming provisions to changes made by the act;  
13          repealing s. 447.04, F.S., relating to licensure and  
14          permit requirements for business agents; repealing s.  
15          447.041, F.S., relating to hearings for persons or  
16          labor organizations denied licensure as a business  
17          agent; repealing s. 447.045, F.S., relating to  
18          confidential information obtained during the  
19          application process; repealing s. 447.06, F.S.,  
20          relating to required registration of labor  
21          organizations; amending s. 447.09, F.S.; deleting  
22          certain prohibited actions relating to the right of  
23          franchise of a member of a labor organization;  
24          repealing s. 447.12, F.S., relating to registration  
25          fees; repealing s. 447.16, F.S., relating to  
26          applicability; amending s. 447.305, F.S.; deleting a  
27          provision that requires notification of registrations  
28          and renewals to the department; amending s. 455.213,  
29          F.S.; requiring the Department of Business and

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30 Professional Regulation or a board to seek reciprocal  
31 licensing agreements with other states under certain  
32 circumstances; providing requirements; repealing s.  
33 468.381, F.S., relating to purpose; amending s.  
34 468.382, F.S.; revising definitions; repealing s.  
35 468.384, F.S., relating to the Florida Board of  
36 Auctioneers; repealing s. 468.385, F.S., relating to  
37 licensure requirements for the practice of  
38 auctioneering; repealing s. 468.3851, F.S., relating  
39 to licensure renewal; repealing s. 468.3852, F.S.,  
40 relating to license reactivation; repealing s.  
41 468.3855, F.S., relating to training requirements for  
42 auctioneer apprenticeships; repealing s. 468.386,  
43 F.S., relating to fees and local licensing  
44 requirements; repealing s. 468.387, F.S., relating to  
45 licensure by endorsement; amending s. 468.388, F.S.;  
46 deleting certain requirements relating to auctioneer  
47 licenses with regard to the conduct of an auction;  
48 amending s. 468.389, F.S.; revising prohibited acts  
49 and penalties; amending s. 468.391, F.S.; conforming  
50 cross-references; repealing ss. 468.392, 468.393,  
51 468.394, 468.395, 468.396, 468.397, 468.398, and  
52 458.399, F.S., relating to the Auctioneer Recovery  
53 Fund, surcharges and assessments on license fees,  
54 payment of interest earned into the recovery fund,  
55 recovery from the recovery fund, claims against a  
56 single licensee in excess of a specified dollar  
57 limitation and joinder of claims, payment of claims  
58 from the recovery fund, suspension of a judgment

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59 debtor's license, and the expenditure of excess funds,  
60 respectively; amending s. 468.401, F.S.; redefining  
61 the term "talent agency"; amending s. 468.408, F.S.;  
62 conforming provisions to changes made by the act;  
63 amending s. 468.412, F.S.; requiring employees of  
64 talent agencies to complete level 1 background  
65 screenings; amending s. 468.415, F.S.; prohibiting any  
66 agent, owner, or operator who commits sexual  
67 misconduct in the operation of a talent agency from  
68 acting as an agent, owner, or operator of a Florida  
69 talent agency; amending s. 468.524, F.S.; deleting  
70 specified exemptions from the time restriction for an  
71 employee leasing company to reapply for licensure;  
72 amending s. 468.613, F.S.; providing for waiver of  
73 specified requirements for certification under certain  
74 circumstances; amending s. 468.8314, F.S.; requiring  
75 an applicant for a license by endorsement to maintain  
76 a specified insurance policy; requiring the department  
77 to certify an applicant who holds a specified license  
78 issued by another state or territory of the United  
79 States under certain circumstances; amending s.  
80 468.8414, F.S.; providing additional licensure  
81 requirements for mold remediators; amending s.  
82 469.006, F.S.; providing additional licensure  
83 requirements for asbestos abatement consulting or  
84 contracting as a partnership, corporation, business  
85 trust, or other legal entity; amending s. 469.009,  
86 F.S.; conforming provisions to changes made by the  
87 act; amending s. 471.005, F.S.; revising definitions;

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88 amending s. 471.011, F.S.; conforming a provision to  
89 changes made by the act; amending s. 471.015, F.S.;  
90 revising licensure requirements for engineers who hold  
91 specified licenses in another state; amending s.  
92 471.023, F.S.; providing requirements for  
93 qualification of a business organization; providing  
94 requirements for a qualifying agent; deleting the  
95 administration of disciplinary action against a  
96 business organization; amending s. 473.308, F.S.;  
97 deleting continuing education requirements for license  
98 by endorsement for certified public accountants;  
99 amending s. 474.202, F.S.; revising the definition of  
100 the term "limited-service veterinary medical practice"  
101 to include certain vaccinations or immunizations;  
102 amending s. 474.207, F.S.; revising education  
103 requirements for licensure by examination; amending s.  
104 474.217, F.S.; requiring the Department of Business  
105 and Professional Regulation to issue a license by  
106 endorsement to certain applicants who successfully  
107 complete a specified examination; amending s. 476.144,  
108 F.S.; requiring the department to license an applicant  
109 who is licensed to practice barbering in another  
110 state; amending s. 477.013, F.S.; revising the  
111 definition of the term "hair braiding"; repealing s.  
112 477.0132, F.S., relating to registration for hair  
113 braiding, hair wrapping, and body wrapping; amending  
114 s. 477.0135, F.S.; providing additional exemptions  
115 from license or registration requirements for  
116 specified occupations or practices; amending s.

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117 477.019, F.S.; conforming provisions to changes made  
118 by the act; amending s. 477.026, F.S.; conforming  
119 provisions to changes made by the act; amending s.  
120 477.0263, F.S.; providing certain cosmetology services  
121 may be performed in a location other than a licensed  
122 salon under certain circumstances; amending ss.  
123 477.0265 and 477.029, F.S.; conforming provisions to  
124 changes made by the act; amending s. 481.201, F.S.;  
125 deleting legislative findings relating to the practice  
126 of interior design; amending s. 481.203, F.S.;  
127 revising definitions; amending s. 481.205, F.S.;  
128 renaming the Board of Architecture and Interior Design  
129 as the Board of Architecture; revising membership of  
130 the board; conforming provisions; amending ss.  
131 481.207, 481.209, and 481.213, F.S.; conforming  
132 provisions; amending s. 481.2131, F.S.; requiring  
133 certain interior designers to include proof of  
134 completed specified examination requirements when  
135 submitting documents for the issuance of a building  
136 permit; providing that a license or registration is  
137 not required for specified persons to practice;  
138 amending ss. 481.215 and 481.217, F.S.; conforming  
139 provisions to changes made by the act; amending s.  
140 481.219, F.S.; deleting provisions permitting the  
141 practice of or offer to practice interior design  
142 through certain business organizations; deleting  
143 provisions requiring certificates of authorization for  
144 certain business organizations offering interior  
145 design services to the public; requiring a licensee or

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146 applicant in the practice of architecture to qualify  
147 as a business organization; providing requirements;  
148 amending s. 481.221, F.S.; conforming provisions;  
149 requiring a registered architect or a qualifying agent  
150 for a business organization to display their license  
151 number in specified advertisements; providing an  
152 exception; amending ss. 481.222 and 481.223, F.S.;  
153 conforming provisions; repealing s. 481.2251, F.S.,  
154 relating to the practice and regulation of interior  
155 design, registration for interior designers, and  
156 disciplinary proceedings against registered interior  
157 designers; amending ss. 481.229 and 481.231, F.S.;  
158 conforming provisions; amending s. 481.303, F.S.;  
159 deleting the definition of the term "certificate of  
160 authorization"; amending s. 481.310, F.S.; providing  
161 that an applicant who holds a specified degree is not  
162 required to demonstrate 1 year of practical experience  
163 for licensure; amending s. 481.311, F.S.; requiring  
164 the Board of Landscape Architecture to certify an  
165 applicant who holds a specified license issued by  
166 another state or territory of the United States under  
167 certain circumstances; conforming provisions; amending  
168 s. 481.317, F.S.; conforming provisions; amending s.  
169 481.319, F.S.; deleting the requirement for a  
170 certificate of authorization; authorizing landscape  
171 architects to practice through a corporation or  
172 partnership; amending s. 481.321, F.S.; requiring a  
173 landscape architect to display their certificate  
174 number in specified advertisements; amending s.

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175 481.329, F.S.; conforming a cross-reference; amending  
176 s. 489.103, F.S.; revising certain contract prices for  
177 exemption; amending s. 489.111, F.S.; providing that  
178 an applicant who is exempt from a specified  
179 examination is eligible for licensure; amending s.  
180 489.113, F.S.; providing that an applicant holding a  
181 specified degree does not have to pass a certain  
182 examination; amending s. 489.115, F.S.; requiring the  
183 Construction Industry Licensing Board to certify any  
184 applicant who holds a specified license to practice  
185 contracting issued by another state or territory of  
186 the United States under certain circumstances;  
187 amending s. 489.511, F.S.; requiring the board to  
188 certify as qualified for certification by endorsement  
189 any applicant who holds a specified license to  
190 practice electrical or alarm system contracting issued  
191 by another state or territory of the United States  
192 under certain circumstances; amending s. 489.517,  
193 F.S.; providing a reduction in certain continuing  
194 education hours required for registered contractors;  
195 amending s. 489.518, F.S.; requiring a person to have  
196 completed a specified amount of training within a  
197 certain time period to perform the duties of an alarm  
198 system agent; amending s. 492.104, F.S.; conforming  
199 provisions to changes made by the act; amending s.  
200 492.108, F.S.; requiring the department to issue a  
201 license by endorsement to any applicant who has held a  
202 specified license to practice geology in another  
203 state, trust, territory, or possession of the United

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204 States for a certain period of time; providing that an  
205 applicant may take the examination required by the  
206 board if they have not met the specified examination  
207 requirement; amending s. 492.111, F.S.; deleting the  
208 requirements for a certificate of authorization for a  
209 professional geologist; amending ss. 492.113 and  
210 492.115, F.S.; conforming provisions; amending s.  
211 548.003, F.S.; deleting the requirement that the  
212 Florida State Boxing Commission adopt rules relating  
213 to a knockdown timekeeper; amending s. 548.017, F.S.;  
214 deleting the licensure requirement for a timekeeper or  
215 an announcer; amending s. 553.5141, F.S.; conforming  
216 provisions to changes made by the act; amending s.  
217 553.74, F.S.; revising the membership and  
218 qualifications of the Florida Building Commission;  
219 amending ss. 553.79, 558.002, 559.25, and 287.055,  
220 F.S.; conforming provisions to changes made by the  
221 act; providing an effective date.

222

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

224

225 Section 1. Paragraph (a) of subsection (4) of section  
226 20.165, Florida Statutes, is amended to read:

227 20.165 Department of Business and Professional Regulation.—  
228 There is created a Department of Business and Professional  
229 Regulation.

230 (4) (a) The following boards and programs are established  
231 within the Division of Professions:

232 1. Board of Architecture ~~and Interior Design~~, created under



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233 part I of chapter 481.

234 ~~2. Florida Board of Auctioneers, created under part VI of~~  
235 ~~chapter 468.~~

236 ~~2.3.~~ Barbers' Board, created under chapter 476.

237 ~~3.4.~~ Florida Building Code Administrators and Inspectors  
238 Board, created under part XII of chapter 468.

239 ~~4.5.~~ Construction Industry Licensing Board, created under  
240 part I of chapter 489.

241 ~~5.6.~~ Board of Cosmetology, created under chapter 477.

242 ~~6.7.~~ Electrical Contractors' Licensing Board, created under  
243 part II of chapter 489.

244 ~~7.8.~~ Board of Employee Leasing Companies, created under  
245 part XI of chapter 468.

246 ~~8.9.~~ Board of Landscape Architecture, created under part II  
247 of chapter 481.

248 ~~9.10.~~ Board of Pilot Commissioners, created under chapter  
249 310.

250 ~~10.11.~~ Board of Professional Engineers, created under  
251 chapter 471.

252 ~~11.12.~~ Board of Professional Geologists, created under  
253 chapter 492.

254 ~~12.13.~~ Board of Veterinary Medicine, created under chapter  
255 474.

256 ~~13.14.~~ Home inspection services licensing program, created  
257 under part XV of chapter 468.

258 ~~14.15.~~ Mold-related services licensing program, created  
259 under part XVI of chapter 468.

260 Section 2. Subsection (13) of section 326.004, Florida  
261 Statutes, is amended to read:

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262 326.004 Licensing.—

263 (13) Each broker must maintain a principal place of  
264 business in this state and may establish branch offices in the  
265 state. ~~A separate license must be maintained for each branch~~  
266 ~~office. The division shall establish by rule a fee not to exceed~~  
267 ~~\$100 for each branch office license.~~

268 Section 3. Subsection (3) of section 447.02, Florida  
269 Statutes, is amended to read:

270 447.02 Definitions.—The following terms, when used in this  
271 chapter, shall have the meanings ascribed to them in this  
272 section:

273 ~~(3) The term "department" means the Department of Business~~  
274 ~~and Professional Regulation.~~

275 Section 4. Section 447.04, Florida Statutes, is repealed.

276 Section 5. Section 447.041, Florida Statutes, is repealed.

277 Section 6. Section 447.045, Florida Statutes, is repealed.

278 Section 7. Section 447.06, Florida Statutes, is repealed.

279 Section 8. Subsections (6) and (8) of section 447.09,  
280 Florida Statutes, are amended to read:

281 447.09 Right of franchise preserved; penalties.—It shall be  
282 unlawful for any person:

283 ~~(6) To act as a business agent without having obtained and~~  
284 ~~possessing a valid and subsisting license or permit.~~

285 ~~(8) To make any false statement in an application for a~~  
286 ~~license.~~

287 Section 9. Section 447.12, Florida Statutes, is repealed.

288 Section 10. Section 447.16, Florida Statutes, is repealed.

289 Section 11. Subsection (4) of section 447.305, Florida  
290 Statutes, is amended to read:

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291 447.305 Registration of employee organization.-  
292 ~~(4) Notification of registrations and renewals of~~  
293 ~~registration shall be furnished at regular intervals by the~~  
294 ~~commission to the Department of Business and Professional~~  
295 ~~Regulation.~~

296 Section 12. Subsection (13) is added to section 455.213,  
297 Florida Statutes, to read:

298 455.213 General licensing provisions.-

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

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

309 Section 14. Section 468.382, Florida Statutes, is amended  
310 to read:

311 468.382 Definitions.-As used in this act, the term:

312 (1)~~(8)~~ "Absolute auction" means an auction that requires no  
313 minimum opening bid that limits the sale other than to the  
314 highest bidder.

315 (2)~~(7)~~ "Agricultural product" means the natural products  
316 from a farm, nursery, grove, orchard, vineyard, garden, or  
317 apiary, including livestock, tobacco, and vegetables and  
318 includes those agricultural products as defined in chapter 618.

319 (3)~~(1)~~ "Auction business" means a sole proprietorship,

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320 partnership, or corporation which in the regular course of  
321 business arranges, manages, sponsors, advertises, promotes, or  
322 carries out auctions, employs auctioneers to conduct auctions in  
323 its facilities, or uses or allows the use of its facilities for  
324 auctions.

325 ~~(4)~~(2) "Auctioneer" means any person who conducts auctions  
326 within the state licensed pursuant to this part who holds a  
327 valid Florida auctioneer license.

328 ~~(3)~~ "Apprentice" means any person who is being trained as  
329 an auctioneer by a licensed auctioneer.

330 ~~(4)~~ "Board" means the Florida Board of Auctioneers.

331 ~~(5)~~ "Department" means the Department of Business and  
332 Professional Regulation.

333 ~~(5)~~(6) "Livestock" means any animal included in the  
334 definition of "livestock" by s. 585.01 or s. 588.13.

335 Section 15. Section 468.384, Florida Statutes, is repealed.

336 Section 16. Section 468.385, Florida Statutes, is repealed.

337 Section 17. Section 468.3851, Florida Statutes, is  
338 repealed.

339 Section 18. Section 468.3852, Florida Statutes, is  
340 repealed.

341 Section 19. Section 468.3855, Florida Statutes, is  
342 repealed.

343 Section 20. Section 468.386, Florida Statutes, is repealed.

344 Section 21. Section 468.387, Florida Statutes, is repealed.

345 Section 22. Subsections (6) through (11) of section  
346 468.388, Florida Statutes, are renumbered as subsections (4)  
347 through (9), respectively, and present subsections (3), (4),  
348 (5), (9), (10), and (11) are amended to read:

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349 468.388 Conduct of an auction.—

350 (3) Each auctioneer or auction business shall maintain a  
351 record book of all sales. ~~The record book shall be open to~~  
352 ~~inspection by the board at reasonable times.~~

353 ~~(4) Each auction must be conducted by an auctioneer who has~~  
354 ~~an active license or by an apprentice who has an active~~  
355 ~~apprentice auctioneer license and who has received prior written~~  
356 ~~sponsor consent. Each auction must be conducted under the~~  
357 ~~auspices of a licensed auction business. Any auctioneer or~~  
358 ~~apprentice auctioneer conducting an auction, and any auction~~  
359 ~~business under whose auspices such auction is held, shall be~~  
360 ~~responsible for determining that any auctioneer, apprentice, or~~  
361 ~~auction business with whom they are associated in conducting~~  
362 ~~such auction has an active Florida auctioneer, apprentice, or~~  
363 ~~auction business license.~~

364 ~~(5) The principal auctioneer shall prominently display at~~  
365 ~~the auction site the licenses of the principal auctioneer, the~~  
366 ~~auction business, and any other licensed auctioneers or~~  
367 ~~apprentices who are actively participating in the auction. If~~  
368 ~~such a display is not practicable, then an oral announcement at~~  
369 ~~the beginning of the auction or a prominent written announcement~~  
370 ~~that these licenses are available for inspection at the auction~~  
371 ~~site must be made.~~

372 ~~(7)-(9)~~ (7) The auction business under which the auction is  
373 conducted is responsible for all other aspects of the auction as  
374 required by this part ~~board rule~~. The auction business may  
375 delegate in whole, or in part, different aspects of the auction  
376 only to the extent that such delegation is permitted by law and  
377 that such delegation will not impede the principal auctioneer's

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378 ability to ensure the proper conduct of his or her independent  
379 responsibility for the auction. The auction business under whose  
380 auspices the auction is conducted is responsible for ensuring  
381 compliance as required by this part ~~board rule~~.

382 (8) ~~(10)~~ (a) When settlement is not made immediately after an  
383 auction, all sale proceeds received for another person must be  
384 deposited in an escrow or trust account in an insured bank or  
385 savings and loan association located in this state within 2  
386 working days after the auction. A maximum of \$100 may be kept in  
387 the escrow account for administrative purposes.

388 (b) Each auction business shall maintain, for not less than  
389 2 years, a separate ledger showing the funds held for another  
390 person deposited and disbursed by the auction business for each  
391 auction. The escrow or trust account must be reconciled monthly  
392 with the bank statement. A signed and dated record shall be  
393 maintained for a 2-year period ~~and be available for inspection~~  
394 ~~by the department or at the request of the board.~~

395 (c) Any interest which accrues to sale proceeds on deposit  
396 shall be the property of the seller for whom the funds were  
397 received unless the parties have agreed otherwise by written  
398 agreement executed prior to the auction.

399 (d) Unless otherwise provided by written agreement executed  
400 prior to the auction, funds received by an auctioneer or auction  
401 business ~~a licensee~~ from the seller or his or her agent for  
402 expenses, including advertising, must be expended for the  
403 purposes advanced or refunded to the seller at the time of final  
404 settlement. Any funds so received shall be maintained in an  
405 escrow or trust account in an insured bank or savings and loan  
406 association located in this state. However, this does not

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407 prohibit advanced payment of a flat fee.

408 ~~(11) (a) All advertising by an auctioneer or auction~~  
409 ~~business shall include the name and Florida license number of~~  
410 ~~such auctioneer and auction business. The term "advertising"~~  
411 ~~shall not include articles of clothing, directional signs, or~~  
412 ~~other promotional novelty items.~~

413 (9) (a) ~~(b)~~ No licensed auctioneer, apprentice, or auction  
414 business may disseminate or cause to be disseminated any  
415 advertisement or advertising which is false, deceptive,  
416 misleading, or untruthful. Any advertisement or advertising  
417 shall be deemed to be false, deceptive, misleading, or  
418 untruthful if it:

419 1. Contains misrepresentations of facts.

420 2. Is misleading or deceptive because, in its content or in  
421 the context in which it is presented, it makes only a partial  
422 disclosure of relevant facts.

423 3. Creates false or unjustified expectations of the  
424 services to be performed.

425 ~~4. Contains any representation or claim which the~~  
426 ~~advertising licensee fails to perform.~~

427 ~~5. Fails to include the name and license number of the~~  
428 ~~principal auctioneer and the auction business.~~

429 ~~6. Fails to include the name and license number of the~~  
430 ~~sponsor if an apprentice is acting as the principal auctioneer.~~

431 ~~4.7.~~ Advertises an auction as absolute without specifying  
432 any and all items to be sold with reserve or with minimum bids.

433 ~~5.8.~~ Fails to include the percentage amount of any buyer's  
434 premium or surcharge which is a condition to sale.

435 (b) ~~(e)~~ The provisions of this subsection apply to media

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436 exposure of any nature, regardless of whether it is in the form  
437 of paid advertising.

438 (c)~~(d)~~ The auction business shall be responsible for the  
439 content of all advertising disseminated in preparation for an  
440 auction.

441 Section 23. Section 468.389, Florida Statutes, is amended  
442 to read:

443 468.389 Prohibited acts; penalties.—

444 ~~(1)~~ The following acts shall be grounds for a civil cause  
445 of action for damages against an auctioneer, auction business,  
446 or any owner or manager thereof or, in the case of corporate  
447 ownership, any substantial stockholder of the corporation owning  
448 the auction business ~~the disciplinary activities provided in~~  
449 ~~subsections (2) and (3):~~

450 (1)~~(a)~~ A violation of any law relating to trade or commerce  
451 of this state or of the state in which an auction is conducted.

452 (2)~~(b)~~ Misrepresentation of property for sale at auction or  
453 making false promises concerning the use, value, or condition of  
454 such property by an auctioneer or auction business or by anyone  
455 acting as an agent of or with the consent of the auctioneer or  
456 auction business.

457 (3)~~(c)~~ Failure to account for or to pay or return, within a  
458 reasonable time not to exceed 30 days, money or property  
459 belonging to another which has come into the control of an  
460 auctioneer or auction business through an auction.

461 (4)~~(d)~~ False, deceptive, misleading, or untruthful  
462 advertising.

463 (5)~~(e)~~ Any conduct in connection with a sales transaction  
464 which demonstrates bad faith or dishonesty.



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465       (6)~~(f)~~ Using or permitting the use of false bidders,  
466 cappers, or shills.

467       ~~(g) Making any material false statement on a license~~  
468 ~~application.~~

469       (7)~~(h)~~ Commingling money or property of another person with  
470 his or her own. Every auctioneer and auction business shall  
471 maintain a separate trust or escrow account in an insured bank  
472 or savings and loan association located in this state in which  
473 shall be deposited all proceeds received for another person  
474 through an auction sale.

475       (8)~~(i)~~ Refusal or neglect of any auctioneer or other  
476 receiver of public moneys to pay the moneys so received into the  
477 State Treasury at the times and under the regulations prescribed  
478 by law.

479       (9)~~(j)~~ Violating a statute ~~or administrative rule~~  
480 regulating practice under this part ~~or a lawful disciplinary~~  
481 ~~order of the board or the department.~~

482       ~~(k) Having a license to practice a comparable profession~~  
483 ~~revoked, suspended, or otherwise acted against by another state,~~  
484 ~~territory, or country.~~

485       (10)~~(l)~~ Being convicted or found guilty, regardless of  
486 adjudication, of a crime in any jurisdiction which directly  
487 relates to the practice or the ability to practice the  
488 profession of auctioneering.

489       ~~(2) When the board finds any person guilty of any of the~~  
490 ~~prohibited acts set forth in subsection (1), it may enter an~~  
491 ~~order imposing one or more of the following penalties:~~

492       ~~(a) Refusal to certify to the department an application for~~  
493 ~~licensure.~~

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494 ~~(b) Revocation or suspension of a license.~~

495 ~~(c) Imposition of an administrative fine not to exceed~~  
496 ~~\$1,000 for each count or separate offense.~~

497 ~~(d) Issuance of a reprimand.~~

498 ~~(e) Placement of the auctioneer on probation for a period~~  
499 ~~of time and subject to conditions as the board may specify,~~  
500 ~~including requiring the auctioneer to successfully complete the~~  
501 ~~licensure examination.~~

502 ~~(f) Requirement that the person in violation make~~  
503 ~~restitution to each consumer affected by that violation. Proof~~  
504 ~~of such restitution shall be a signed and notarized release~~  
505 ~~executed by the consumer or the consumer's estate.~~

506 ~~(3)(a) Failure to pay a fine within a reasonable time, as~~  
507 ~~prescribed by board rule, may be grounds for disciplinary~~  
508 ~~action.~~

509 ~~(b) The department may file for an injunction or bring any~~  
510 ~~other appropriate civil action against anyone who violates this~~  
511 ~~part.~~

512 Section 24. Section 468.391, Florida Statutes, is amended  
513 to read:

514 468.391 Penalty.—Any auctioneer, ~~apprentice,~~ or auction  
515 business or any owner or manager thereof, or, in the case of  
516 corporate ownership, any substantial stockholder of the  
517 corporation owning the auction business, who ~~operates without an~~  
518 ~~active license or violates s. 468.389(3), (5), (6), (7), or (8)~~  
519 ~~s. 468.389(1)(c), (e), (f), (h), or (i)~~ commits a felony of the  
520 third degree, punishable as provided in s. 775.082 or s.  
521 775.083.

522 Section 25. Section 468.392, Florida Statutes, is repealed.

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

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

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

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

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

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

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

530 Section 33. Subsection (1) of section 468.401, Florida

531 Statutes, is amended to read:

532 468.401 Regulation of Talent agencies; definitions.—As used  
533 in this part or any rule adopted pursuant hereto:

534 (1) "Talent agency" means any person who, for compensation,  
535 engages in the occupation or business of procuring or attempting  
536 to procure engagements for an artist who is younger than 18  
537 years of age.

538 Section 34. Subsection (1) of section 468.408, Florida  
539 Statutes, is amended to read:

540 468.408 Bond required.—

541 (1) An owner or operator of a ~~There shall be filed with the~~  
542 ~~department for each~~ talent agency shall file ~~license~~ a bond in  
543 the form of a surety by a reputable company engaged in the  
544 bonding business and authorized to do business in this state.  
545 The bond shall be for the penal sum of \$5,000, with one or more  
546 sureties to be approved by the department, and be conditioned  
547 that the owner or operator of the talent agency ~~applicant~~  
548 conform to and not violate any of the duties, terms, conditions,  
549 provisions, or requirements of this part.

550 (a) If any person is aggrieved by the misconduct of any  
551 talent agency, the person may maintain an action in his or her

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552 own name upon the bond of the agency in any court having  
553 jurisdiction of the amount claimed. All such claims shall be  
554 assignable, and the assignee shall be entitled to the same  
555 remedies, upon the bond of the agency or otherwise, as the  
556 person aggrieved would have been entitled to if such claim had  
557 not been assigned. Any claim or claims so assigned may be  
558 enforced in the name of such assignee.

559 (b) The bonding company shall notify the department of any  
560 claim against such bond, and a copy of such notice shall be sent  
561 to the talent agency against which the claim is made.

562 Section 35. Subsection (12) is added to section 468.412,  
563 Florida Statutes, to read:

564 468.412 Talent agency regulations; prohibited acts.—

565 (12) Each employee of a talent agency must complete a level  
566 1 background screening pursuant to s. 435.03.

567 Section 36. Section 468.415, Florida Statutes, is amended  
568 to read:

569 468.415 Sexual misconduct in the operation of a talent  
570 agency.—The talent agent-artist relationship is founded on  
571 mutual trust. Sexual misconduct in the operation of a talent  
572 agency means violation of the talent agent-artist relationship  
573 through which the talent agent uses the relationship to induce  
574 or attempt to induce the artist to engage or attempt to engage  
575 in sexual activity. Sexual misconduct is prohibited in the  
576 operation of a talent agency. ~~If Any agent, owner, or operator~~  
577 ~~of a licensed talent agency who commits is found to have~~  
578 ~~committed sexual misconduct in the operation of a talent agency,~~  
579 ~~the agency license shall be permanently revoked. Such agent,~~  
580 ~~owner, or operator~~ shall be permanently prohibited from acting

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581 ~~disqualified from present and future licensure as an agent,~~  
582 ~~owner,~~ or operator of a Florida talent agency.

583 Section 37. Subsection (4) of section 468.524, Florida  
584 Statutes, is amended to read:

585 468.524 Application for license.—

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

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

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

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

600 (c)(d) The ~~applicant or~~ licensee has failed to submit  
601 required fees. ~~;~~ ~~or~~

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

607 Section 38. Section 468.613, Florida Statutes, is amended  
608 to read:

609 468.613 Certification by endorsement.—The board shall

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

626 Section 39. Subsection (3) of section 468.8314, Florida  
627 Statutes, is amended to read:

628 468.8314 Licensure.—

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

633 (a) Holds a valid license to practice home inspection  
634 services in another state or territory of the United States,  
635 whose educational requirements are substantially equivalent to  
636 those required by this part; and has passed a national,  
637 regional, state, or territorial licensing examination that is  
638 substantially equivalent to the examination required by this

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639 part; or

640 (b) Has held a valid license to practice home inspection  
641 services issued by another state or territory of the United  
642 States for at least 10 years before the date of application.

643 Section 40. Subsection (3) of section 468.8414, Florida  
644 Statutes, is amended to read:

645 468.8414 Licensure.—

646 (3) The department shall certify as qualified for a license  
647 by endorsement an applicant who is of good moral character, who  
648 has the insurance coverage required under s. 468.8421, and who:

649 (a) Is qualified to take the examination as set forth in s.  
650 468.8413 and has passed a certification examination offered by a  
651 nationally recognized organization that certifies persons in the  
652 specialty of mold assessment or mold remediation that has been  
653 approved by the department as substantially equivalent to the  
654 requirements of this part and s. 455.217; ~~or~~

655 (b) Holds a valid license to practice mold assessment or  
656 mold remediation issued by another state or territory of the  
657 United States if the criteria for issuance of the license were  
658 substantially the same as the licensure criteria that is  
659 established by this part as determined by the department; or

660 (c) Has held a valid license to practice as a mold assessor  
661 or a mold remediator issued by another state or territory of the  
662 United States for at least 10 years before the date of  
663 application.

664 Section 41. Paragraphs (a) and (e) of subsection (2),  
665 subsection (3), paragraph (b) of subsection (4), and subsection  
666 (6) of section 469.006, Florida Statutes, are amended to read:

667 469.006 Licensure of business organizations; qualifying

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668 agents.-

669 (2) (a) If the applicant proposes to engage in consulting or  
670 contracting as a partnership, corporation, business trust, or  
671 other legal entity, or in any name other than the applicant's  
672 legal name, the ~~legal entity must apply for licensure through a~~  
673 ~~qualifying agent or the individual applicant must~~ qualify ~~apply~~  
674 ~~for licensure under the business organization fictitious name.~~

675 (e) A ~~The license, when issued upon application of a~~  
676 ~~business organization,~~ must be in the name of the qualifying  
677 agent ~~business organization,~~ and the name of the business  
678 organization ~~qualifying agent~~ must be noted on the license  
679 ~~thereon~~. If there is a change in any information that is  
680 required to be stated on the application, the qualifying agent  
681 ~~business organization~~ shall, within 45 days after such change  
682 occurs, mail the correct information to the department.

683 (3) The qualifying agent must ~~shall~~ be licensed under this  
684 chapter in order for the business organization to be qualified  
685 ~~licensed~~ in the category of the business conducted for which the  
686 qualifying agent is licensed. If any qualifying agent ceases to  
687 be affiliated with such business organization, the agent shall  
688 so inform the department. In addition, if such qualifying agent  
689 is the only licensed individual affiliated with the business  
690 organization, the business organization shall notify the  
691 department of the termination of the qualifying agent and has  
692 ~~shall have~~ 60 days after ~~from~~ the date of termination of the  
693 qualifying agent's affiliation with the business organization ~~in~~  
694 ~~which~~ to employ another qualifying agent. The business  
695 organization may not engage in consulting or contracting until a  
696 qualifying agent is employed, unless the department has granted



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697 a temporary nonrenewable license to the financially responsible  
698 officer, the president, the sole proprietor, a partner, or, in  
699 the case of a limited partnership, the general partner, who  
700 assumes all responsibilities of a primary qualifying agent for  
701 the entity. This temporary license only allows ~~shall only allow~~  
702 the entity to proceed with incomplete contracts.

703 (4)

704 (b) Upon a favorable determination by the department, after  
705 investigation of the financial responsibility, credit, and  
706 business reputation of the qualifying agent and the new business  
707 organization, the department shall issue, without any  
708 examination, a new license in the qualifying agent's ~~business~~  
709 ~~organization's~~ name, and the name of the business organization  
710 ~~qualifying agent~~ shall be noted thereon.

711 (6) Each qualifying agent shall pay the department an  
712 amount equal to the original fee for licensure ~~of a new business~~  
713 ~~organization.~~ if the qualifying agent for a business  
714 organization desires to qualify additional business  
715 organizations. ~~The~~ department shall require the agent to  
716 present evidence of supervisory ability and financial  
717 responsibility of each such organization. Allowing a licensee to  
718 qualify more than one business organization must ~~shall~~ be  
719 conditioned upon the licensee showing that the licensee has both  
720 the capacity and intent to adequately supervise each business  
721 organization. The department may ~~shall~~ not limit the number of  
722 business organizations that ~~which~~ the licensee may qualify  
723 except upon the licensee's failure to provide such information  
724 as is required under this subsection or upon a finding that the  
725 ~~such~~ information or evidence ~~as is~~ supplied is incomplete or

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726 unpersuasive in showing the licensee's capacity and intent to  
727 comply with the requirements of this subsection. A qualification  
728 for an additional business organization may be revoked or  
729 suspended upon a finding by the department that the licensee has  
730 failed in the licensee's responsibility to adequately supervise  
731 the operations of the business organization. Failure to  
732 adequately supervise the operations of a business organization  
733 is ~~shall be~~ grounds for denial to qualify additional business  
734 organizations.

735 Section 42. Subsection (1) of section 469.009, Florida  
736 Statutes, is amended to read:

737 469.009 License revocation, suspension, and denial of  
738 issuance or renewal.—

739 (1) The department may revoke, suspend, or deny the  
740 issuance or renewal of a license; reprimand, censure, or place  
741 on probation any contractor, consultant, or financially  
742 responsible officer, ~~or business organization~~; require financial  
743 restitution to a consumer; impose an administrative fine not to  
744 exceed \$5,000 per violation; require continuing education; or  
745 assess costs associated with any investigation and prosecution  
746 if the contractor or consultant, or business organization or  
747 officer or agent thereof, is found guilty of any of the  
748 following acts:

749 (a) Willfully or deliberately disregarding or violating the  
750 health and safety standards of the Occupational Safety and  
751 Health Act of 1970, the Construction Safety Act, the National  
752 Emission Standards for Asbestos, the Environmental Protection  
753 Agency Asbestos Abatement Projects Worker Protection Rule, the  
754 Florida Statutes or rules promulgated thereunder, or any

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755 ordinance enacted by a political subdivision of this state.

756 (b) Violating any provision of chapter 455.

757 (c) Failing in any material respect to comply with the  
758 provisions of this chapter or any rule promulgated hereunder.

759 (d) Acting in the capacity of an asbestos contractor or  
760 asbestos consultant under any license issued under this chapter  
761 except in the name of the licensee as set forth on the issued  
762 license.

763 (e) Proceeding on any job without obtaining all applicable  
764 approvals, authorizations, permits, and inspections.

765 (f) Obtaining a license by fraud or misrepresentation.

766 (g) Being convicted or found guilty of, or entering a plea  
767 of nolo contendere to, regardless of adjudication, a crime in  
768 any jurisdiction which directly relates to the practice of  
769 asbestos consulting or contracting or the ability to practice  
770 asbestos consulting or contracting.

771 (h) Knowingly violating any building code, lifesafety code,  
772 or county or municipal ordinance relating to the practice of  
773 asbestos consulting or contracting.

774 (i) Performing any act which assists a person or entity in  
775 engaging in the prohibited unlicensed practice of asbestos  
776 consulting or contracting, if the licensee knows or has  
777 reasonable grounds to know that the person or entity was  
778 unlicensed.

779 (j) Committing mismanagement or misconduct in the practice  
780 of contracting that causes financial harm to a customer.

781 Financial mismanagement or misconduct occurs when:

782 1. Valid liens have been recorded against the property of a  
783 contractor's customer for supplies or services ordered by the

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784 contractor for the customer's job; the contractor has received  
785 funds from the customer to pay for the supplies or services; and  
786 the contractor has not had the liens removed from the property,  
787 by payment or by bond, within 75 days after the date of such  
788 liens;

789       2. The contractor has abandoned a customer's job and the  
790 percentage of completion is less than the percentage of the  
791 total contract price paid to the contractor as of the time of  
792 abandonment, unless the contractor is entitled to retain such  
793 funds under the terms of the contract or refunds the excess  
794 funds within 30 days after the date the job is abandoned; or

795       3. The contractor's job has been completed, and it is shown  
796 that the customer has had to pay more for the contracted job  
797 than the original contract price, as adjusted for subsequent  
798 change orders, unless such increase in cost was the result of  
799 circumstances beyond the control of the contractor, was the  
800 result of circumstances caused by the customer, or was otherwise  
801 permitted by the terms of the contract between the contractor  
802 and the customer.

803       (k) Being disciplined by any municipality or county for an  
804 act or violation of this chapter.

805       (l) Failing in any material respect to comply with the  
806 provisions of this chapter, or violating a rule or lawful order  
807 of the department.

808       (m) Abandoning an asbestos abatement project in which the  
809 asbestos contractor is engaged or under contract as a  
810 contractor. A project may be presumed abandoned after 20 days if  
811 the contractor terminates the project without just cause and  
812 without proper notification to the owner, including the reason

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813 for termination; if the contractor fails to reasonably secure  
814 the project to safeguard the public while work is stopped; or if  
815 the contractor fails to perform work without just cause for 20  
816 days.

817 (n) Signing a statement with respect to a project or  
818 contract falsely indicating that the work is bonded; falsely  
819 indicating that payment has been made for all subcontracted  
820 work, labor, and materials which results in a financial loss to  
821 the owner, purchaser, or contractor; or falsely indicating that  
822 workers' compensation and public liability insurance are  
823 provided.

824 (o) Committing fraud or deceit in the practice of asbestos  
825 consulting or contracting.

826 (p) Committing incompetency or misconduct in the practice  
827 of asbestos consulting or contracting.

828 (q) Committing gross negligence, repeated negligence, or  
829 negligence resulting in a significant danger to life or property  
830 in the practice of asbestos consulting or contracting.

831 (r) Intimidating, threatening, coercing, or otherwise  
832 discouraging the service of a notice to owner under part I of  
833 chapter 713 or a notice to contractor under chapter 255 or part  
834 I of chapter 713.

835 (s) Failing to satisfy, within a reasonable time, the terms  
836 of a civil judgment obtained against the licensee, or the  
837 business organization qualified by the licensee, relating to the  
838 practice of the licensee's profession.

839

840 For the purposes of this subsection, construction is considered  
841 to be commenced when the contract is executed and the contractor

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842 has accepted funds from the customer or lender.

843 Section 43. Subsection (13) of section 471.005, Florida  
844 Statutes, is renumbered as subsection (3), and present  
845 subsection (3) and subsection (8) of that section are amended to  
846 read:

847 471.005 Definitions.—As used in this chapter, the term:

848 ~~(3) "Certificate of authorization" means a license to~~  
849 ~~practice engineering issued by the management corporation to a~~  
850 ~~corporation or partnership.~~

851 (8) "License" means the licensing of engineers ~~or~~  
852 ~~certification of businesses~~ to practice engineering in this  
853 state.

854 Section 44. Subsection (4) of section 471.011, Florida  
855 Statutes, is amended to read:

856 471.011 Fees.—

857 ~~(4) The fee for a certificate of authorization shall not~~  
858 ~~exceed \$125.~~

859 Section 45. Subsection (5) of section 471.015, Florida  
860 Statutes, is amended to read:

861 471.015 Licensure.—

862 (5) (a) The board shall deem that an applicant who seeks  
863 licensure by endorsement has passed an examination substantially  
864 equivalent to the fundamentals examination when such applicant  
865 has held a valid professional engineer's license in another  
866 state for 10 15 years ~~and has had 20 years of continuous~~  
867 ~~professional-level engineering experience.~~

868 (b) The board shall deem that an applicant who seeks  
869 licensure by endorsement has passed an examination substantially  
870 equivalent to the fundamentals examination and the principles

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871 and practices examination when such applicant has held a valid  
872 professional engineer's license in another state for 15 ~~25~~ years  
873 and has had ~~30 years of continuous professional-level~~  
874 ~~engineering experience.~~

875 Section 46. Section 471.023, Florida Statutes, is amended  
876 to read:

877 471.023 Qualification Certification of business  
878 organizations.—

879 (1) The practice of, or the offer to practice, engineering  
880 by licensees or offering engineering services to the public  
881 through a business organization, including a partnership,  
882 corporation, business trust, or other legal entity or by a  
883 business organization, including a corporation, partnership,  
884 business trust, or other legal entity offering such services to  
885 the public through licensees under this chapter as agents,  
886 employees, officers, or partners is permitted only if the  
887 business organization is qualified by an engineer licensed under  
888 this chapter ~~possesses a certification issued by the management~~  
889 ~~corporation pursuant to qualification by the board,~~ subject to  
890 the provisions of this chapter. One or more of the principal  
891 officers of the business organization or one or more partners of  
892 the partnership and all personnel of the business organization  
893 who act in its behalf as engineers in this state shall be  
894 licensed as provided by this chapter. All final drawings,  
895 specifications, plans, reports, or documents involving practices  
896 licensed under this chapter which are prepared or approved for  
897 the use of the business organization or for public record within  
898 the state shall be dated and shall bear the signature and seal  
899 of the licensee who prepared or approved them. Nothing in this

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900 section shall be construed to mean that a license to practice  
901 engineering shall be held by a business organization. Nothing  
902 herein prohibits business organizations from joining together to  
903 offer engineering services to the public, if each business  
904 organization otherwise meets the requirements of this section.  
905 No business organization shall be relieved of responsibility for  
906 the conduct or acts of its agents, employees, or officers by  
907 reason of its compliance with this section, nor shall any  
908 individual practicing engineering be relieved of responsibility  
909 for professional services performed by reason of his or her  
910 employment or relationship with a business organization.

911 (2) For the purposes of this section, a ~~certificate of~~  
912 ~~authorization shall be required for any~~ business organization or  
913 other person practicing under a fictitious name, offering  
914 engineering services to the public must be qualified by an  
915 engineer licensed under this chapter. ~~However, when an~~  
916 ~~individual is practicing engineering in his or her own given~~  
917 ~~name, he or she shall not be required to be licensed under this~~  
918 ~~section.~~

919 (3) Except as provided in s. 558.0035, the fact that a  
920 licensed engineer practices through a business organization does  
921 not relieve the licensee from personal liability for negligence,  
922 misconduct, or wrongful acts committed by him or her.  
923 Partnerships and all partners shall be jointly and severally  
924 liable for the negligence, misconduct, or wrongful acts  
925 committed by their agents, employees, or partners while acting  
926 in a professional capacity. Any officer, agent, or employee of a  
927 business organization other than a partnership shall be  
928 personally liable and accountable only for negligent acts,



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929 wrongful acts, or misconduct committed by him or her or  
930 committed by any person under his or her direct supervision and  
931 control, while rendering professional services on behalf of the  
932 business organization. The personal liability of a shareholder  
933 or owner of a business organization, in his or her capacity as  
934 shareholder or owner, shall be no greater than that of a  
935 shareholder-employee of a corporation incorporated under chapter  
936 607. The business organization shall be liable up to the full  
937 value of its property for any negligent acts, wrongful acts, or  
938 misconduct committed by any of its officers, agents, or  
939 employees while they are engaged on its behalf in the rendering  
940 of professional services.

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

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

956 (b) In the event a qualifying agent ceases employment with  
957 a qualified business organization and such qualifying agent is

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958 the only licensed individual affiliated with the business  
959 organization, the executive director of the management  
960 corporation or the chair of the board may authorize another  
961 licensee employed by the business organization to temporarily  
962 serve as its qualifying agent for a period of no more than 60  
963 days to proceed with incomplete contracts. The business  
964 organization is not authorized to operate beyond such period  
965 under this chapter absent replacement of the qualifying agent.

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

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

973 Section 47. Subsection (7) of section 473.308, Florida  
974 Statutes, is amended to read:

975 473.308 Licensure.—

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

978 (a)~~1.~~ Is not licensed and has not been licensed in another  
979 state or territory and who has met the requirements of this  
980 section for education, work experience, and good moral character  
981 and has passed a national, regional, state, or territorial  
982 licensing examination that is substantially equivalent to the  
983 examination required by s. 473.306; or and

984 ~~2. Has completed such continuing education courses as the~~  
985 ~~board deems appropriate, within the limits for each applicable~~  
986 ~~2-year period as set forth in s. 473.312, but at least such~~

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987 ~~courses as are equivalent to the continuing education~~  
988 ~~requirements for a Florida certified public accountant licensed~~  
989 ~~in this state during the 2 years immediately preceding her or~~  
990 ~~his application for licensure by endorsement; or~~

991 (b)1.~~a.~~ Holds a valid license to practice public accounting  
992 issued by another state or territory of the United States, if  
993 the criteria for issuance of such license were substantially  
994 equivalent to the licensure criteria that existed in this state  
995 at the time the license was issued;

996 2.b. Holds a valid license to practice public accounting  
997 issued by another state or territory of the United States but  
998 the criteria for issuance of such license did not meet the  
999 requirements of sub-subparagraph a.; has met the requirements of  
1000 this section for education, work experience, and good moral  
1001 character; and has passed a national, regional, state, or  
1002 territorial licensing examination that is substantially  
1003 equivalent to the examination required by s. 473.306; or

1004 3.e. Has held  ~~Holds~~ a valid license to practice public  
1005 accounting issued by another state or territory of the United  
1006 States for at least 10 years before the date of application; has  
1007 passed a national, regional, state, or territorial licensing  
1008 examination that is substantially equivalent to the examination  
1009 required by s. 473.306; and has met the requirements of this  
1010 section for good moral character. ~~;~~ and

1011 ~~2. Has completed continuing education courses that are~~  
1012 ~~equivalent to the continuing education requirements for a~~  
1013 ~~Florida certified public accountant licensed in this state~~  
1014 ~~during the 2 years immediately preceding her or his application~~  
1015 ~~for licensure by endorsement.~~

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1016 Section 48. Subsection (6) of section 474.202, Florida  
1017 Statutes, is amended to read:

1018 474.202 Definitions.—As used in this chapter:

1019 (6) "Limited-service veterinary medical practice" means  
1020 offering or providing veterinary services at any location that  
1021 has a primary purpose other than that of providing veterinary  
1022 medical service at a permanent or mobile establishment permitted  
1023 by the board; provides veterinary medical services for privately  
1024 owned animals that do not reside at that location; operates for  
1025 a limited time; and provides limited types of veterinary medical  
1026 services, including vaccinations or immunizations against  
1027 disease, preventative procedures for parasitic control, and  
1028 microchipping.

1029 Section 49. Paragraph (b) of subsection (2) of section  
1030 474.207, Florida Statutes, is amended to read:

1031 474.207 Licensure by examination.—

1032 (2) The department shall license each applicant who the  
1033 board certifies has:

1034 (b)1. Graduated from a college of veterinary medicine  
1035 accredited by the American Veterinary Medical Association  
1036 Council on Education; or

1037 2. Graduated from a college of veterinary medicine listed  
1038 in the American Veterinary Medical Association Roster of  
1039 Veterinary Colleges of the World and obtained a certificate from  
1040 the Education Commission for Foreign Veterinary Graduates or the  
1041 Program for the Assessment of Veterinary Education Equivalence.  
1042

1043 The department shall not issue a license to any applicant who is  
1044 under investigation in any state or territory of the United

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1045 States or in the District of Columbia for an act which would  
1046 constitute a violation of this chapter until the investigation  
1047 is complete and disciplinary proceedings have been terminated,  
1048 at which time the provisions of s. 474.214 shall apply.

1049 Section 50. Subsection (1) of section 474.217, Florida  
1050 Statutes, is amended to read:

1051 474.217 Licensure by endorsement.—

1052 (1) The department shall issue a license by endorsement to  
1053 any applicant who, upon applying to the department and remitting  
1054 a fee set by the board, demonstrates to the board that she or  
1055 he:

1056 (a) Has demonstrated, in a manner designated by rule of the  
1057 board, knowledge of the laws and rules governing the practice of  
1058 veterinary medicine in this state; and

1059 (b)1. ~~Either~~ Holds, and has held for the 3 years  
1060 immediately preceding the application for licensure, a valid,  
1061 active license to practice veterinary medicine in another state  
1062 of the United States, the District of Columbia, or a territory  
1063 of the United States, provided that the applicant has  
1064 successfully completed a state, regional, national, or other  
1065 examination that is equivalent to or more stringent than the  
1066 examination required by the board ~~requirements for licensure in~~  
1067 ~~the issuing state, district, or territory are equivalent to or~~  
1068 ~~more stringent than the requirements of this chapter; or~~

1069 2. Meets the qualifications of s. 474.207(2) (b) and has  
1070 successfully completed a state, regional, national, or other  
1071 examination which is equivalent to or more stringent than the  
1072 examination given by the department and has passed the board's  
1073 clinical competency examination or another clinical competency

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1074 examination specified by rule of the board.

1075 Section 51. Subsection (5) of section 476.144, Florida  
1076 Statutes, is amended to read:

1077 476.144 Licensure.—

1078 (5) The board shall certify as qualified for licensure by  
1079 endorsement as a barber in this state an applicant who holds a  
1080 current active license to practice barbering in another state.  
1081 The board shall adopt rules specifying procedures for the  
1082 licensure by endorsement of practitioners desiring to be  
1083 licensed in this state who hold a current active license in  
1084 another ~~state or~~ country and who have met qualifications  
1085 substantially similar to, equivalent to, or greater than the  
1086 qualifications required of applicants from this state.

1087 Section 52. Subsection (9) of section 477.013, Florida  
1088 Statutes, is amended to read:

1089 477.013 Definitions.—As used in this chapter:

1090 (9) "Hair braiding" means the weaving or interweaving of  
1091 natural human hair or commercial hair, including the use of hair  
1092 extensions or wefts, for compensation without cutting, coloring,  
1093 permanent waving, relaxing, removing, or chemical treatment ~~and~~  
1094 ~~does not include the use of hair extensions or wefts.~~

1095 Section 53. Section 477.0132, Florida Statutes, is  
1096 repealed.

1097 Section 54. Subsections (7) through (11) are added to  
1098 section 477.0135, Florida Statutes, to read:

1099 477.0135 Exemptions.—

1100 (7) A license or registration is not required for a person  
1101 whose occupation or practice is confined solely to hair braiding  
1102 as defined in s. 477.013(9).

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1103       (8) A license or registration is not required for a person  
1104 whose occupation or practice is confined solely to hair wrapping  
1105 as defined in s. 477.013(10).

1106       (9) A license or registration is not required for a person  
1107 whose occupation or practice is confined solely to body wrapping  
1108 as defined in s. 477.013(12).

1109       (10) A license or registration is not required for a person  
1110 whose occupation or practice is confined solely to applying  
1111 polish to fingernails and toenails.

1112       (11) A license or registration is not required for a person  
1113 whose occupation or practice is confined solely to makeup  
1114 application.

1115       Section 55. Subsections (6) and (7) of section 477.019,  
1116 Florida Statutes, are amended to read:

1117       477.019 Cosmetologists; qualifications; licensure;  
1118 supervised practice; license renewal; endorsement; continuing  
1119 education.—

1120       (6) The board shall certify as qualified for licensure by  
1121 endorsement as a cosmetologist in this state an applicant who  
1122 holds a current active license to practice cosmetology in  
1123 another state. The board may not require proof of educational  
1124 hours if the license was issued in a state that requires 1,200  
1125 or more hours of prelicensure education and passage of a written  
1126 examination. ~~This subsection does not apply to applicants who~~  
1127 ~~received their license in another state through an~~  
1128 ~~apprenticeship program.~~

1129       (7) (a) The board shall prescribe by rule continuing  
1130 education requirements intended to ensure protection of the  
1131 public through updated training of licensees and registered

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1132 specialists, not to exceed 10 ~~16~~ hours biennially, as a  
1133 condition for renewal of a license or registration as a  
1134 specialist under this chapter. Continuing education courses  
1135 shall include, but not be limited to, the following subjects as  
1136 they relate to the practice of cosmetology: human  
1137 immunodeficiency virus and acquired immune deficiency syndrome;  
1138 Occupational Safety and Health Administration regulations;  
1139 workers' compensation issues; state and federal laws and rules  
1140 as they pertain to cosmetologists, cosmetology, salons,  
1141 specialists, specialty salons, and booth renters; chemical  
1142 makeup as it pertains to hair, skin, and nails; and  
1143 environmental issues. Courses given at cosmetology conferences  
1144 may be counted toward the number of continuing education hours  
1145 required if approved by the board.

1146 ~~(b) Any person whose occupation or practice is confined~~  
1147 ~~solely to hair braiding, hair wrapping, or body wrapping is~~  
1148 ~~exempt from the continuing education requirements of this~~  
1149 ~~subsection.~~

1150 (b) ~~(e)~~ The board may, by rule, require any licensee in  
1151 violation of a continuing education requirement to take a  
1152 refresher course or refresher course and examination in addition  
1153 to any other penalty. The number of hours for the refresher  
1154 course may not exceed 48 hours.

1155 Section 56. Paragraph (f) of subsection (1) of section  
1156 477.026, Florida Statutes, is amended to read:

1157 477.026 Fees; disposition.—

1158 (1) The board shall set fees according to the following  
1159 schedule:

1160 ~~(f) For hair braiders, hair wrappers, and body wrappers,~~



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1161 ~~fees for registration shall not exceed \$25.~~

1162 Section 57. Subsection (4) of section 477.0263, Florida  
1163 Statutes, is amended, and subsection (5) is added to that  
1164 section, to read:

1165 477.0263 Cosmetology services to be performed in licensed  
1166 salon; exceptions.—

1167 (4) Pursuant to rules adopted by the board, any cosmetology  
1168 or specialty service may be performed in a location other than a  
1169 licensed salon when the service is performed in connection with  
1170 a special event and is performed by a person ~~who is employed by~~  
1171 ~~a licensed salon and~~ who holds the proper license or specialty  
1172 registration. ~~An appointment for the performance of any such~~  
1173 ~~service in a location other than a licensed salon must be made~~  
1174 ~~through a licensed salon.~~

1175 (5) Hair shampooing, hair cutting, and hair arranging may  
1176 be performed in a location other than a licensed salon when the  
1177 service is performed by a person who holds the proper license.

1178 Section 58. Paragraph (f) of subsection (1) of section  
1179 477.0265, Florida Statutes, is amended to read:

1180 477.0265 Prohibited acts.—

1181 (1) It is unlawful for any person to:

1182 (f) Advertise or imply that skin care services ~~or body~~  
1183 ~~wrapping~~, as performed under this chapter, have any relationship  
1184 to the practice of massage therapy as defined in s. 480.033(3),  
1185 except those practices or activities defined in s. 477.013.

1186 Section 59. Paragraph (a) of subsection (1) of section  
1187 477.029, Florida Statutes, is amended to read:

1188 477.029 Penalty.—

1189 (1) It is unlawful for any person to:

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1190 (a) Hold himself or herself out as a cosmetologist or  
1191 ~~specialist, hair wrapper, hair braider, or body wrapper~~ unless  
1192 duly licensed or registered, or otherwise authorized, as  
1193 provided in this chapter.

1194 Section 60. Section 481.201, Florida Statutes, is amended  
1195 to read:

1196 481.201 Purpose.—The primary legislative purpose for  
1197 enacting this part is to ensure that every architect practicing  
1198 in this state meets minimum requirements for safe practice. It  
1199 is the legislative intent that architects who fall below minimum  
1200 competency or who otherwise present a danger to the public shall  
1201 be prohibited from practicing in this state. ~~The Legislature~~  
1202 ~~further finds that it is in the interest of the public to limit~~  
1203 ~~the practice of interior design to interior designers or~~  
1204 ~~architects who have the design education and training required~~  
1205 ~~by this part or to persons who are exempted from the provisions~~  
1206 ~~of this part.~~

1207 Section 61. Section 481.203, Florida Statutes, is amended  
1208 to read:

1209 481.203 Definitions.—As used in this part, the term:

1210 (1)~~(3)~~ "Architect" or "registered architect" means a  
1211 natural person who is licensed under this part to engage in the  
1212 practice of architecture.

1213 (2)~~(6)~~ "Architecture" means the rendering or offering to  
1214 render services in connection with the design and construction  
1215 of a structure or group of structures which have as their  
1216 principal purpose human habitation or use, and the utilization  
1217 of space within and surrounding such structures. These services  
1218 include planning, providing preliminary study designs, drawings

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1219 and specifications, job-site inspection, and administration of  
1220 construction contracts.

1221 (3)~~(1)~~ "Board" means the Board of Architecture ~~and Interior~~  
1222 ~~Design~~.

1223 (4)~~(5)~~ "Business organization" means a partnership, a  
1224 limited liability company, a corporation, or an individual  
1225 operating under a fictitious name "~~Certificate of authorization~~"  
1226 ~~means a certificate issued by the department to a corporation or~~  
1227 ~~partnership to practice architecture or interior design.~~

1228 (5)~~(4)~~ "Certificate of registration" means a license issued  
1229 by the department to a natural person to engage in the practice  
1230 of architecture or interior design.

1231 (6)~~(13)~~ "Common area" means an area that is held out for  
1232 use by all tenants or owners in a multiple-unit dwelling,  
1233 including, but not limited to, a lobby, elevator, hallway,  
1234 laundry room, clubhouse, or swimming pool.

1235 (7)~~(2)~~ "Department" means the Department of Business and  
1236 Professional Regulation.

1237 (8)~~(14)~~ "Diversified interior design experience" means  
1238 experience which substantially encompasses the various elements  
1239 of interior design services set forth under the definition of  
1240 "interior design" in subsection (10)~~(8)~~.

1241 (9)~~(15)~~ "Interior decorator services" includes the  
1242 selection or assistance in selection of surface materials,  
1243 window treatments, wallcoverings, paint, floor coverings,  
1244 surface-mounted lighting, surface-mounted fixtures, and loose  
1245 furnishings not subject to regulation under applicable building  
1246 codes.

1247 (10)~~(8)~~ "Interior design" means designs, consultations,

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1248 studies, drawings, specifications, and administration of design  
1249 construction contracts relating to nonstructural interior  
1250 elements of a building or structure. "Interior design" includes,  
1251 but is not limited to, reflected ceiling plans, space planning,  
1252 furnishings, and the fabrication of nonstructural elements  
1253 within and surrounding interior spaces of buildings. "Interior  
1254 design" specifically excludes the design of or the  
1255 responsibility for architectural and engineering work, except  
1256 for specification of fixtures and their location within interior  
1257 spaces. As used in this subsection, "architectural and  
1258 engineering interior construction relating to the building  
1259 systems" includes, but is not limited to, construction of  
1260 structural, mechanical, plumbing, heating, air-conditioning,  
1261 ventilating, electrical, or vertical transportation systems, or  
1262 construction which materially affects lifesafety systems  
1263 pertaining to firesafety protection such as fire-rated  
1264 separations between interior spaces, fire-rated vertical shafts  
1265 in multistory structures, fire-rated protection of structural  
1266 elements, smoke evacuation and compartmentalization, emergency  
1267 ingress or egress systems, and emergency alarm systems.

1268 ~~(9) "Registered interior designer" or "interior designer"~~  
1269 ~~means a natural person who is licensed under this part.~~

1270 (11) ~~(10)~~ "Nonstructural element" means an element which  
1271 does not require structural bracing and which is something other  
1272 than a load-bearing wall, load-bearing column, or other load-  
1273 bearing element of a building or structure which is essential to  
1274 the structural integrity of the building.

1275 (12) ~~(11)~~ "Reflected ceiling plan" means a ceiling design  
1276 plan which is laid out as if it were projected downward and

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1277 which may include lighting and other elements.

1278 (13)~~(16)~~ "Responsible supervising control" means the  
1279 exercise of direct personal supervision and control throughout  
1280 the preparation of documents, instruments of service, or any  
1281 other work requiring the seal and signature of a licensee under  
1282 this part.

1283 (14)~~(12)~~ "Space planning" means the analysis, programming,  
1284 or design of spatial requirements, including preliminary space  
1285 layouts and final planning.

1286 (15)~~(7)~~ "Townhouse" is a single-family dwelling unit not  
1287 exceeding three stories in height which is constructed in a  
1288 series or group of attached units with property lines separating  
1289 such units. Each townhouse shall be considered a separate  
1290 building and shall be separated from adjoining townhouses by the  
1291 use of separate exterior walls meeting the requirements for zero  
1292 clearance from property lines as required by the type of  
1293 construction and fire protection requirements; or shall be  
1294 separated by a party wall; or may be separated by a single wall  
1295 meeting the following requirements:

1296 (a) Such wall shall provide not less than 2 hours of fire  
1297 resistance. Plumbing, piping, ducts, or electrical or other  
1298 building services shall not be installed within or through the  
1299 2-hour wall unless such materials and methods of penetration  
1300 have been tested in accordance with the Standard Building Code.

1301 (b) Such wall shall extend from the foundation to the  
1302 underside of the roof sheathing, and the underside of the roof  
1303 shall have at least 1 hour of fire resistance for a width not  
1304 less than 4 feet on each side of the wall.

1305 (c) Each dwelling unit sharing such wall shall be designed

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1306 and constructed to maintain its structural integrity independent  
1307 of the unit on the opposite side of the wall.

1308 Section 62. Subsection (1) and paragraph (a) of subsection  
1309 (3) of section 481.205, Florida Statutes, are amended to read:

1310 481.205 Board of Architecture ~~and Interior Design.~~

1311 (1) The Board of Architecture ~~and Interior Design~~ is  
1312 created within the Department of Business and Professional  
1313 Regulation. The board shall consist of seven ~~11~~ members. Five  
1314 members must be registered architects who have been engaged in  
1315 the practice of architecture for at least 5 years; ~~three members~~  
1316 ~~must be registered interior designers who have been offering~~  
1317 ~~interior design services for at least 5 years and who are not~~  
1318 ~~also registered architects;~~ and two ~~three~~ members must be  
1319 laypersons who are not, and have never been, architects,  
1320 ~~interior designers,~~ or members of any closely related profession  
1321 or occupation. At least one member of the board must be 60 years  
1322 of age or older.

1323 (3) (a) Notwithstanding the provisions of ss. 455.225,  
1324 455.228, and 455.32, the duties and authority of the department  
1325 to receive complaints and investigate and discipline persons  
1326 licensed under this part, including the ability to determine  
1327 legal sufficiency and probable cause; to initiate proceedings  
1328 and issue final orders for summary suspension or restriction of  
1329 a license pursuant to s. 120.60(6); to issue notices of  
1330 noncompliance, notices to cease and desist, subpoenas, and  
1331 citations; to retain legal counsel, investigators, or  
1332 prosecutorial staff in connection with the licensed practice of  
1333 architecture ~~and interior design;~~ and to investigate and deter  
1334 the unlicensed practice of architecture ~~and interior design~~ as

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1335 provided in s. 455.228 are delegated to the board. All  
1336 complaints and any information obtained pursuant to an  
1337 investigation authorized by the board are confidential and  
1338 exempt from s. 119.07(1) as provided in s. 455.225(2) and (10).

1339 Section 63. Section 481.207, Florida Statutes, is amended  
1340 to read:

1341 481.207 Fees.—The board, by rule, may establish separate  
1342 fees for architects ~~and interior designers~~, to be paid for  
1343 applications, examination, reexamination, licensing and renewal,  
1344 delinquency, reinstatement, and recordmaking and recordkeeping.  
1345 The examination fee shall be in an amount that covers the cost  
1346 of obtaining and administering the examination and shall be  
1347 refunded if the applicant is found ineligible to sit for the  
1348 examination. The application fee is nonrefundable. The fee for  
1349 initial application and examination for architects ~~and interior~~  
1350 ~~designers~~ may not exceed \$775 plus the actual per applicant cost  
1351 to the department for purchase of the examination from the  
1352 National Council of Architectural Registration Boards ~~or the~~  
1353 ~~National Council of Interior Design Qualifications,~~  
1354 ~~respectively,~~ or similar national organizations. The biennial  
1355 renewal fee for architects may not exceed \$200. ~~The biennial~~  
1356 ~~renewal fee for interior designers may not exceed \$500.~~ The  
1357 delinquency fee may not exceed the biennial renewal fee  
1358 established by the board for an active license. The board shall  
1359 establish fees that are adequate to ensure the continued  
1360 operation of the board and to fund the proportionate expenses  
1361 incurred by the department which are allocated to the regulation  
1362 of architects ~~and interior designers~~. Fees shall be based on  
1363 department estimates of the revenue required to implement this

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1364 part and the provisions of law with respect to the regulation of  
1365 architects ~~and interior designers.~~

1366 Section 64. Section 481.209, Florida Statutes, is amended  
1367 to read:

1368 481.209 Examinations.—

1369 ~~(1)~~ A person desiring to be licensed as a registered  
1370 architect by initial examination shall apply to the department,  
1371 complete the application form, and remit a nonrefundable  
1372 application fee. The department shall license any applicant who  
1373 the board certifies:

1374 ~~(a)~~ has passed the licensure examination prescribed by  
1375 board rule; and

1376 ~~(b)~~ is a graduate of a school or college of architecture  
1377 with a program accredited by the National Architectural  
1378 Accreditation Board.

1379 ~~(2)~~ A person desiring to be licensed as a registered  
1380 interior designer shall apply to the department for licensure.  
1381 The department shall administer the licensure examination for  
1382 interior designers to each applicant who has completed the  
1383 application form and remitted the application and examination  
1384 fees specified in s. 481.207 and who the board certifies:

1385 ~~(a)~~ Is a graduate from an interior design program of 5  
1386 years or more and has completed 1 year of diversified interior  
1387 design experience;

1388 ~~(b)~~ Is a graduate from an interior design program of 4  
1389 years or more and has completed 2 years of diversified interior  
1390 design experience;

1391 ~~(c)~~ Has completed at least 3 years in an interior design  
1392 curriculum and has completed 3 years of diversified interior



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1393 ~~design experience; or~~

1394 ~~(d) Is a graduate from an interior design program of at~~  
1395 ~~least 2 years and has completed 4 years of diversified interior~~  
1396 ~~design experience.~~

1397 ~~Subsequent to October 1, 2000, for the purpose of having the~~  
1398 ~~educational qualification required under this subsection~~  
1399 ~~accepted by the board, the applicant must complete his or her~~  
1400 ~~education at a program, school, or college of interior design~~  
1401 ~~whose curriculum has been approved by the board as of the time~~  
1402 ~~of completion. Subsequent to October 1, 2003, all of the~~  
1403 ~~required amount of educational credits shall have been obtained~~  
1404 ~~in a program, school, or college of interior design whose~~  
1405 ~~curriculum has been approved by the board, as of the time each~~  
1406 ~~educational credit is gained. The board shall adopt rules~~  
1407 ~~providing for the review and approval of programs, schools, and~~  
1408 ~~colleges of interior design and courses of interior design study~~  
1409 ~~based on a review and inspection by the board of the curriculum~~  
1410 ~~of programs, schools, and colleges of interior design in the~~  
1411 ~~United States, including those programs, schools, and colleges~~  
1412 ~~accredited by the Foundation for Interior Design Education~~  
1413 ~~Research. The board shall adopt rules providing for the review~~  
1414 ~~and approval of diversified interior design experience required~~  
1415 ~~by this subsection.~~

1416 Section 65. Subsections (1) through (4) of section 481.213,  
1417 Florida Statutes, are amended to read:

1418 481.213 Licensure.—

1419 (1) The department shall license any applicant who the  
1420 board certifies is qualified for licensure and who has paid the  
1421 initial licensure fee. ~~Licensure as an architect under this~~

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1422 ~~section shall be deemed to include all the rights and privileges~~  
1423 ~~of licensure as an interior designer under this section.~~

1424 (2) The board shall certify for licensure by examination  
1425 any applicant who passes the prescribed licensure examination  
1426 and satisfies the requirements of ss. 481.209 and 481.211, ~~for~~  
1427 ~~architects, or the requirements of s. 481.209, for interior~~  
1428 ~~designers.~~

1429 (3) The board shall certify as qualified for a license by  
1430 endorsement as an architect ~~or as an interior designer~~ an  
1431 applicant who:

1432 (a) Qualifies to take the prescribed licensure examination,  
1433 and has passed the prescribed licensure examination or a  
1434 substantially equivalent examination in another jurisdiction, as  
1435 set forth in s. 481.209 for architects ~~or interior designers, as~~  
1436 ~~applicable,~~ and has satisfied the internship requirements set  
1437 forth in s. 481.211 for architects;

1438 (b) Holds a valid license to practice architecture ~~or~~  
1439 ~~interior design~~ issued by another jurisdiction of the United  
1440 States, if the criteria for issuance of such license were  
1441 substantially equivalent to the licensure criteria that existed  
1442 in this state at the time the license was issued; ~~provided,~~  
1443 ~~however, that an applicant who has been licensed for use of the~~  
1444 ~~title "interior design" rather than licensed to practice~~  
1445 ~~interior design shall not qualify hereunder; or~~

1446 (c) Has passed the prescribed licensure examination and  
1447 holds a valid certificate issued by the National Council of  
1448 Architectural Registration Boards, and holds a valid license to  
1449 practice architecture issued by another state or jurisdiction of  
1450 the United States.

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1451 (4) The board may refuse to certify any applicant who has  
1452 violated any of the provisions of s. 481.223, or s. 481.225, ~~or~~  
1453 ~~s. 481.2251~~, as applicable.

1454 Section 66. Section 481.2131, Florida Statutes, is amended  
1455 to read:

1456 481.2131 Interior design; practice requirements; ~~disclosure~~  
1457 ~~of compensation for professional services.~~

1458 (1) ~~A registered interior designer is authorized to perform~~  
1459 ~~"interior design" as defined in s. 481.203. Interior design~~  
1460 ~~documents prepared by a registered interior designer shall~~  
1461 ~~contain a statement that the document is not an architectural or~~  
1462 ~~engineering study, drawing, specification, or design and is not~~  
1463 ~~to be used for construction of any load-bearing columns, load-~~  
1464 ~~bearing framing or walls of structures, or issuance of any~~  
1465 ~~building permit, except as otherwise provided by law. Interior~~  
1466 ~~design documents that are prepared and sealed by an a registered~~  
1467 ~~interior designer must ~~may~~, if required by a permitting body, be~~  
1468 ~~accepted by the permitting body ~~be submitted~~ for the issuance of~~  
1469 ~~a building permit for interior construction excluding design of~~  
1470 ~~any structural, mechanical, plumbing, heating, air-conditioning,~~  
1471 ~~ventilating, electrical, or vertical transportation systems or~~  
1472 ~~that materially affect lifesafety systems pertaining to~~  
1473 ~~firesafety protection such as fire-rated separations between~~  
1474 ~~interior spaces, fire-rated vertical shafts in multistory~~  
1475 ~~structures, fire-rated protection of structural elements, smoke~~  
1476 ~~evacuation and compartmentalization, emergency ingress or egress~~  
1477 ~~systems, and emergency alarm systems. Interior design documents~~  
1478 ~~submitted for the issuance of a building permit by an individual~~  
1479 ~~performing interior design services who is not a licensed~~

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1480 architect must include written proof that such individual has  
1481 successfully passed the qualification examination prescribed by  
1482 either the National Council for Interior Design Qualifications  
1483 or the California Council for Interior Design Certification. All  
1484 drawings, plans, specifications, or reports prepared or issued  
1485 by the interior designer and filed for public record shall bear  
1486 the signature of the interior designer who prepared or approved  
1487 the document and the date on which they were signed. The  
1488 signature and date shall be evidence of the authenticity of that  
1489 to which they are affixed. Final plans, specifications, or  
1490 reports prepared or issued by an interior designer may be  
1491 transmitted electronically and may be electronically signed by  
1492 the interior designer.

1493 (2) A license or registration is not required for a person  
1494 whose occupation or practice is confined to interior design or  
1495 interior decorator services ~~An interior designer shall, before~~  
1496 ~~entering into a contract, verbal or written, clearly determine~~  
1497 ~~the scope and nature of the project and the method or methods of~~  
1498 ~~compensation. The interior designer may offer professional~~  
1499 ~~services to the client as a consultant, specifier, or supplier~~  
1500 ~~on the basis of a fee, percentage, or markup. The interior~~  
1501 ~~designer shall have the responsibility of fully disclosing to~~  
1502 ~~the client the manner in which all compensation is to be paid.~~  
1503 ~~Unless the client knows and agrees, the interior designer shall~~  
1504 ~~not accept any form of compensation from a supplier of goods and~~  
1505 ~~services in cash or in kind.~~

1506 Section 67. Subsections (3) and (5) of section 481.215,  
1507 Florida Statutes, are amended to read:

1508 481.215 Renewal of license.-

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1509           (3) A ~~No~~ license renewal may not ~~shall~~ be issued to an  
1510 architect ~~or an interior designer~~ by the department until the  
1511 licensee submits proof satisfactory to the department that,  
1512 during the 2 years before ~~prior to~~ application for renewal, the  
1513 licensee participated per biennium in not less than 20 hours of  
1514 at least 50 minutes each per biennium of continuing education  
1515 approved by the board. The board shall approve only continuing  
1516 education that builds upon the basic knowledge of architecture  
1517 ~~or interior design~~. The board may make exception from the  
1518 requirements of continuing education in emergency or hardship  
1519 cases.

1520           ~~(5) The board shall require, by rule adopted pursuant to~~  
1521 ~~ss. 120.536(1) and 120.54, a specified number of hours in~~  
1522 ~~specialized or advanced courses, approved by the Florida~~  
1523 ~~Building Commission, on any portion of the Florida Building~~  
1524 ~~Code, adopted pursuant to part IV of chapter 553, relating to~~  
1525 ~~the licensee's respective area of practice.~~

1526           Section 68. Subsection (1) of section 481.217, Florida  
1527 Statutes, is amended to read:

1528           481.217 Inactive status.—

1529           (1) The board may prescribe by rule continuing education  
1530 requirements as a condition of reactivating a license. The rules  
1531 may not require more than one renewal cycle of continuing  
1532 education to reactivate a license for a registered architect ~~or~~  
1533 ~~interior designer~~. ~~For interior design, the board may approve~~  
1534 ~~only continuing education that builds upon the basic knowledge~~  
1535 ~~of interior design.~~

1536           Section 69. Section 481.219, Florida Statutes, is amended  
1537 to read:

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1538           481.219 Qualification of business organizations  
1539 ~~certification of partnerships, limited liability companies, and~~  
1540 ~~corporations.-~~

1541           (1) A licensee may ~~The practice of or the offer to practice~~  
1542 ~~architecture or interior design by licensees~~ through a qualified  
1543 business organization that offers ~~corporation, limited liability~~  
1544 ~~company, or partnership offering architectural or interior~~  
1545 ~~design services to the public, or by a corporation, limited~~  
1546 ~~liability company, or partnership offering architectural or~~  
1547 ~~interior design services to the public through licensees under~~  
1548 ~~this part as agents, employees, officers, or partners, is~~  
1549 ~~permitted,~~ subject to the provisions of this section.

1550           (2) If a licensee or an applicant proposes to engage in the  
1551 practice of architecture as a business organization, the  
1552 licensee or applicant shall qualify the business organization  
1553 upon approval of the board ~~For the purposes of this section, a~~  
1554 ~~certificate of authorization shall be required for a~~  
1555 ~~corporation, limited liability company, partnership, or person~~  
1556 ~~practicing under a fictitious name, offering architectural~~  
1557 ~~services to the public jointly or separately. However, when an~~  
1558 ~~individual is practicing architecture in her or his own name,~~  
1559 ~~she or he shall not be required to be certified under this~~  
1560 ~~section. Certification under this subsection to offer~~  
1561 ~~architectural services shall include all the rights and~~  
1562 ~~privileges of certification under subsection (3) to offer~~  
1563 ~~interior design services.~~

1564           (3) (a) A business organization may not engage in the  
1565 practice of architecture unless its qualifying agent is a  
1566 registered architect under this part. A qualifying agent who

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1567 terminates an affiliation with a qualified business organization  
1568 shall immediately notify the department of such termination. If  
1569 such qualifying agent is the only qualifying agent for that  
1570 business organization, the business organization must be  
1571 qualified by another qualifying agent within 60 days after the  
1572 termination. Except as provided in paragraph (b), the business  
1573 organization may not engage in the practice of architecture  
1574 until it is qualified by another qualifying agent.

1575 (b) In the event a qualifying agent ceases employment with  
1576 a qualified business organization, the executive director or the  
1577 chair of the board may authorize another registered architect  
1578 employed by the business organization to temporarily serve as  
1579 its qualifying agent for a period of no more than 60 days. The  
1580 business organization is not authorized to operate beyond such  
1581 period under this chapter absent replacement of the qualifying  
1582 agent who has ceased employment.

1583 (c) A qualifying agent shall notify the department in  
1584 writing before engaging in the practice of architecture in her  
1585 or his own name or in affiliation with a different business  
1586 organization, and she or he or such business organization shall  
1587 supply the same information to the department as required of  
1588 applicants under this part.

1589 ~~(3) For the purposes of this section, a certificate of~~  
1590 ~~authorization shall be required for a corporation, limited~~  
1591 ~~liability company, partnership, or person operating under a~~  
1592 ~~fictitious name, offering interior design services to the public~~  
1593 ~~jointly or separately. However, when an individual is practicing~~  
1594 ~~interior design in her or his own name, she or he shall not be~~  
1595 ~~required to be certified under this section.~~

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1596 (4) All final construction documents and instruments of  
1597 service which include drawings, specifications, plans, reports,  
1598 or other papers or documents that involve ~~involving~~ the practice  
1599 of architecture which are prepared or approved for the use of  
1600 the business organization ~~corporation, limited liability~~  
1601 ~~company, or partnership~~ and filed for public record within the  
1602 state must ~~shall~~ bear the signature and seal of the licensee who  
1603 prepared or approved them and the date on which they were  
1604 sealed.

1605 ~~(5) All drawings, specifications, plans, reports, or other~~  
1606 ~~papers or documents prepared or approved for the use of the~~  
1607 ~~corporation, limited liability company, or partnership by an~~  
1608 ~~interior designer in her or his professional capacity and filed~~  
1609 ~~for public record within the state shall bear the signature and~~  
1610 ~~seal of the licensee who prepared or approved them and the date~~  
1611 ~~on which they were sealed.~~

1612 ~~(6) The department shall issue a certificate of~~  
1613 ~~authorization to any applicant who the board certifies as~~  
1614 ~~qualified for a certificate of authorization and who has paid~~  
1615 ~~the fee set in s. 481.207.~~

1616 (5)(7) The board shall allow a licensee or ~~certify~~ an  
1617 applicant to qualify one or more business organizations as  
1618 ~~qualified for a certificate of authorization to offer~~  
1619 architectural ~~or interior design~~ services, or to use a  
1620 fictitious name to offer such services, if provided that:

1621 ~~(a)~~ one or more of the principal officers of the  
1622 corporation or limited liability company, or one or more  
1623 partners of the partnership, and all personnel of the  
1624 corporation, limited liability company, or partnership who act



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1625 in its behalf in this state as architects, are registered as  
1626 provided by this part.~~;~~ or

1627 ~~(b) One or more of the principal officers of the~~  
1628 ~~corporation or one or more partners of the partnership, and all~~  
1629 ~~personnel of the corporation, limited liability company, or~~  
1630 ~~partnership who act in its behalf in this state as interior~~  
1631 ~~designers, are registered as provided by this part.~~

1632 ~~(8) The department shall adopt rules establishing a~~  
1633 ~~procedure for the biennial renewal of certificates of~~  
1634 ~~authorization.~~

1635 ~~(9) The department shall renew a certificate of~~  
1636 ~~authorization upon receipt of the renewal application and~~  
1637 ~~biennial renewal fee.~~

1638 ~~(6)~~(10) Each qualifying agent who qualifies a business  
1639 organization partnership, limited liability company, and  
1640 corporation certified under this section shall notify the  
1641 department within 30 days after ~~of~~ any change in the information  
1642 contained in the application upon which the qualification  
1643 certification is based. Any registered architect ~~or interior~~  
1644 ~~designer~~ who qualifies the business organization shall ensure  
1645 corporation, limited liability company, or partnership as  
1646 provided in subsection (7) shall be responsible for ensuring  
1647 responsible supervising control of projects of the business  
1648 organization entity and shall notify the department of the upon  
1649 termination of her or his employment with a business  
1650 organization qualified partnership, limited liability company,  
1651 or corporation certified under this section shall notify the  
1652 department of the termination within 30 days after such  
1653 termination.

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1654        (7) ~~(11)~~ A business organization is not ~~No corporation,~~  
1655 ~~limited liability company, or partnership shall be relieved of~~  
1656 ~~responsibility for the conduct or acts of its agents, employees,~~  
1657 ~~or officers by reason of its compliance with this section.~~  
1658 ~~However, except as provided in s. 558.0035, the architect who~~  
1659 ~~signs and seals the construction documents and instruments of~~  
1660 ~~service is shall be liable for the professional services~~  
1661 ~~performed, and the interior designer who signs and seals the~~  
1662 ~~interior design drawings, plans, or specifications shall be~~  
1663 ~~liable for the professional services performed.~~

1664        ~~(12) Disciplinary action against a corporation, limited~~  
1665 ~~liability company, or partnership shall be administered in the~~  
1666 ~~same manner and on the same grounds as disciplinary action~~  
1667 ~~against a registered architect or interior designer,~~  
1668 ~~respectively.~~

1669        (8) ~~(13)~~ Nothing in This section may not shall be construed  
1670 to mean that a certificate of registration to practice  
1671 architecture ~~or interior design~~ must shall be held by a business  
1672 organization ~~corporation, limited liability company, or~~  
1673 partnership. ~~Nothing in This section does not prohibit a~~  
1674 business organization from offering ~~prohibits corporations,~~  
1675 limited liability companies, and partnerships from joining  
1676 together to offer architectural or, engineering, ~~interior~~  
1677 design, surveying and mapping, and landscape architectural  
1678 services, or any combination of such services, to the public if  
1679 the business organization, provided that each corporation,  
1680 limited liability company, or partnership otherwise meets the  
1681 requirements of law.

1682        ~~(14) Corporations, limited liability companies, or~~

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1683 ~~partnerships holding a valid certificate of authorization to~~  
1684 ~~practice architecture shall be permitted to use in their title~~  
1685 ~~the term "interior designer" or "registered interior designer."~~

1686 Section 70. Subsections (4), (6), (8), (10), (11), and (12)  
1687 of section 481.221, Florida Statutes, are renumbered as  
1688 subsections (3), (4), (5), (6), (7), and (8), respectively, and  
1689 present subsections (3), (5), (7), (9), (10), (11), and (12) of  
1690 that section are amended to read:

1691 481.221 Seals; display of certificate number; permitting  
1692 requirements.-

1693 ~~(3) The board shall adopt a rule prescribing the distinctly~~  
1694 ~~different seals to be used by registered interior designers~~  
1695 ~~holding valid certificates of registration. Each registered~~  
1696 ~~interior designer shall obtain a seal as prescribed by the~~  
1697 ~~board, and all drawings, plans, specifications, or reports~~  
1698 ~~prepared or issued by the registered interior designer and being~~  
1699 ~~filed for public record shall bear the signature and seal of the~~  
1700 ~~registered interior designer who prepared or approved the~~  
1701 ~~document and the date on which they were sealed. The signature,~~  
1702 ~~date, and seal shall be evidence of the authenticity of that to~~  
1703 ~~which they are affixed. Final plans, specifications, or reports~~  
1704 ~~prepared or issued by a registered interior designer may be~~  
1705 ~~transmitted electronically and may be signed by the registered~~  
1706 ~~interior designer, dated, and sealed electronically with the~~  
1707 ~~seal in accordance with ss. 668.001-668.006.~~

1708 ~~(5) No registered interior designer shall affix, or permit~~  
1709 ~~to be affixed, her or his seal or signature to any plan,~~  
1710 ~~specification, drawing, or other document which depicts work~~  
1711 ~~which she or he is not competent or licensed to perform.~~

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1712 ~~(7) No registered interior designer shall affix her or his~~  
1713 ~~signature or seal to any plans, specifications, or other~~  
1714 ~~documents which were not prepared by her or him or under her or~~  
1715 ~~his responsible supervising control or by another registered~~  
1716 ~~interior designer and reviewed, approved, or modified and~~  
1717 ~~adopted by her or him as her or his own work according to rules~~  
1718 ~~adopted by the board.~~

1719 ~~(9) Studies, drawings, specifications, and other related~~  
1720 ~~documents prepared by a registered interior designer in~~  
1721 ~~providing interior design services shall be of a sufficiently~~  
1722 ~~high standard to clearly and accurately indicate all essential~~  
1723 ~~parts of the work to which they refer.~~

1724 ~~(6)(10) Each registered architect must or interior~~  
1725 ~~designer, and each corporation, limited liability company, or~~  
1726 ~~partnership holding a certificate of authorization, shall~~  
1727 ~~include her or his license ~~its~~ certificate number in any~~  
1728 ~~newspaper, telephone directory, or other advertising medium used~~  
1729 ~~by the registered licensee architect, interior designer,~~  
1730 ~~corporation, limited liability company, or partnership. Each~~  
1731 ~~business organization must include the license number of the~~  
1732 ~~registered architect who serves as the qualifying agent for that~~  
1733 ~~business organization in any newspaper, telephone directory, or~~  
1734 ~~other advertising medium used by the business organization. A~~  
1735 ~~business organization is not required to display the license~~  
1736 ~~numbers of other registered architects employed by the business~~  
1737 ~~organization A corporation, limited liability company, or~~  
1738 ~~partnership is not required to display the certificate number of~~  
1739 ~~individual registered architects or interior designers employed~~  
1740 ~~by or working within the corporation, limited liability company,~~

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1741 ~~or partnership.~~

1742 (7)~~(11)~~ When the certificate of registration of a  
1743 registered architect ~~or interior designer~~ has been revoked or  
1744 suspended by the board, the registered architect ~~or interior~~  
1745 ~~designer~~ shall surrender her or his seal to the secretary of the  
1746 board within a period of 30 days after the revocation or  
1747 suspension has become effective. If the certificate of the  
1748 registered architect ~~or interior designer~~ has been suspended for  
1749 a period of time, her or his seal shall be returned to her or  
1750 him upon expiration of the suspension period.

1751 (8)~~(12)~~ A person may not sign and seal by any means any  
1752 final plan, specification, or report after her or his  
1753 certificate of registration has expired or is suspended or  
1754 revoked. A registered architect ~~or interior designer~~ whose  
1755 certificate of registration is suspended or revoked shall,  
1756 within 30 days after the effective date of the suspension or  
1757 revocation, surrender her or his seal to the executive director  
1758 of the board and confirm in writing to the executive director  
1759 the cancellation of the registered architect's ~~or interior~~  
1760 ~~designer's~~ electronic signature in accordance with ss. 668.001-  
1761 668.006. When a registered architect's ~~or interior designer's~~  
1762 certificate of registration is suspended for a period of time,  
1763 her or his seal shall be returned upon expiration of the period  
1764 of suspension.

1765 Section 71. Section 481.222, Florida Statutes, is amended  
1766 to read:

1767 481.222 Architects performing building code inspection  
1768 services.—Notwithstanding any other provision of law, a person  
1769 who is currently licensed to practice as an architect under this

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1770 part may provide building code inspection services described in  
1771 s. 468.603(5) and (8) to a local government or state agency upon  
1772 its request, without being certified by the Florida Building  
1773 Code Administrators and Inspectors Board under part XII of  
1774 chapter 468. With respect to the performance of such building  
1775 code inspection services, the architect is subject to the  
1776 disciplinary guidelines of this part and s. 468.621(1)(c)-(h).  
1777 Any complaint processing, investigation, and discipline that  
1778 arise out of an architect's performance of building code  
1779 inspection services shall be conducted by the Board of  
1780 Architecture ~~and Interior Design~~ rather than the Florida  
1781 Building Code Administrators and Inspectors Board. An architect  
1782 may not perform plans review as an employee of a local  
1783 government upon any job that the architect or the architect's  
1784 company designed.

1785 Section 72. Section 481.223, Florida Statutes, is amended  
1786 to read:

1787 481.223 Prohibitions; penalties; injunctive relief.—

1788 (1) A person may not knowingly:

1789 (a) Practice architecture unless the person is an architect  
1790 or a registered architect; however, a licensed architect who has  
1791 been licensed by the board and who chooses to relinquish or not  
1792 to renew his or her license may use the title "Architect,  
1793 Retired" but may not otherwise render any architectural  
1794 services.

1795 ~~(b) Practice interior design unless the person is a~~  
1796 ~~registered interior designer unless otherwise exempted herein;~~  
1797 ~~however, an interior designer who has been licensed by the board~~  
1798 ~~and who chooses to relinquish or not to renew his or her license~~

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1799 ~~may use the title "Interior Designer, Retired" but may not~~  
1800 ~~otherwise render any interior design services.~~

1801 (b)~~(e)~~ Use the name or title "architect," ~~or~~ "registered  
1802 architect," ~~or "interior designer" or "registered interior~~  
1803 ~~designer,"~~ or words to that effect, when the person is not then  
1804 the holder of a valid license issued pursuant to this part.

1805 (c)~~(d)~~ Present as his or her own the license of another.

1806 (d)~~(e)~~ Give false or forged evidence to the board or a  
1807 member thereof.

1808 (e)~~(f)~~ Use or attempt to use an architect ~~or interior~~  
1809 ~~designer~~ license that has been suspended, revoked, or placed on  
1810 inactive or delinquent status.

1811 (f)~~(g)~~ Employ unlicensed persons to practice architecture  
1812 ~~or interior design.~~

1813 (g)~~(h)~~ Conceal information relative to violations of this  
1814 part.

1815 (2) Any person who violates any provision of subsection (1)  
1816 commits a misdemeanor of the first degree, punishable as  
1817 provided in s. 775.082 or s. 775.083.

1818 (3) (a) Notwithstanding chapter 455 or any other law to the  
1819 contrary, an affected person may maintain an action for  
1820 injunctive relief to restrain or prevent a person from violating  
1821 paragraph (1) (a) or~~7~~ paragraph (1) (b), ~~or paragraph (1) (c)~~. The  
1822 prevailing party is entitled to actual costs and attorney's  
1823 fees.

1824 (b) For purposes of this subsection, the term "affected  
1825 person" means a person directly affected by the actions of a  
1826 person suspected of violating paragraph (1) (a) or~~7~~ paragraph  
1827 (1) (b), ~~or paragraph (1) (c)~~ and includes, but is not limited to,

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1828 the department, any person who received services from the  
1829 alleged violator, or any private association composed primarily  
1830 of members of the profession the alleged violator is practicing  
1831 or offering to practice or holding himself or herself out as  
1832 qualified to practice.

1833 Section 73. Section 481.2251, Florida Statutes, is  
1834 repealed.

1835 Section 74. Subsections (5) through (8) of section 481.229,  
1836 Florida Statutes, are amended to read:

1837 481.229 Exceptions; exemptions from licensure.—

1838 ~~(5) (a) Nothing contained in this part shall prevent a~~  
1839 ~~registered architect or a partnership, limited liability~~  
1840 ~~company, or corporation holding a valid certificate of~~  
1841 ~~authorization to provide architectural services from performing~~  
1842 ~~any interior design service or from using the title "interior~~  
1843 ~~designer" or "registered interior designer."~~

1844 ~~(b) Notwithstanding any other provision of this part, all~~  
1845 ~~persons licensed as architects under this part shall be~~  
1846 ~~qualified for interior design licensure upon submission of a~~  
1847 ~~completed application for such license and a fee not to exceed~~  
1848 ~~\$30. Such persons shall be exempt from the requirements of s.~~  
1849 ~~481.209(2). For architects licensed as interior designers,~~  
1850 ~~satisfaction of the requirements for renewal of licensure as an~~  
1851 ~~architect under s. 481.215 shall be deemed to satisfy the~~  
1852 ~~requirements for renewal of licensure as an interior designer~~  
1853 ~~under that section. Complaint processing, investigation, or~~  
1854 ~~other discipline-related legal costs related to persons licensed~~  
1855 ~~as interior designers under this paragraph shall be assessed~~  
1856 ~~against the architects' account of the Regulatory Trust Fund.~~



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1857       ~~(c) Notwithstanding any other provision of this part, any~~  
1858 ~~corporation, partnership, or person operating under a fictitious~~  
1859 ~~name which holds a certificate of authorization to provide~~  
1860 ~~architectural services shall be qualified, without fee, for a~~  
1861 ~~certificate of authorization to provide interior design services~~  
1862 ~~upon submission of a completed application therefor. For~~  
1863 ~~corporations, partnerships, and persons operating under a~~  
1864 ~~fictitious name which hold a certificate of authorization to~~  
1865 ~~provide interior design services, satisfaction of the~~  
1866 ~~requirements for renewal of the certificate of authorization to~~  
1867 ~~provide architectural services under s. 481.219 shall be deemed~~  
1868 ~~to satisfy the requirements for renewal of the certificate of~~  
1869 ~~authorization to provide interior design services under that~~  
1870 ~~section.~~

1871       ~~(6) This part shall not apply to:~~

1872       ~~(a) A person who performs interior design services or~~  
1873 ~~interior decorator services for any residential application,~~  
1874 ~~provided that such person does not advertise as, or represent~~  
1875 ~~himself or herself as, an interior designer. For purposes of~~  
1876 ~~this paragraph, "residential applications" includes all types of~~  
1877 ~~residences, including, but not limited to, residence buildings,~~  
1878 ~~single-family homes, multifamily homes, townhouses, apartments,~~  
1879 ~~condominiums, and domestic outbuildings appurtenant to one-~~  
1880 ~~family or two-family residences. However, "residential~~  
1881 ~~applications" does not include common areas associated with~~  
1882 ~~instances of multiple-unit dwelling applications.~~

1883       ~~(b) An employee of a retail establishment providing~~  
1884 ~~"interior decorator services" on the premises of the retail~~  
1885 ~~establishment or in the furtherance of a retail sale or~~

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1886 ~~prospective retail sale, provided that such employee does not~~  
1887 ~~advertise as, or represent himself or herself as, an interior~~  
1888 ~~designer.~~

1889 ~~(7) Nothing in this part shall be construed as authorizing~~  
1890 ~~or permitting an interior designer to engage in the business of,~~  
1891 ~~or to act as, a contractor within the meaning of chapter 489,~~  
1892 ~~unless registered or certified as a contractor pursuant to~~  
1893 ~~chapter 489.~~

1894 (5)~~(8)~~ A manufacturer of commercial food service equipment  
1895 or the manufacturer's representative, distributor, or dealer or  
1896 an employee thereof, who prepares designs, specifications, or  
1897 layouts for the sale or installation of such equipment is exempt  
1898 from licensure as an architect ~~or interior designer~~, if:

1899 (a) The designs, specifications, or layouts are not used  
1900 for construction or installation that may affect structural,  
1901 mechanical, plumbing, heating, air conditioning, ventilating,  
1902 electrical, or vertical transportation systems.

1903 (b) The designs, specifications, or layouts do not  
1904 materially affect lifesafety systems pertaining to firesafety  
1905 protection, smoke evacuation and compartmentalization, and  
1906 emergency ingress or egress systems.

1907 (c) Each design, specification, or layout document prepared  
1908 by a person or entity exempt under this subsection contains a  
1909 statement on each page of the document that the designs,  
1910 specifications, or layouts are not architectural, ~~interior~~  
1911 ~~design~~, or engineering designs, specifications, or layouts and  
1912 not used for construction unless reviewed and approved by a  
1913 licensed architect or engineer.

1914 Section 75. Subsection (1) of section 481.231, Florida

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1915 Statutes, is amended to read:

1916 481.231 Effect of part locally.—

1917 (1) ~~Nothing in~~ This part does not ~~shall be construed to~~  
1918 repeal, amend, limit, or otherwise affect any specific provision  
1919 of any local building code or zoning law or ordinance that has  
1920 been duly adopted, now or hereafter enacted, which is more  
1921 restrictive, with respect to the services of registered  
1922 architects ~~or registered interior designers~~, than the provisions  
1923 of this part; ~~provided, however, that a licensed architect shall~~  
1924 ~~be deemed licensed as an interior designer for purposes of~~  
1925 ~~offering or rendering interior design services to a county,~~  
1926 ~~municipality, or other local government or political~~  
1927 ~~subdivision.~~

1928 Section 76. Section 481.303, Florida Statutes, is amended  
1929 to read:

1930 481.303 Definitions.—As used in this chapter, the term:

1931 (1) "Board" means the Board of Landscape Architecture.

1932 (2) ~~(4)~~ "Certificate of registration" means a license issued  
1933 by the department to a natural person to engage in the practice  
1934 of landscape architecture.

1935 (3) ~~(2)~~ "Department" means the Department of Business and  
1936 Professional Regulation.

1937 ~~(5) "Certificate of authorization" means a license issued~~  
1938 ~~by the department to a corporation or partnership to engage in~~  
1939 ~~the practice of landscape architecture.~~

1940 (4) ~~(6)~~ "Landscape architecture" means professional  
1941 services, including, but not limited to, the following:

1942 (a) Consultation, investigation, research, planning,  
1943 design, preparation of drawings, specifications, contract

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1944 documents and reports, responsible construction supervision, or  
1945 landscape management in connection with the planning and  
1946 development of land and incidental water areas, including the  
1947 use of Florida-friendly landscaping as defined in s. 373.185,  
1948 where, and to the extent that, the dominant purpose of such  
1949 services or creative works is the preservation, conservation,  
1950 enhancement, or determination of proper land uses, natural land  
1951 features, ground cover and plantings, or naturalistic and  
1952 aesthetic values;

1953 (b) The determination of settings, grounds, and approaches  
1954 for and the siting of buildings and structures, outdoor areas,  
1955 or other improvements;

1956 (c) The setting of grades, shaping and contouring of land  
1957 and water forms, determination of drainage, and provision for  
1958 storm drainage and irrigation systems where such systems are  
1959 necessary to the purposes outlined herein; and

1960 (d) The design of such tangible objects and features as are  
1961 necessary to the purpose outlined herein.

1962 (5)~~(7)~~ "Landscape design" means consultation for and  
1963 preparation of planting plans drawn for compensation, including  
1964 specifications and installation details for plant materials,  
1965 soil amendments, mulches, edging, gravel, and other similar  
1966 materials. Such plans may include only recommendations for the  
1967 conceptual placement of tangible objects for landscape design  
1968 projects. Construction documents, details, and specifications  
1969 for tangible objects and irrigation systems shall be designed or  
1970 approved by licensed professionals as required by law.

1971 (6)~~(3)~~ "Registered landscape architect" means a person who  
1972 holds a license to practice landscape architecture in this state

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1973 under the authority of this act.

1974 Section 77. Section 481.310, Florida Statutes, is amended  
1975 to read:

1976 481.310 Practical experience requirement.—Beginning October  
1977 1, 1990, every applicant for licensure as a registered landscape  
1978 architect shall demonstrate, prior to licensure, 1 year of  
1979 practical experience in landscape architectural work. An  
1980 applicant who holds a master of landscape architecture degree is  
1981 not required to demonstrate 1 year of practical experience in  
1982 landscape architectural work to obtain licensure. The board  
1983 shall adopt rules providing standards for the required  
1984 experience. An applicant who qualifies for examination pursuant  
1985 to s. 481.309(1)(b)1. may obtain the practical experience after  
1986 completing the required professional degree. Experience used to  
1987 qualify for examination pursuant to s. 481.309(1)(b)2. may not  
1988 be used to satisfy the practical experience requirement under  
1989 this section.

1990 Section 78. Subsections (5) and (6) of section 481.311,  
1991 Florida Statutes, are renumbered as subsections (4) and (5),  
1992 respectively, and subsection (3) and present subsection (4) of  
1993 that section are amended, to read:

1994 481.311 Licensure.—

1995 (3) The board shall certify as qualified for a license by  
1996 endorsement an applicant who:

1997 (a) Qualifies to take the examination as set forth in s.  
1998 481.309; and has passed a national, regional, state, or  
1999 territorial licensing examination which is substantially  
2000 equivalent to the examination required by s. 481.309; ~~or~~

2001 (b) Holds a valid license to practice landscape

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2002 architecture issued by another state or territory of the United  
 2003 States, if the criteria for issuance of such license were  
 2004 substantially identical to the licensure criteria which existed  
 2005 in this state at the time the license was issued; or-

2006 (c) Has held a valid license to practice landscape  
 2007 architecture in another state or territory of the United States  
 2008 for at least 10 years before the date of application and has  
 2009 successfully completed a state, regional, national, or other  
 2010 examination that is equivalent to or more stringent than the  
 2011 examination required by the board, subject to subsection (5). An  
 2012 applicant who has met the requirements to be qualified for a  
 2013 license by endorsement except for successful completion of an  
 2014 examination that is equivalent to or more stringent than the  
 2015 examination required by the board may take the examination  
 2016 required by the board without completing additional education  
 2017 requirements.

2018 ~~(4) The board shall certify as qualified for a certificate~~  
 2019 ~~of authorization any applicant corporation or partnership who~~  
 2020 ~~satisfies the requirements of s. 481.319.~~

2021 Section 79. Subsection (2) of section 481.317, Florida  
 2022 Statutes, is amended to read:

2023 481.317 Temporary certificates.-

2024 ~~(2) Upon approval by the board and payment of the fee set~~  
 2025 ~~in s. 481.307, the department shall grant a temporary~~  
 2026 ~~certificate of authorization for work on one specified project~~  
 2027 ~~in this state for a period not to exceed 1 year to an out-of-~~  
 2028 ~~state corporation, partnership, or firm, provided one of the~~  
 2029 ~~principal officers of the corporation, one of the partners of~~  
 2030 ~~the partnership, or one of the principals in the fictitiously~~

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2031 ~~named firm has obtained a temporary certificate of registration~~  
2032 ~~in accordance with subsection (1).~~

2033 Section 80. Section 481.319, Florida Statutes, is amended  
2034 to read:

2035 481.319 Corporate and partnership practice of landscape  
2036 architecture; ~~certificate of authorization.~~

2037 (1) The practice of or offer to practice landscape  
2038 architecture by registered landscape architects registered under  
2039 this part through a corporation or partnership offering  
2040 landscape architectural services to the public, or through a  
2041 corporation or partnership offering landscape architectural  
2042 services to the public through individual registered landscape  
2043 architects as agents, employees, officers, or partners, is  
2044 permitted, subject to the provisions of this section, if:

2045 (a) One or more of the principal officers of the  
2046 corporation, or partners of the partnership, and all personnel  
2047 of the corporation or partnership who act in its behalf as  
2048 landscape architects in this state are registered landscape  
2049 architects; and

2050 (b) One or more of the officers, one or more of the  
2051 directors, one or more of the owners of the corporation, or one  
2052 or more of the partners of the partnership is a registered  
2053 landscape architect; ~~and~~

2054 ~~(c) The corporation or partnership has been issued a~~  
2055 ~~certificate of authorization by the board as provided herein.~~

2056 (2) All documents involving the practice of landscape  
2057 architecture which are prepared for the use of the corporation  
2058 or partnership shall bear the signature and seal of a registered  
2059 landscape architect.

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2060           (3) A landscape architect applying to practice in the name  
2061 of a ~~An applicant~~ corporation must ~~shall~~ file with the  
2062 department the names and addresses of all officers and board  
2063 members of the corporation, including the principal officer or  
2064 officers, duly registered to practice landscape architecture in  
2065 this state and, also, of all individuals duly registered to  
2066 practice landscape architecture in this state who shall be in  
2067 responsible charge of the practice of landscape architecture by  
2068 the corporation in this state. A landscape architect applying to  
2069 practice in the name of a ~~An applicant~~ partnership must ~~shall~~  
2070 file with the department the names and addresses of all partners  
2071 of the partnership, including the partner or partners duly  
2072 registered to practice landscape architecture in this state and,  
2073 also, of an individual or individuals duly registered to  
2074 practice landscape architecture in this state who shall be in  
2075 responsible charge of the practice of landscape architecture by  
2076 said partnership in this state.

2077           (4) Each landscape architect qualifying a partnership or  
2078 ~~and~~ corporation ~~licensed~~ under this part must ~~shall~~ notify the  
2079 department within 1 month after ~~of~~ any change in the information  
2080 contained in the application upon which the license is based.  
2081 Any landscape architect who terminates her or his ~~or her~~  
2082 employment with a partnership or corporation licensed under this  
2083 part shall notify the department of the termination within 1  
2084 month after such termination.

2085           ~~(5) Disciplinary action against a corporation or~~  
2086 ~~partnership shall be administered in the same manner and on the~~  
2087 ~~same grounds as disciplinary action against a registered~~  
2088 ~~landscape architect.~~



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2089        (5)~~(6)~~ Except as provided in s. 558.0035, the fact that a  
2090 registered landscape architect practices landscape architecture  
2091 through a corporation or partnership as provided in this section  
2092 does not relieve the landscape architect from personal liability  
2093 for her or his ~~or her~~ professional acts.

2094        Section 81. Subsection (5) of section 481.321, Florida  
2095 Statutes, is amended to read:

2096            481.321 Seals; display of certificate number.—

2097        (5) Each registered landscape architect must ~~and each~~  
2098 ~~corporation or partnership holding a certificate of~~  
2099 ~~authorization shall~~ include her or his ~~its~~ certificate number in  
2100 any newspaper, telephone directory, or other advertising medium  
2101 used by the registered landscape architect, corporation, or  
2102 partnership. A corporation or partnership must ~~is not required~~  
2103 ~~to~~ display the certificate number ~~numbers~~ of at least one  
2104 officer, director, owner, or partner who is a individual  
2105 registered landscape architect ~~architects~~ employed by or  
2106 practicing with the corporation or partnership.

2107        Section 82. Subsection (5) of section 481.329, Florida  
2108 Statutes, is amended to read:

2109            481.329 Exceptions; exemptions from licensure.—

2110        (5) This part does not prohibit any person from engaging in  
2111 the practice of landscape design, as defined in s. 481.303  
2112 ~~481.303(7)~~, or from submitting for approval to a governmental  
2113 agency planting plans that are independent of, or a component  
2114 of, construction documents that are prepared by a Florida-  
2115 registered professional. Persons providing landscape design  
2116 services shall not use the title, term, or designation  
2117 "landscape architect," "landscape architectural," "landscape

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2118 architecture," "L.A.," "landscape engineering," or any  
2119 description tending to convey the impression that she or he is a  
2120 landscape architect unless she or he is registered as provided  
2121 in this part.

2122 Section 83. Subsection (9) of section 489.103, Florida  
2123 Statutes, is amended to read:

2124 489.103 Exemptions.—This part does not apply to:

2125 (9) Any work or operation of a casual, minor, or  
2126 inconsequential nature in which the aggregate contract price for  
2127 labor, materials, and all other items is less than \$2,500  
2128 ~~\$1,000~~, but this exemption does not apply:

2129 (a) If the construction, repair, remodeling, or improvement  
2130 is a part of a larger or major operation, whether undertaken by  
2131 the same or a different contractor, or in which a division of  
2132 the operation is made in contracts of amounts less than \$2,500  
2133 ~~\$1,000~~ for the purpose of evading this part or otherwise.

2134 (b) To a person who advertises that he or she is a  
2135 contractor or otherwise represents that he or she is qualified  
2136 to engage in contracting.

2137 Section 84. Subsection (2) of section 489.111, Florida  
2138 Statutes, is amended to read:

2139 489.111 Licensure by examination; exemptions.—

2140 (2) A person shall be eligible for licensure by examination  
2141 if the person:

2142 (a) Is 18 years of age;

2143 (b) Is of good moral character; and

2144 (c) Meets eligibility requirements according to one of the  
2145 following criteria:

2146 1. Has received a baccalaureate degree from an accredited

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2147 4-year college in the appropriate field of engineering,  
2148 architecture, or building construction and has 1 year of proven  
2149 experience in the category in which the person seeks to qualify.  
2150 For the purpose of this part, a minimum of 2,000 person-hours  
2151 shall be used in determining full-time equivalency. An applicant  
2152 who is exempt from passing an examination as provided in s.  
2153 489.113(1) is eligible for a license under this section.

2154 2. Has a total of at least 4 years of active experience as  
2155 a worker who has learned the trade by serving an apprenticeship  
2156 as a skilled worker who is able to command the rate of a  
2157 mechanic in the particular trade or as a foreman who is in  
2158 charge of a group of workers and usually is responsible to a  
2159 superintendent or a contractor or his or her equivalent,  
2160 provided, however, that at least 1 year of active experience  
2161 shall be as a foreman.

2162 3. Has a combination of not less than 1 year of experience  
2163 as a foreman and not less than 3 years of credits for any  
2164 accredited college-level courses; has a combination of not less  
2165 than 1 year of experience as a skilled worker, 1 year of  
2166 experience as a foreman, and not less than 2 years of credits  
2167 for any accredited college-level courses; or has a combination  
2168 of not less than 2 years of experience as a skilled worker, 1  
2169 year of experience as a foreman, and not less than 1 year of  
2170 credits for any accredited college-level courses. All junior  
2171 college or community college-level courses shall be considered  
2172 accredited college-level courses.

2173 4.a. An active certified residential contractor is eligible  
2174 to receive a certified building contractor license after passing  
2175 or having previously passed ~~take~~ the building contractors'

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2176 examination if he or she possesses a minimum of 3 years of  
2177 proven experience in the classification in which he or she is  
2178 certified.

2179       b. An active certified residential contractor is eligible  
2180 to receive a certified general contractor license after passing  
2181 or having previously passed ~~take~~ the general contractors'  
2182 examination if he or she possesses a minimum of 4 years of  
2183 proven experience in the classification in which he or she is  
2184 certified.

2185       c. An active certified building contractor is eligible to  
2186 receive a certified general contractor license after passing or  
2187 having previously passed ~~take~~ the general contractors'  
2188 examination if he or she possesses a minimum of 4 years of  
2189 proven experience in the classification in which he or she is  
2190 certified.

2191       5.a. An active certified air-conditioning Class C  
2192 contractor is eligible to receive a certified air-conditioning  
2193 Class B contractor license after passing or having previously  
2194 passed ~~take~~ the air-conditioning Class B contractors'  
2195 examination if he or she possesses a minimum of 3 years of  
2196 proven experience in the classification in which he or she is  
2197 certified.

2198       b. An active certified air-conditioning Class C contractor  
2199 is eligible to receive a certified air-conditioning Class A  
2200 contractor license after passing or having previously passed  
2201 ~~take~~ the air-conditioning Class A contractors' examination if he  
2202 or she possesses a minimum of 4 years of proven experience in  
2203 the classification in which he or she is certified.

2204       c. An active certified air-conditioning Class B contractor

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2205 is eligible to receive a certified air-conditioning Class A  
2206 contractor license after passing or having previously passed  
2207 ~~take~~ the air-conditioning Class A contractors' examination if he  
2208 or she possesses a minimum of 1 year of proven experience in the  
2209 classification in which he or she is certified.

2210 6.a. An active certified swimming pool servicing contractor  
2211 is eligible to receive a certified residential swimming pool  
2212 contractor license after passing or having previously passed  
2213 ~~take~~ the residential swimming pool contractors' examination if  
2214 he or she possesses a minimum of 3 years of proven experience in  
2215 the classification in which he or she is certified.

2216 b. An active certified swimming pool servicing contractor  
2217 is eligible to receive a certified commercial swimming pool  
2218 contractor license after passing or having previously passed  
2219 ~~take~~ the swimming pool commercial contractors' examination if he  
2220 or she possesses a minimum of 4 years of proven experience in  
2221 the classification in which he or she is certified.

2222 c. An active certified residential swimming pool contractor  
2223 is eligible to receive a certified commercial swimming pool  
2224 contractor license after passing or having previously passed  
2225 ~~take~~ the commercial swimming pool contractors' examination if he  
2226 or she possesses a minimum of 1 year of proven experience in the  
2227 classification in which he or she is certified.

2228 d. An applicant is eligible to receive a certified swimming  
2229 pool/spa servicing contractor license after passing or having  
2230 previously passed ~~take~~ the swimming pool/spa servicing  
2231 contractors' examination if he or she has satisfactorily  
2232 completed 60 hours of instruction in courses related to the  
2233 scope of work covered by that license and approved by the

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2234 Construction Industry Licensing Board by rule and has at least 1  
2235 year of proven experience related to the scope of work of such a  
2236 contractor.

2237 Section 85. Subsection (1) of section 489.113, Florida  
2238 Statutes, is amended to read:

2239 489.113 Qualifications for practice; restrictions.—

2240 (1) Any person who desires to engage in contracting on a  
2241 statewide basis shall, as a prerequisite thereto, establish his  
2242 or her competency and qualifications to be certified pursuant to  
2243 this part. To establish competency, a person shall pass the  
2244 appropriate examination approved by the board and certified by  
2245 the department. If an applicant has received a baccalaureate  
2246 degree from an accredited 4-year college in building  
2247 construction, or a related degree as approved by the board by  
2248 rule, such applicant is not required to pass such examination.

2249 Any person who desires to engage in contracting on other than a  
2250 statewide basis shall, as a prerequisite thereto, be registered  
2251 pursuant to this part, unless exempted by this part.

2252 Section 86. Subsection (3) of section 489.115, Florida  
2253 Statutes, is amended to read:

2254 489.115 Certification and registration; endorsement;  
2255 reciprocity; renewals; continuing education.—

2256 (3) The board shall certify as qualified for certification  
2257 by endorsement any applicant who:

2258 (a) Meets the requirements for certification as set forth  
2259 in this section; has passed a national, regional, state, or  
2260 United States territorial licensing examination that is  
2261 substantially equivalent to the examination required by this  
2262 part; and has satisfied the requirements set forth in s.

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2263 489.111;

2264 (b) Holds a valid license to practice contracting issued by  
2265 another state or territory of the United States, if the criteria  
2266 for issuance of such license were substantially equivalent to  
2267 Florida's current certification criteria; ~~or~~

2268 (c) Holds a valid, current license to practice contracting  
2269 issued by another state or territory of the United States, if  
2270 the state or territory has entered into a reciprocal agreement  
2271 with the board for the recognition of contractor licenses issued  
2272 in that state, based on criteria for the issuance of such  
2273 licenses that are substantially equivalent to the criteria for  
2274 certification in this state; or

2275 (d) Has held a valid, current license to practice  
2276 contracting issued by another state or territory for at least 10  
2277 years before the date of application and is applying for the  
2278 same or similar license in this state, subject to subsections  
2279 (5) - (9).

2280 Section 87. Subsection (5) of section 489.511, Florida  
2281 Statutes, is amended to read:

2282 489.511 Certification; application; examinations;  
2283 endorsement.—

2284 (5) The board shall certify as qualified for certification  
2285 by endorsement any individual applying for certification who:

2286 (a) Meets the requirements for certification as set forth  
2287 in this section; has passed a national, regional, state, or  
2288 United States territorial licensing examination that is  
2289 substantially equivalent to the examination required by this  
2290 part; and has satisfied the requirements set forth in s.  
2291 489.521; ~~or~~

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2292 (b) Holds a valid license to practice electrical or alarm  
2293 system contracting issued by another state or territory of the  
2294 United States, if the criteria for issuance of such license was  
2295 substantially equivalent to the certification criteria that  
2296 existed in this state at the time the certificate was issued; or

2297 (c) Has held a valid, current license to practice  
2298 electrical or alarm system contracting issued by another state  
2299 or territory for at least 10 years before the date of  
2300 application and is applying for the same or similar license in  
2301 this state, subject to ss. 489.510 and 489.521(3) (a), and  
2302 subparagraph (1) (b) 1.

2303 Section 88. Subsection (3) and paragraph (b) of subsection  
2304 (4) of section 489.517, Florida Statutes, are amended to read:

2305 489.517 Renewal of certificate or registration; continuing  
2306 education.—

2307 (3) Each certificateholder or registrant shall provide  
2308 proof, in a form established by rule of the board, that the  
2309 certificateholder or registrant has completed at least 7 ~~14~~  
2310 classroom hours of at least 50 minutes each of continuing  
2311 education courses during each biennium since the issuance or  
2312 renewal of the certificate or registration. The board shall by  
2313 rule establish criteria for the approval of continuing education  
2314 courses and providers and may by rule establish criteria for  
2315 accepting alternative nonclassroom continuing education on an  
2316 hour-for-hour basis.

2317 (4)

2318 (b) Of the 7 ~~14~~ classroom hours of continuing education  
2319 required, at least 1 hour ~~7 hours~~ must be on technical subjects,  
2320 1 hour on workers' compensation, 1 hour on workplace safety, 1



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2321 hour on business practices, and for alarm system contractors and  
2322 electrical contractors engaged in alarm system contracting, 2  
2323 hours on false alarm prevention.

2324 Section 89. Paragraph (b) of subsection (1) of section  
2325 489.518, Florida Statutes, is amended to read:

2326 489.518 Alarm system agents.—

2327 (1) A licensed electrical or alarm system contractor may  
2328 not employ a person to perform the duties of a burglar alarm  
2329 system agent unless the person:

2330 (b) Has successfully completed a minimum of 14 hours of  
2331 training within 90 days after employment, to include basic alarm  
2332 system electronics in addition to related training including  
2333 CCTV and access control training, with at least 2 hours of  
2334 training in the prevention of false alarms. Such training shall  
2335 be from a board-approved provider, and the employee or applicant  
2336 for employment shall provide proof of successful completion to  
2337 the licensed employer. The board shall by rule establish  
2338 criteria for the approval of training courses and providers and  
2339 may by rule establish criteria for accepting alternative  
2340 nonclassroom education on an hour-for-hour basis. The board  
2341 shall approve providers that conduct training in other than the  
2342 English language. The board shall establish a fee for the  
2343 approval of training providers or courses, not to exceed \$60.  
2344 Qualified employers may conduct training classes for their  
2345 employees, with board approval.

2346 Section 90. Section 492.104, Florida Statutes, is amended,  
2347 to read:

2348 492.104 Rulemaking authority.—The Board of Professional  
2349 Geologists has authority to adopt rules pursuant to ss.

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2350 120.536(1) and 120.54 to implement this chapter. Every licensee  
2351 shall be governed and controlled by this chapter and the rules  
2352 adopted by the board. The board is authorized to set, by rule,  
2353 fees for application, examination, ~~certificate of authorization,~~  
2354 late renewal, initial licensure, and license renewal. These fees  
2355 may ~~should~~ not exceed the cost of implementing the application,  
2356 examination, initial licensure, and license renewal or other  
2357 administrative process and shall be established as follows:

2358 (1) The application fee shall not exceed \$150 and shall be  
2359 nonrefundable.

2360 (2) The examination fee shall not exceed \$250, and the fee  
2361 may be apportioned to each part of a multipart examination. The  
2362 examination fee shall be refundable in whole or part if the  
2363 applicant is found to be ineligible to take any portion of the  
2364 licensure examination.

2365 (3) The initial license fee shall not exceed \$100.

2366 (4) The biennial renewal fee shall not exceed \$150.

2367 ~~(5) The fee for a certificate of authorization shall not~~  
2368 ~~exceed \$350 and the fee for renewal of the certificate shall not~~  
2369 ~~exceed \$350.~~

2370 (5)~~(6)~~ The fee for reactivation of an inactive license may  
2371 ~~shall~~ not exceed \$50.

2372 (6)~~(7)~~ The fee for a provisional license may ~~shall~~ not  
2373 exceed \$400.

2374 (7)~~(8)~~ The fee for application, examination, and licensure  
2375 for a license by endorsement is ~~shall be~~ as provided in this  
2376 section for licenses in general.

2377 Section 91. Subsection (1) of section 492.108, Florida  
2378 Statutes, is amended to read:

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2379 492.108 Licensure by endorsement; requirements; fees.—

2380 (1) The department shall issue a license by endorsement to  
2381 any applicant who, upon applying to the department and remitting  
2382 an application fee, has been certified by the board that he or  
2383 she:

2384 (a) Has met the qualifications for licensure in s.  
2385 492.105(1) (b)-(e) and:-

2386 1.~~(b)~~ Is the holder of an active license in good standing  
2387 in a state, trust, territory, or possession of the United  
2388 States.

2389 2.~~(e)~~ Was licensed through written examination in at least  
2390 one state, trust, territory, or possession of the United States,  
2391 the examination requirements of which have been approved by the  
2392 board as substantially equivalent to or more stringent than  
2393 those of this state, and has received a score on such  
2394 examination which is equal to or greater than the score required  
2395 by this state for licensure by examination.

2396 3.~~(d)~~ Has taken and successfully passed the laws and rules  
2397 portion of the examination required for licensure as a  
2398 professional geologist in this state.

2399 (b) Has held a valid license to practice geology in another  
2400 state, trust, territory, or possession of the United States for  
2401 at least 10 years before the date of application and has  
2402 successfully completed a state, regional, national, or other  
2403 examination that is equivalent to or more stringent than the  
2404 examination required by the department. If such applicant has  
2405 met the requirements for a license by endorsement except  
2406 successful completion of an examination that is equivalent to or  
2407 more stringent than the examination required by the board, such

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2408 applicant may take the examination required by the board.

2409 Section 92. Section 492.111, Florida Statutes, is amended  
2410 to read:

2411 492.111 Practice of professional geology by a firm,  
2412 corporation, or partnership; ~~certificate of authorization.~~—The  
2413 practice of, or offer to practice, professional geology by  
2414 individual professional geologists licensed under the provisions  
2415 of this chapter through a firm, corporation, or partnership  
2416 offering geological services to the public through individually  
2417 licensed professional geologists as agents, employees, officers,  
2418 or partners thereof is permitted subject to the provisions of  
2419 this chapter, if provided that:

2420 (1) At all times that it offers geological services to the  
2421 public, the firm, corporation, or partnership is qualified by  
2422 ~~has on file with the department the name and license number of~~  
2423 one or more individuals who hold a current, active license as a  
2424 professional geologist in the state and are serving as a  
2425 geologist of record for the firm, corporation, or partnership. A  
2426 geologist of record may be any principal officer or employee of  
2427 such firm or corporation, or any partner or employee of such  
2428 partnership, who holds a current, active license as a  
2429 professional geologist in this state, or any other Florida-  
2430 licensed professional geologist with whom the firm, corporation,  
2431 or partnership has entered into a long-term, ongoing  
2432 relationship, as defined by rule of the board, to serve as one  
2433 of its geologists of record. ~~It shall be the responsibility of~~  
2434 ~~the firm, corporation, or partnership and~~ The geologist of  
2435 record shall ~~to~~ notify the department of any changes in the  
2436 relationship or identity of that geologist of record within 30

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2437 days after such change.

2438 ~~(2) The firm, corporation, or partnership has been issued a~~  
2439 ~~certificate of authorization by the department as provided in~~  
2440 ~~this chapter. For purposes of this section, a certificate of~~  
2441 ~~authorization shall be required of any firm, corporation,~~  
2442 ~~partnership, association, or person practicing under a~~  
2443 ~~fictitious name and offering geological services to the public,~~  
2444 ~~except that, when an individual is practicing professional~~  
2445 ~~geology in her or his own name, she or he shall not be required~~  
2446 ~~to obtain a certificate of authorization under this section.~~  
2447 ~~Such certificate of authorization shall be renewed every 2~~  
2448 ~~years.~~

2449 (2)~~(3)~~ All final geological papers or documents involving  
2450 the practice of the profession of geology which have been  
2451 prepared or approved for the use of such firm, corporation, or  
2452 partnership, for delivery to any person for public record with  
2453 the state, shall be dated and bear the signature and seal of the  
2454 professional geologist or professional geologists who prepared  
2455 or approved them.

2456 (3)~~(4)~~ Except as provided in s. 558.0035, the fact that a  
2457 licensed professional geologist practices through a corporation  
2458 or partnership does not relieve the registrant from personal  
2459 liability for negligence, misconduct, or wrongful acts committed  
2460 by her or him. The partnership and all partners are jointly and  
2461 severally liable for the negligence, misconduct, or wrongful  
2462 acts committed by their agents, employees, or partners while  
2463 acting in a professional capacity. Any officer, agent, or  
2464 employee of a corporation is personally liable and accountable  
2465 only for negligent acts, wrongful acts, or misconduct committed

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2466 by her or him or committed by any person under her or his direct  
2467 supervision and control, while rendering professional services  
2468 on behalf of the corporation. The personal liability of a  
2469 shareholder of a corporation, in her or his capacity as  
2470 shareholder, may be no greater than that of a shareholder-  
2471 employee of a corporation incorporated under chapter 607. The  
2472 corporation is liable up to the full value of its property for  
2473 any negligent acts, wrongful acts, or misconduct committed by  
2474 any of its officers, agents, or employees while they are engaged  
2475 on behalf of the corporation in the rendering of professional  
2476 services.

2477 ~~(5) The firm, corporation, or partnership desiring a~~  
2478 ~~certificate of authorization shall file with the department an~~  
2479 ~~application therefor, upon a form to be prescribed by the~~  
2480 ~~department, accompanied by the required application fee.~~

2481 ~~(6) The department may refuse to issue a certificate of~~  
2482 ~~authorization if any facts exist which would entitle the~~  
2483 ~~department to suspend or revoke an existing certificate of~~  
2484 ~~authorization or if the department, after giving persons~~  
2485 ~~involved a full and fair hearing, determines that any of the~~  
2486 ~~officers or directors of said firm or corporation, or partners~~  
2487 ~~of said partnership, have violated the provisions of s. 492.113.~~

2488 Section 93. Subsection (4) of section 492.113, Florida  
2489 Statutes, is amended to read:

2490 492.113 Disciplinary proceedings.—

2491 (4) The department shall reissue the license of a  
2492 disciplined professional geologist ~~or business~~ upon  
2493 certification by the board that the disciplined person has  
2494 complied with ~~all of~~ the terms and conditions set forth in the

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2495 final order.

2496 Section 94. Section 492.115, Florida Statutes, is amended  
2497 to read:

2498 492.115 Roster of licensed professional geologists.—A  
2499 roster showing the names and places of business or residence of  
2500 all licensed professional geologists and all properly qualified  
2501 firms, corporations, or partnerships practicing holding  
2502 ~~certificates of authorization to practice~~ professional geology  
2503 in the state shall be prepared annually by the department. A  
2504 copy of this roster must be made available to ~~shall be~~  
2505 ~~obtainable by~~ each licensed professional geologist and each  
2506 firm, corporation, or partnership qualified by a professional  
2507 geologist holding a certificate of authorization, and copies  
2508 thereof shall be placed on file with the department.

2509 Section 95. Paragraph (i) of subsection (2) of section  
2510 548.003, Florida Statutes, is amended to read:

2511 548.003 Florida State Boxing Commission.—

2512 (2) The Florida State Boxing Commission, as created by  
2513 subsection (1), shall administer the provisions of this chapter.  
2514 The commission has authority to adopt rules pursuant to ss.  
2515 120.536(1) and 120.54 to implement the provisions of this  
2516 chapter and to implement each of the duties and responsibilities  
2517 conferred upon the commission, including, but not limited to:

2518 ~~(i) Designation and duties of a knockdown timekeeper.~~

2519 Section 96. Subsection (1) of section 548.017, Florida  
2520 Statutes, is amended to read:

2521 548.017 Participants, managers, and other persons required  
2522 to have licenses.—

2523 (1) A participant, manager, trainer, second, ~~timekeeper,~~

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2524 referee, judge, ~~announcer~~, physician, matchmaker, or promoter  
2525 must be licensed before directly or indirectly acting in such  
2526 capacity in connection with any match involving a participant. A  
2527 physician approved by the commission must be licensed pursuant  
2528 to chapter 458 or chapter 459, must maintain an unencumbered  
2529 license in good standing, and must demonstrate satisfactory  
2530 medical training or experience in boxing, or a combination of  
2531 both, to the executive director before working as the ringside  
2532 physician.

2533 Section 97. Paragraph (d) of subsection (1) of section  
2534 553.5141, Florida Statutes, is amended to read:

2535 553.5141 Certifications of conformity and remediation  
2536 plans.—

2537 (1) For purposes of this section:

2538 (d) "Qualified expert" means:

2539 1. An engineer licensed pursuant to chapter 471.

2540 2. A certified general contractor licensed pursuant to  
2541 chapter 489.

2542 3. A certified building contractor licensed pursuant to  
2543 chapter 489.

2544 4. A building code administrator licensed pursuant to  
2545 chapter 468.

2546 5. A building inspector licensed pursuant to chapter 468.

2547 6. A plans examiner licensed pursuant to chapter 468.

2548 7. An interior designer who has passed the qualification  
2549 examination prescribed by either the National Council for  
2550 Interior Design Qualifications or the California Council for  
2551 Interior Design Certification ~~licensed pursuant to chapter 481.~~

2552 8. An architect licensed pursuant to chapter 481.



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2553 9. A landscape architect licensed pursuant to chapter 481.

2554 10. Any person who has prepared a remediation plan related  
2555 to a claim under Title III of the Americans with Disabilities  
2556 Act, 42 U.S.C. s. 12182, that has been accepted by a federal  
2557 court in a settlement agreement or court proceeding, or who has  
2558 been qualified as an expert in Title III of the Americans with  
2559 Disabilities Act, 42 U.S.C. s. 12182, by a federal court.

2560 Section 98. Subsection (1) of section 553.74, Florida  
2561 Statutes, is amended to read:

2562 553.74 Florida Building Commission.—

2563 (1) The Florida Building Commission is created and located  
2564 within the Department of Business and Professional Regulation  
2565 for administrative purposes. Members are appointed by the  
2566 Governor subject to confirmation by the Senate. The commission  
2567 is composed of 19 ~~27~~ members, consisting of the following  
2568 members:

2569 (a) One architect licensed pursuant to chapter 481 with at  
2570 least 5 years of experience in the design and construction of  
2571 buildings containing Florida Building Code designated Group R  
2572 occupancy at or above 210 feet in height above the elevation of  
2573 the lowest level of emergency services access ~~registered to~~  
2574 ~~practice in this state and actively engaged in the profession.~~  
2575 ~~The American Institute of Architects, Florida Section, is~~  
2576 ~~encouraged to recommend a list of candidates for consideration.~~

2577 (b) One structural engineer registered to practice in this  
2578 state and actively engaged in the profession. The Florida  
2579 Engineering Society is encouraged to recommend a list of  
2580 candidates for consideration.

2581 (c) One air-conditioning or mechanical contractor certified

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2582 to do business in this state and actively engaged in the  
2583 profession. The Florida Air Conditioning Contractors  
2584 Association, the Florida Refrigeration and Air Conditioning  
2585 Contractors Association, and the Mechanical Contractors  
2586 Association of Florida are encouraged to recommend a list of  
2587 candidates for consideration.

2588 (d) One electrical contractor certified to do business in  
2589 this state and actively engaged in the profession. The Florida  
2590 Association of Electrical Contractors and the National  
2591 Electrical Contractors Association, Florida Chapter, are  
2592 encouraged to recommend a list of candidates for consideration.

2593 ~~(e) One member from fire protection engineering or~~  
2594 ~~technology who is actively engaged in the profession. The~~  
2595 ~~Florida Chapter of the Society of Fire Protection Engineers and~~  
2596 ~~the Florida Fire Marshals and Inspectors Association are~~  
2597 ~~encouraged to recommend a list of candidates for consideration.~~

2598 (e) ~~(f)~~ One certified general contractor or one certified  
2599 building contractor certified to do business in this state and  
2600 actively engaged in the profession. The Associated Builders and  
2601 Contractors of Florida, the Florida Associated General  
2602 Contractors Council, the Florida Home Builders Association, and  
2603 the Union Contractors Association are encouraged to recommend a  
2604 list of candidates for consideration.

2605 (f) ~~(g)~~ One plumbing contractor licensed to do business in  
2606 this state and actively engaged in the profession. The Florida  
2607 Association of Plumbing, Heating, and Cooling Contractors is  
2608 encouraged to recommend a list of candidates for consideration.

2609 (g) ~~(h)~~ One roofing or sheet metal contractor certified to  
2610 do business in this state and actively engaged in the

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2611 profession. The Florida Roofing, Sheet Metal, and Air  
 2612 Conditioning Contractors Association and the Sheet Metal and Air  
 2613 Conditioning Contractors' National Association are encouraged to  
 2614 recommend a list of candidates for consideration.

2615 (h)~~(i)~~ One certified residential contractor licensed to do  
 2616 business in this state and actively engaged in the profession.  
 2617 The Florida Home Builders Association is encouraged to recommend  
 2618 a list of candidates for consideration.

2619 (i)~~(j)~~ Three members who are municipal, county, or district  
 2620 codes enforcement officials, one of whom is also a fire  
 2621 official. The Building Officials Association of Florida and the  
 2622 Florida Fire Marshals and Inspectors Association are encouraged  
 2623 to recommend a list of candidates for consideration.

2624 (j) The State Fire Marshal or his or her designee.

2625 ~~(k) One member who represents the Department of Financial~~  
 2626 ~~Services.~~

2627 ~~(l) One member who is a county codes enforcement official.~~  
 2628 ~~The Building Officials Association of Florida is encouraged to~~  
 2629 ~~recommend a list of candidates for consideration.~~

2630 (k)~~(m)~~ One member of a Florida-based organization of  
 2631 persons with disabilities or a nationally chartered organization  
 2632 of persons with disabilities with chapters in this state which  
 2633 complies with or is certified to be compliant with the  
 2634 requirements of the Americans with Disability Act of 1990, as  
 2635 amended.

2636 (l)~~(n)~~ One member of the manufactured buildings industry  
 2637 who is licensed to do business in this state and is actively  
 2638 engaged in the industry. The Florida Manufactured Housing  
 2639 Association is encouraged to recommend a list of candidates for

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2640 consideration.

2641 (o) One mechanical or electrical engineer registered to  
2642 practice in this state and actively engaged in the profession.  
2643 The Florida Engineering Society is encouraged to recommend a  
2644 list of candidates for consideration.

2645 ~~(p) One member who is a representative of a municipality or~~  
2646 ~~a charter county. The Florida League of Cities and the Florida~~  
2647 ~~Association of Counties are encouraged to recommend a list of~~  
2648 ~~candidates for consideration.~~

2649 (p)~~(q)~~ One member of the building products manufacturing  
2650 industry who is authorized to do business in this state and is  
2651 actively engaged in the industry. The Florida Building Material  
2652 Association, the Florida Concrete and Products Association, and  
2653 the Fenestration Manufacturers Association are encouraged to  
2654 recommend a list of candidates for consideration.

2655 ~~(r) One member who is a representative of the building~~  
2656 ~~owners and managers industry who is actively engaged in~~  
2657 ~~commercial building ownership or management. The Building Owners~~  
2658 ~~and Managers Association is encouraged to recommend a list of~~  
2659 ~~candidates for consideration.~~

2660 (q)~~(s)~~ One member who is a representative of the insurance  
2661 industry. The Florida Insurance Council is encouraged to  
2662 recommend a list of candidates for consideration.

2663 ~~(t) One member who is a representative of public education.~~

2664 (r)~~(u)~~ One member who is a swimming pool contractor  
2665 licensed to do business in this state and actively engaged in  
2666 the profession. The Florida Swimming Pool Association and the  
2667 United Pool and Spa Association are encouraged to recommend a  
2668 list of candidates for consideration.

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2669 ~~(v) One member who is a representative of the green~~  
2670 ~~building industry and who is a third-party commission agent, a~~  
2671 ~~Florida board member of the United States Green Building Council~~  
2672 ~~or Green Building Initiative, a professional who is accredited~~  
2673 ~~under the International Green Construction Code (IGCC), or a~~  
2674 ~~professional who is accredited under Leadership in Energy and~~  
2675 ~~Environmental Design (LEED).~~

2676 (s) ~~(w)~~ One member who is a representative of a natural gas  
2677 distribution system and who is actively engaged in the  
2678 distribution of natural gas in this state. The Florida Natural  
2679 Gas Association is encouraged to recommend a list of candidates  
2680 for consideration.

2681 ~~(x) One member who is a representative of the Department of~~  
2682 ~~Agriculture and Consumer Services' Office of Energy. The~~  
2683 ~~Commissioner of Agriculture is encouraged to recommend a list of~~  
2684 ~~candidates for consideration.~~

2685 ~~(y) One member who shall be the chair.~~

2686 Section 99. Paragraph (c) of subsection (5) of section  
2687 553.79, Florida Statutes, is amended to read:

2688 553.79 Permits; applications; issuance; inspections.-

2689 (5)

2690 (c) The architect or engineer of record may act as the  
2691 special inspector provided she or he is on the Board of  
2692 Professional Engineers' or the Board of Architecture's  
2693 ~~Architecture and Interior Design's~~ list of persons qualified to  
2694 be special inspectors. School boards may utilize employees as  
2695 special inspectors provided such employees are on one of the  
2696 professional licensing board's list of persons qualified to be  
2697 special inspectors.

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2698 Section 100. Subsection (7) of section 558.002, Florida  
2699 Statutes, is amended to read:

2700 558.002 Definitions.—As used in this chapter, the term:

2701 (7) "Design professional" means a person, as defined in s.  
2702 1.01, who is licensed in this state as an architect, ~~interior~~  
2703 ~~designer~~, a landscape architect, an engineer, a surveyor, or a  
2704 geologist.

2705 Section 101. Subsection (3) of section 559.25, Florida  
2706 Statutes, is amended to read:

2707 559.25 Exemptions.—The provisions of this part shall not  
2708 apply to or affect the following persons:

2709 ~~(3) Duly licensed auctioneers, selling at auction.~~

2710 Section 102. Paragraphs (h) and (k) of subsection (2) of  
2711 section 287.055, Florida Statutes, are amended to read:

2712 287.055 Acquisition of professional architectural,  
2713 engineering, landscape architectural, or surveying and mapping  
2714 services; definitions; procedures; contingent fees prohibited;  
2715 penalties.—

2716 (2) DEFINITIONS.—For purposes of this section:

2717 (h) A "design-build firm" means a partnership, corporation,  
2718 or other legal entity that:

2719 1. Is certified under s. 489.119 to engage in contracting  
2720 through a certified or registered general contractor or a  
2721 certified or registered building contractor as the qualifying  
2722 agent; or

2723 2. Is qualified ~~certified~~ under s. 471.023 to practice or  
2724 to offer to practice engineering; qualified ~~certified~~ under s.  
2725 481.219 to practice or to offer to practice architecture; or  
2726 qualified ~~certified~~ under s. 481.319 to practice or to offer to

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2727 practice landscape architecture.

2728 (k) A "design criteria professional" means a firm that is  
2729 qualified ~~who holds a current certificate of registration~~ under  
2730 chapter 481 to practice architecture or landscape architecture  
2731 or a firm who holds a current certificate as a registered  
2732 engineer under chapter 471 to practice engineering and who is  
2733 employed by or under contract to the agency for the providing of  
2734 professional architect services, landscape architect services,  
2735 or engineering services in connection with the preparation of  
2736 the design criteria package.

2737 Section 103. This act shall take effect July 1, 2019.