

By the Committees on Appropriations; Commerce and Tourism; and Innovation, Industry, and Technology; and Senator Albritton

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

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30 to conduct a specified review of certain
31 apprenticeship programs; requiring the Department of
32 Business and Professional Regulation to submit a
33 report to the Governor and the Legislature by a
34 specified date; amending s. 468.385, F.S.; revising
35 requirements relating to businesses auctioning or
36 offering to auction property in this state; amending
37 s. 468.401, F.S.; redefining the term "talent agency";
38 amending s. 468.408, F.S.; conforming provisions to
39 changes made by the act; amending s. 468.412, F.S.;
40 requiring employees of talent agencies to complete
41 level 1 background screenings; amending s. 468.415,
42 F.S.; prohibiting any agent, owner, or operator who
43 commits sexual misconduct in the operation of a talent
44 agency from acting as an agent, owner, or operator of
45 a Florida talent agency; amending s. 468.524, F.S.;
46 deleting specified exemptions from the time
47 restriction for an employee leasing company to reapply
48 for licensure; amending s. 468.613, F.S.; providing
49 for waiver of specified requirements for certification
50 under certain circumstances; amending s. 468.8314,
51 F.S.; requiring an applicant for a license by
52 endorsement to maintain a specified insurance policy;
53 requiring the department to certify an applicant who
54 holds a specified license issued by another state or
55 territory of the United States under certain
56 circumstances; amending s. 468.8414, F.S.; providing
57 additional licensure requirements for mold
58 remediators; amending s. 469.006, F.S.; providing

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59 additional licensure requirements for asbestos
60 abatement consulting or contracting as a partnership,
61 corporation, business trust, or other legal entity;
62 amending s. 469.009, F.S.; conforming provisions to
63 changes made by the act; amending s. 471.005, F.S.;
64 revising definitions; amending s. 471.011, F.S.;
65 conforming a provision to changes made by the act;
66 amending s. 471.015, F.S.; revising licensure
67 requirements for engineers who hold specified licenses
68 in another state; amending s. 471.023, F.S.; providing
69 requirements for qualification of a business
70 organization; providing requirements for a qualifying
71 agent; deleting the administration of disciplinary
72 action against a business organization; amending s.
73 473.308, F.S.; deleting continuing education
74 requirements for license by endorsement for certified
75 public accountants; amending s. 474.202, F.S.;
76 revising the definition of the term "limited-service
77 veterinary medical practice" to include certain
78 vaccinations or immunizations; amending s. 474.207,
79 F.S.; revising education requirements for licensure by
80 examination; amending s. 474.217, F.S.; requiring the
81 Department of Business and Professional Regulation to
82 issue a license by endorsement to certain applicants
83 who successfully complete a specified examination;
84 amending s. 476.144, F.S.; requiring the department to
85 license an applicant who is licensed to practice
86 barbering in another state; amending s. 477.013, F.S.;
87 revising the definition of the term "hair braiding";

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88 repealing s. 477.0132, F.S., relating to registration
89 for hair braiding, hair wrapping, and body wrapping;
90 amending s. 477.0135, F.S.; providing additional
91 exemptions from license or registration requirements
92 for specified occupations or practices; amending s.
93 477.019, F.S.; conforming provisions to changes made
94 by the act; amending s. 477.026, F.S.; conforming
95 provisions to changes made by the act; amending s.
96 477.0263, F.S.; providing certain cosmetology services
97 may be performed in a location other than a licensed
98 salon under certain circumstances; amending ss.
99 477.0265 and 477.029, F.S.; conforming provisions to
100 changes made by the act; amending s. 481.203, F.S.;
101 revising definitions; amending s. 481.215, F.S.;
102 conforming provisions to changes made by the act;
103 revising requirements relating to the renewal of an
104 interior designer license; specifying that the Board
105 of Architecture and Interior Design shall only approve
106 certain continuing education; providing exceptions;
107 amending s. 481.219, F.S.; conforming provisions to
108 changes made by the act; requiring certain licensees
109 and applicants to qualify a business organization upon
110 approval of the board; providing requirements for
111 business organizations engaging in the practice of
112 architecture or interior design and for the qualifying
113 agents of such business organizations; revising
114 construction; amending s. 481.221, F.S.; conforming
115 provisions to changes made by the act; requiring a
116 registered architect, an interior designer, and a

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117 business organization to display certain license
118 numbers in specified advertisements; providing an
119 exception; amending s. 481.229, F.S.; conforming
120 provisions to changes made by the act; amending s.
121 481.303, F.S.; deleting the definition of the term
122 "certificate of authorization"; amending s. 481.310,
123 F.S.; providing that an applicant who holds certain
124 degrees is not required to demonstrate 1 year of
125 practical experience for licensure; amending s.
126 481.311, F.S.; requiring the Board of Landscape
127 Architecture to certify an applicant who holds a
128 specified license issued by another state or territory
129 of the United States under certain circumstances;
130 conforming provisions to changes made by the act;
131 amending s. 481.317, F.S.; conforming provisions to
132 changes made by the act; amending s. 481.319, F.S.;
133 deleting the requirement for a certificate of
134 authorization; authorizing landscape architects to
135 practice through a corporation or partnership;
136 amending s. 481.321, F.S.; requiring a landscape
137 architect to display their certificate number in
138 specified advertisements; amending s. 481.329, F.S.;
139 conforming a cross-reference; amending s. 489.103,
140 F.S.; revising certain contract prices for exemption;
141 amending s. 489.111, F.S.; revising provisions
142 relating to eligibility for licensure; amending s.
143 489.115, F.S.; requiring the Construction Industry
144 Licensing Board to certify any applicant who holds a
145 specified license to practice contracting issued by

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146 another state or territory of the United States under
147 certain circumstances; amending s. 489.511, F.S.;
148 requiring the board to certify as qualified for
149 certification by endorsement any applicant who holds a
150 specified license to practice electrical or alarm
151 system contracting issued by another state or
152 territory of the United States under certain
153 circumstances; amending s. 489.517, F.S.; providing a
154 reduction in certain continuing education hours
155 required for registered contractors; amending s.
156 489.518, F.S.; requiring a person to have completed a
157 specified amount of training within a certain time
158 period to perform the duties of an alarm system agent;
159 amending s. 492.104, F.S.; conforming provisions to
160 changes made by the act; amending s. 492.108, F.S.;
161 requiring the department to issue a license by
162 endorsement to any applicant who has held a specified
163 license to practice geology in another state, trust,
164 territory, or possession of the United States for a
165 certain period of time; providing that an applicant
166 may take the examination required by the board if they
167 have not met the specified examination requirement;
168 amending s. 492.111, F.S.; deleting the requirements
169 for a certificate of authorization for a professional
170 geologist; amending ss. 492.113 and 492.115, F.S.;
171 conforming provisions to changes made by the act;
172 amending s. 548.003, F.S.; deleting the requirement
173 that the Florida State Boxing Commission adopt rules
174 relating to a knockdown timekeeper; amending s.

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175 548.017, F.S.; deleting the licensure requirement for
176 a timekeeper or an announcer; amending s. 553.74,
177 F.S.; revising the membership and qualifications of
178 the Florida Building Commission; amending ss. 559.25
179 and 287.055, F.S.; conforming provisions to changes
180 made by the act; providing effective dates.

181

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

183

184 Section 1. Subsection (13) of section 326.004, Florida
185 Statutes, is amended to read:

186 326.004 Licensing.—

187 (13) Each broker must maintain a principal place of
188 business in this state and may establish branch offices in the
189 state. ~~A separate license must be maintained for each branch~~
190 ~~office. The division shall establish by rule a fee not to exceed~~
191 ~~\$100 for each branch office license.~~

192 Section 2. Subsection (3) of section 447.02, Florida
193 Statutes, is amended to read:

194 447.02 Definitions.—The following terms, when used in this
195 chapter, shall have the meanings ascribed to them in this
196 section:

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

199 Section 3. Section 447.04, Florida Statutes, is repealed.

200 Section 4. Section 447.041, Florida Statutes, is repealed.

201 Section 5. Section 447.045, Florida Statutes, is repealed.

202 Section 6. Section 447.06, Florida Statutes, is repealed.

203 Section 7. Subsections (6) and (8) of section 447.09,

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204 Florida Statutes, are amended to read:

205 447.09 Right of franchise preserved; penalties.—It shall be
206 unlawful for any person:

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

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

211 Section 8. Section 447.12, Florida Statutes, is repealed.

212 Section 9. Section 447.16, Florida Statutes, is repealed.

213 Section 10. Subsection (4) of section 447.305, Florida
214 Statutes, is amended to read:

215 447.305 Registration of employee organization.—

216 ~~(4) Notification of registrations and renewals of~~
217 ~~registration shall be furnished at regular intervals by the~~
218 ~~commission to the Department of Business and Professional~~
219 ~~Regulation.~~

220 Section 11. Subsections (13) and (14) are added to section
221 455.213, Florida Statutes, to read:

222 455.213 General licensing provisions.—

223 (13) The department or a board must enter into a reciprocal
224 licensing agreement with other states if the practice act within
225 the purview of this chapter permits such agreement. If a
226 reciprocal licensing agreement exists or if the department or
227 board has determined another state's licensing requirements or
228 examinations to be substantially equivalent or more stringent to
229 those under the practice act, the department or board must post
230 on its website which jurisdictions have such reciprocal
231 licensing agreements or substantially similar licenses.

232 (14) Notwithstanding any other law, the department, in

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233 consultation with the applicable board and the Department of
234 Education, shall conduct a review of existing apprenticeship
235 programs registered under chapter 446 or with the United States
236 Department of Labor for each of the professions licensed under
237 parts XV and XVI of chapter 468 and chapters 476, 477, and 489
238 to determine which programs, if completed by an applicant, could
239 substitute for the required educational training otherwise
240 required for licensure. The department shall submit a report of
241 its findings and recommendations to the Governor, the President
242 of the Senate, and the Speaker of the House of Representatives
243 by December 31, 2019.

244 Section 12. Paragraph (b) of subsection (7) of section
245 468.385, Florida Statutes, is amended to read:

246 468.385 Licenses required; qualifications; examination.—
247 (7)

248 (b) A ~~No~~ business may not shall auction or offer to auction
249 any property in this state unless it is owned by an auctioneer
250 who is licensed as an auction business by the department board
251 or is exempt from licensure under this act. Each application for
252 licensure must shall include the names of the owner and the
253 business, the business mailing address and location, and any
254 other information which the board may require. The owner of an
255 auction business shall report to the board within 30 days of any
256 change in this required information.

257 Section 13. Subsection (1) of section 468.401, Florida
258 Statutes, is amended to read:

259 468.401 Regulation of talent agencies; definitions.—As used
260 in this part or any rule adopted pursuant hereto:

261 (1) "Talent agency" means any person who, for compensation,

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262 engages in the occupation or business of procuring or attempting
263 to procure engagements for an artist who is younger than 18
264 years of age.

265 Section 14. Subsection (1) of section 468.408, Florida
266 Statutes, is amended to read:

267 468.408 Bond required.—

268 (1) An owner or operator of a ~~There shall be filed with the~~
269 ~~department for each~~ talent agency shall file license a bond in
270 the form of a surety by a reputable company engaged in the
271 bonding business and authorized to do business in this state.
272 The bond shall be for the penal sum of \$5,000, with one or more
273 sureties to be approved by the department, and be conditioned
274 that the owner or operator of the talent agency ~~applicant~~
275 conform to and not violate any of the duties, terms, conditions,
276 provisions, or requirements of this part.

277 (a) If any person is aggrieved by the misconduct of any
278 talent agency, the person may maintain an action in his or her
279 own name upon the bond of the agency in any court having
280 jurisdiction of the amount claimed. All such claims shall be
281 assignable, and the assignee shall be entitled to the same
282 remedies, upon the bond of the agency or otherwise, as the
283 person aggrieved would have been entitled to if such claim had
284 not been assigned. Any claim or claims so assigned may be
285 enforced in the name of such assignee.

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

289 Section 15. Subsection (12) is added to section 468.412,
290 Florida Statutes, to read:

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291 468.412 Talent agency regulations; prohibited acts.-

292 (12) Each employee of a talent agency must complete a level
293 1 background screening pursuant to s. 435.03.

294 Section 16. Section 468.415, Florida Statutes, is amended
295 to read:

296 468.415 Sexual misconduct in the operation of a talent
297 agency.-The talent agent-artist relationship is founded on
298 mutual trust. Sexual misconduct in the operation of a talent
299 agency means violation of the talent agent-artist relationship
300 through which the talent agent uses the relationship to induce
301 or attempt to induce the artist to engage or attempt to engage
302 in sexual activity. Sexual misconduct is prohibited in the
303 operation of a talent agency. ~~If~~ Any agent, owner, or operator
304 of a licensed talent agency who commits ~~is found to have~~
305 ~~committed~~ sexual misconduct in the operation of a talent agency,
306 ~~the agency license shall be permanently revoked. Such agent,~~
307 ~~owner, or operator~~ shall be permanently prohibited from acting
308 ~~disqualified from present and future licensure~~ as an agent,
309 owner, or operator of a Florida talent agency.

310 Section 17. Subsection (4) of section 468.524, Florida
311 Statutes, is amended to read:

312 468.524 Application for license.-

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

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

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

322 ~~(c) The department is unable to complete the criminal~~
323 ~~background investigation because of insufficient information~~
324 ~~from the Florida Department of Law Enforcement, the Federal~~
325 ~~Bureau of Investigation, or any other applicable law enforcement~~
326 ~~agency;~~

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

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

334 Section 18. Section 468.613, Florida Statutes, is amended
335 to read:

336 468.613 Certification by endorsement.—The board shall
337 examine other certification or training programs, as applicable,
338 upon submission to the board for its consideration of an
339 application for certification by endorsement. The board shall
340 waive its examination, qualification, education, or training
341 requirements, to the extent that such examination,
342 qualification, education, or training requirements of the
343 applicant are determined by the board to be comparable with
344 those established by the board. The board shall waive its
345 examination, qualification, education, or training requirements
346 if an applicant for certification by endorsement is at least 18
347 years of age; is of good moral character; has held a valid
348 building administrator, inspector, plans examiner, or the

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349 equivalent, certification issued by another state or territory
350 of the United States for at least 10 years before the date of
351 application; and has successfully passed an applicable
352 examination administered by the International Codes Council.

353 Section 19. Subsection (3) of section 468.8314, Florida
354 Statutes, is amended to read:

355 468.8314 Licensure.—

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

360 (a) Holds a valid license to practice home inspection
361 services in another state or territory of the United States,
362 whose educational requirements are substantially equivalent to
363 those required by this part; and has passed a national,
364 regional, state, or territorial licensing examination that is
365 substantially equivalent to the examination required by this
366 part; or

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

370 Section 20. Subsection (3) of section 468.8414, Florida
371 Statutes, is amended to read:

372 468.8414 Licensure.—

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

376 (a) Is qualified to take the examination as set forth in s.
377 468.8413 and has passed a certification examination offered by a

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378 nationally recognized organization that certifies persons in the
379 specialty of mold assessment or mold remediation that has been
380 approved by the department as substantially equivalent to the
381 requirements of this part and s. 455.217; ~~or~~

382 (b) Holds a valid license to practice mold assessment or
383 mold remediation issued by another state or territory of the
384 United States if the criteria for issuance of the license were
385 substantially the same as the licensure criteria that is
386 established by this part as determined by the department; or

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

391 Section 21. Paragraphs (a) and (e) of subsection (2),
392 subsection (3), paragraph (b) of subsection (4), and subsection
393 (6) of section 469.006, Florida Statutes, are amended to read:

394 469.006 Licensure of business organizations; qualifying
395 agents.—

396 (2) (a) If the applicant proposes to engage in consulting or
397 contracting as a partnership, corporation, business trust, or
398 other legal entity, or in any name other than the applicant's
399 legal name, ~~the legal entity must apply for licensure through a~~
400 ~~qualifying agent or the individual applicant must qualify apply~~
401 ~~for licensure under the business organization fictitious name.~~

402 (e) ~~A~~ The license, when issued upon application of a
403 ~~business organization, must be in the name of the qualifying~~
404 ~~agent business organization, and the name of the business~~
405 ~~organization qualifying agent must be noted on the license~~
406 ~~thereon.~~ If there is a change in any information that is

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407 required to be stated on the application, the qualifying agent
408 ~~business organization~~ shall, within 45 days after such change
409 occurs, mail the correct information to the department.

410 (3) The qualifying agent must ~~shall~~ be licensed under this
411 chapter in order for the business organization to be qualified
412 ~~licensed~~ in the category of the business conducted for which the
413 qualifying agent is licensed. If any qualifying agent ceases to
414 be affiliated with such business organization, the agent shall
415 so inform the department. In addition, if such qualifying agent
416 is the only licensed individual affiliated with the business
417 organization, the business organization shall notify the
418 department of the termination of the qualifying agent and has
419 ~~shall have~~ 60 days after ~~from~~ the date of termination of the
420 qualifying agent's affiliation with the business organization ~~in~~
421 ~~which~~ to employ another qualifying agent. The business
422 organization may not engage in consulting or contracting until a
423 qualifying agent is employed, unless the department has granted
424 a temporary nonrenewable license to the financially responsible
425 officer, the president, the sole proprietor, a partner, or, in
426 the case of a limited partnership, the general partner, who
427 assumes all responsibilities of a primary qualifying agent for
428 the entity. This temporary license only allows ~~shall only allow~~
429 the entity to proceed with incomplete contracts.

430 (4)

431 (b) Upon a favorable determination by the department, after
432 investigation of the financial responsibility, credit, and
433 business reputation of the qualifying agent and the new business
434 organization, the department shall issue, without any
435 examination, a new license in the qualifying agent's ~~business~~

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436 ~~organization's~~ name, and the name of the business organization
437 ~~qualifying agent~~ shall be noted thereon.

438 (6) Each qualifying agent shall pay the department an
439 amount equal to the original fee for licensure ~~of a new business~~
440 ~~organization.~~ if the qualifying agent for a business
441 organization desires to qualify additional business
442 organizations. 7 The department shall require the agent to
443 present evidence of supervisory ability and financial
444 responsibility of each such organization. Allowing a licensee to
445 qualify more than one business organization must ~~shall~~ be
446 conditioned upon the licensee showing that the licensee has both
447 the capacity and intent to adequately supervise each business
448 organization. The department may ~~shall~~ not limit the number of
449 business organizations that ~~which~~ the licensee may qualify
450 except upon the licensee's failure to provide such information
451 as is required under this subsection or upon a finding that the
452 ~~such~~ information or evidence ~~as is~~ supplied is incomplete or
453 unpersuasive in showing the licensee's capacity and intent to
454 comply with the requirements of this subsection. A qualification
455 for an additional business organization may be revoked or
456 suspended upon a finding by the department that the licensee has
457 failed in the licensee's responsibility to adequately supervise
458 the operations of the business organization. Failure to
459 adequately supervise the operations of a business organization
460 is ~~shall be~~ grounds for denial to qualify additional business
461 organizations.

462 Section 22. Subsection (1) of section 469.009, Florida
463 Statutes, is amended to read:

464 469.009 License revocation, suspension, and denial of

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465 issuance or renewal.—

466 (1) The department may revoke, suspend, or deny the
467 issuance or renewal of a license; reprimand, censure, or place
468 on probation any contractor, consultant, or financially
469 responsible officer, ~~or business organization~~; require financial
470 restitution to a consumer; impose an administrative fine not to
471 exceed \$5,000 per violation; require continuing education; or
472 assess costs associated with any investigation and prosecution
473 if the contractor or consultant, or business organization or
474 officer or agent thereof, is found guilty of any of the
475 following acts:

476 (a) Willfully or deliberately disregarding or violating the
477 health and safety standards of the Occupational Safety and
478 Health Act of 1970, the Construction Safety Act, the National
479 Emission Standards for Asbestos, the Environmental Protection
480 Agency Asbestos Abatement Projects Worker Protection Rule, the
481 Florida Statutes or rules promulgated thereunder, or any
482 ordinance enacted by a political subdivision of this state.

483 (b) Violating any provision of chapter 455.

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

486 (d) Acting in the capacity of an asbestos contractor or
487 asbestos consultant under any license issued under this chapter
488 except in the name of the licensee as set forth on the issued
489 license.

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

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

493 (g) Being convicted or found guilty of, or entering a plea

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494 of nolo contendere to, regardless of adjudication, a crime in
495 any jurisdiction which directly relates to the practice of
496 asbestos consulting or contracting or the ability to practice
497 asbestos consulting or contracting.

498 (h) Knowingly violating any building code, lifesafety code,
499 or county or municipal ordinance relating to the practice of
500 asbestos consulting or contracting.

501 (i) Performing any act which assists a person or entity in
502 engaging in the prohibited unlicensed practice of asbestos
503 consulting or contracting, if the licensee knows or has
504 reasonable grounds to know that the person or entity was
505 unlicensed.

506 (j) Committing mismanagement or misconduct in the practice
507 of contracting that causes financial harm to a customer.
508 Financial mismanagement or misconduct occurs when:

509 1. Valid liens have been recorded against the property of a
510 contractor's customer for supplies or services ordered by the
511 contractor for the customer's job; the contractor has received
512 funds from the customer to pay for the supplies or services; and
513 the contractor has not had the liens removed from the property,
514 by payment or by bond, within 75 days after the date of such
515 liens;

516 2. The contractor has abandoned a customer's job and the
517 percentage of completion is less than the percentage of the
518 total contract price paid to the contractor as of the time of
519 abandonment, unless the contractor is entitled to retain such
520 funds under the terms of the contract or refunds the excess
521 funds within 30 days after the date the job is abandoned; or

522 3. The contractor's job has been completed, and it is shown

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523 that the customer has had to pay more for the contracted job
524 than the original contract price, as adjusted for subsequent
525 change orders, unless such increase in cost was the result of
526 circumstances beyond the control of the contractor, was the
527 result of circumstances caused by the customer, or was otherwise
528 permitted by the terms of the contract between the contractor
529 and the customer.

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

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

535 (m) Abandoning an asbestos abatement project in which the
536 asbestos contractor is engaged or under contract as a
537 contractor. A project may be presumed abandoned after 20 days if
538 the contractor terminates the project without just cause and
539 without proper notification to the owner, including the reason
540 for termination; if the contractor fails to reasonably secure
541 the project to safeguard the public while work is stopped; or if
542 the contractor fails to perform work without just cause for 20
543 days.

544 (n) Signing a statement with respect to a project or
545 contract falsely indicating that the work is bonded; falsely
546 indicating that payment has been made for all subcontracted
547 work, labor, and materials which results in a financial loss to
548 the owner, purchaser, or contractor; or falsely indicating that
549 workers' compensation and public liability insurance are
550 provided.

551 (o) Committing fraud or deceit in the practice of asbestos

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552 consulting or contracting.

553 (p) Committing incompetency or misconduct in the practice
554 of asbestos consulting or contracting.

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

558 (r) Intimidating, threatening, coercing, or otherwise
559 discouraging the service of a notice to owner under part I of
560 chapter 713 or a notice to contractor under chapter 255 or part
561 I of chapter 713.

562 (s) Failing to satisfy, within a reasonable time, the terms
563 of a civil judgment obtained against the licensee, or the
564 business organization qualified by the licensee, relating to the
565 practice of the licensee's profession.

566

567 For the purposes of this subsection, construction is considered
568 to be commenced when the contract is executed and the contractor
569 has accepted funds from the customer or lender.

570 Section 23. Subsection (13) of section 471.005, Florida
571 Statutes, is renumbered as subsection (3), and present
572 subsection (3) and subsection (8) of that section are amended,
573 to read:

574 471.005 Definitions.—As used in this chapter, the term:

575 ~~(3) "Certificate of authorization" means a license to~~
576 ~~practice engineering issued by the management corporation to a~~
577 ~~corporation or partnership.~~

578 (8) "License" means the licensing of engineers ~~or~~
579 ~~certification of businesses~~ to practice engineering in this
580 state.

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581 Section 24. Subsection (4) of section 471.011, Florida
582 Statutes, is amended to read:

583 471.011 Fees.—

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

586 Section 25. Subsection (5) of section 471.015, Florida
587 Statutes, is amended to read:

588 471.015 Licensure.—

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

595 (b) The board shall deem that an applicant who seeks
596 licensure by endorsement has passed an examination substantially
597 equivalent to the fundamentals examination and the principles
598 and practices examination when such applicant has held a valid
599 professional engineer's license in another state for 15 25 years
600 ~~and has had 30 years of continuous professional-level~~
601 ~~engineering experience.~~

602 Section 26. Section 471.023, Florida Statutes, is amended
603 to read:

604 471.023 Qualification Certification ~~Certification~~ of business
605 organizations.—

606 (1) The practice of, or the offer to practice, engineering
607 by licensees or offering engineering services to the public
608 through a business organization, including a partnership,
609 corporation, business trust, or other legal entity or by a

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610 business organization, including a corporation, partnership,
611 business trust, or other legal entity offering such services to
612 the public through licensees under this chapter as agents,
613 employees, officers, or partners is permitted only if the
614 business organization is qualified by an engineer licensed under
615 this chapter ~~possesses a certification issued by the management~~
616 ~~corporation pursuant to qualification by the board~~, subject to
617 the provisions of this chapter. One or more of the principal
618 officers of the business organization or one or more partners of
619 the partnership and all personnel of the business organization
620 who act in its behalf as engineers in this state shall be
621 licensed as provided by this chapter. All final drawings,
622 specifications, plans, reports, or documents involving practices
623 licensed under this chapter which are prepared or approved for
624 the use of the business organization or for public record within
625 the state shall be dated and shall bear the signature and seal
626 of the licensee who prepared or approved them. Nothing in this
627 section shall be construed to mean that a license to practice
628 engineering shall be held by a business organization. Nothing
629 herein prohibits business organizations from joining together to
630 offer engineering services to the public, if each business
631 organization otherwise meets the requirements of this section.
632 No business organization shall be relieved of responsibility for
633 the conduct or acts of its agents, employees, or officers by
634 reason of its compliance with this section, nor shall any
635 individual practicing engineering be relieved of responsibility
636 for professional services performed by reason of his or her
637 employment or relationship with a business organization.

638 (2) For the purposes of this section, a ~~certificate of~~

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639 ~~authorization shall be required for any~~ business organization or
640 other person practicing under a fictitious name, offering
641 engineering services to the public must be qualified by an
642 engineer licensed under this chapter. ~~However, when an~~
643 ~~individual is practicing engineering in his or her own given~~
644 ~~name, he or she shall not be required to be licensed under this~~
645 ~~section.~~

646 (3) Except as provided in s. 558.0035, the fact that a
647 licensed engineer practices through a business organization does
648 not relieve the licensee from personal liability for negligence,
649 misconduct, or wrongful acts committed by him or her.
650 Partnerships and all partners shall be jointly and severally
651 liable for the negligence, misconduct, or wrongful acts
652 committed by their agents, employees, or partners while acting
653 in a professional capacity. Any officer, agent, or employee of a
654 business organization other than a partnership shall be
655 personally liable and accountable only for negligent acts,
656 wrongful acts, or misconduct committed by him or her or
657 committed by any person under his or her direct supervision and
658 control, while rendering professional services on behalf of the
659 business organization. The personal liability of a shareholder
660 or owner of a business organization, in his or her capacity as
661 shareholder or owner, shall be no greater than that of a
662 shareholder-employee of a corporation incorporated under chapter
663 607. The business organization shall be liable up to the full
664 value of its property for any negligent acts, wrongful acts, or
665 misconduct committed by any of its officers, agents, or
666 employees while they are engaged on its behalf in the rendering
667 of professional services.

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668 (4) ~~Each certification of authorization shall be renewed~~
669 ~~every 2 years.~~ Each qualifying agent of a business organization
670 qualified ~~certified~~ under this section must notify the board
671 within 30 days ~~1 month~~ after any change in the information
672 contained in the application upon which the certification is
673 based.

674 (a) A qualifying agent who terminates an affiliation with a
675 qualified business organization shall notify the management
676 corporation of such termination within 24 hours. If such
677 qualifying agent is the only qualifying agent for that business
678 organization, the business organization must be qualified by
679 another qualifying agent within 60 days after the termination.
680 Except as provided in paragraph (b), the business organization
681 may not engage in the practice of engineering until it is
682 qualified by another qualifying agent.

683 (b) In the event a qualifying agent ceases employment with
684 a qualified business organization and such qualifying agent is
685 the only licensed individual affiliated with the business
686 organization, the executive director of the management
687 corporation or the chair of the board may authorize another
688 licensee employed by the business organization to temporarily
689 serve as its qualifying agent for a period of no more than 60
690 days to proceed with incomplete contracts. The business
691 organization is not authorized to operate beyond such period
692 under this chapter absent replacement of the qualifying agent.

693 (c) A qualifying agent shall notify the department in
694 writing before engaging in the practice of engineering in the
695 licensee's name or in affiliation with a different business
696 organization.

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

700 Section 27. Subsection (7) of section 473.308, Florida
701 Statutes, is amended to read:

702 473.308 Licensure.—

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

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

711 ~~2. Has completed such continuing education courses as the~~
712 ~~board deems appropriate, within the limits for each applicable~~
713 ~~2-year period as set forth in s. 473.312, but at least such~~
714 ~~courses as are equivalent to the continuing education~~
715 ~~requirements for a Florida certified public accountant licensed~~
716 ~~in this state during the 2 years immediately preceding her or~~
717 ~~his application for licensure by endorsement; or~~

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

723 2.b. Holds a valid license to practice public accounting
724 issued by another state or territory of the United States but
725 the criteria for issuance of such license did not meet the

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726 requirements of sub-subparagraph a.; has met the requirements of
727 this section for education, work experience, and good moral
728 character; and has passed a national, regional, state, or
729 territorial licensing examination that is substantially
730 equivalent to the examination required by s. 473.306; or

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

738 ~~2. Has completed continuing education courses that are~~
739 ~~equivalent to the continuing education requirements for a~~
740 ~~Florida certified public accountant licensed in this state~~
741 ~~during the 2 years immediately preceding her or his application~~
742 ~~for licensure by endorsement.~~

743 Section 28. Subsection (6) of section 474.202, Florida
744 Statutes, is amended to read:

745 474.202 Definitions.—As used in this chapter:

746 (6) "Limited-service veterinary medical practice" means
747 offering or providing veterinary services at any location that
748 has a primary purpose other than that of providing veterinary
749 medical service at a permanent or mobile establishment permitted
750 by the board; provides veterinary medical services for privately
751 owned animals that do not reside at that location; operates for
752 a limited time; and provides limited types of veterinary medical
753 services, including vaccinations or immunizations against
754 disease, preventative procedures for parasitic control, and

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755 microchipping.

756 Section 29. Paragraph (b) of subsection (2) of section
757 474.207, Florida Statutes, is amended to read:

758 474.207 Licensure by examination.—

759 (2) The department shall license each applicant who the
760 board certifies has:

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

764 2. Graduated from a college of veterinary medicine listed
765 in the American Veterinary Medical Association Roster of
766 Veterinary Colleges of the World and obtained a certificate from
767 the Education Commission for Foreign Veterinary Graduates or the
768 Program for the Assessment of Veterinary Education Equivalence.

769

770 The department shall not issue a license to any applicant who is
771 under investigation in any state or territory of the United
772 States or in the District of Columbia for an act which would
773 constitute a violation of this chapter until the investigation
774 is complete and disciplinary proceedings have been terminated,
775 at which time the provisions of s. 474.214 shall apply.

776 Section 30. Subsection (1) of section 474.217, Florida
777 Statutes, is amended to read:

778 474.217 Licensure by endorsement.—

779 (1) The department shall issue a license by endorsement to
780 any applicant who, upon applying to the department and remitting
781 a fee set by the board, demonstrates to the board that she or
782 he:

783 (a) Has demonstrated, in a manner designated by rule of the

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784 board, knowledge of the laws and rules governing the practice of
785 veterinary medicine in this state; and

786 (b)1. ~~Either~~ Holds, and has held for the 3 years
787 immediately preceding the application for licensure, a valid,
788 active license to practice veterinary medicine in another state
789 of the United States, the District of Columbia, or a territory
790 of the United States, provided that the applicant has
791 successfully completed a state, regional, national, or other
792 examination that is equivalent to or more stringent than the
793 examination required by the board ~~requirements for licensure in~~
794 ~~the issuing state, district, or territory are equivalent to or~~
795 ~~more stringent than the requirements of this chapter; or~~

796 2. Meets the qualifications of s. 474.207(2) (b) and has
797 successfully completed a state, regional, national, or other
798 examination which is equivalent to or more stringent than the
799 examination given by the department and has passed the board's
800 clinical competency examination or another clinical competency
801 examination specified by rule of the board.

802 Section 31. Subsection (5) of section 476.144, Florida
803 Statutes, is amended to read:

804 476.144 Licensure.—

805 (5) The board shall certify as qualified for licensure by
806 endorsement as a barber in this state an applicant who holds a
807 current active license to practice barbering in another state.
808 The board shall adopt rules specifying procedures for the
809 licensure by endorsement of practitioners desiring to be
810 licensed in this state who hold a current active license in
811 another ~~state or~~ country and who have met qualifications
812 substantially similar to, equivalent to, or greater than the

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813 qualifications required of applicants from this state.

814 Section 32. Subsection (9) of section 477.013, Florida
815 Statutes, is amended to read:

816 477.013 Definitions.—As used in this chapter:

817 (9) "Hair braiding" means the weaving or interweaving of
818 natural human hair or commercial hair, including the use of hair
819 extensions or wefts, for compensation without cutting, coloring,
820 permanent waving, relaxing, removing, or chemical treatment ~~and~~
821 ~~does not include the use of hair extensions or wefts.~~

822 Section 33. Section 477.0132, Florida Statutes, is
823 repealed.

824 Section 34. Subsections (7) through (11) are added to
825 section 477.0135, Florida Statutes, to read:

826 477.0135 Exemptions.—

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

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

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

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

839 (11) A license or registration is not required for a person
840 whose occupation or practice is confined solely to makeup
841 application.

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842 Section 35. Subsections (6) and (7) of section 477.019,
843 Florida Statutes, are amended to read:

844 477.019 Cosmetologists; qualifications; licensure;
845 supervised practice; license renewal; endorsement; continuing
846 education.—

847 (6) The board shall certify as qualified for licensure by
848 endorsement as a cosmetologist in this state an applicant who
849 holds a current active license to practice cosmetology in
850 another state. The board may not require proof of educational
851 hours if the license was issued in a state that requires 1,200
852 or more hours of prelicensure education and passage of a written
853 examination. ~~This subsection does not apply to applicants who~~
854 ~~received their license in another state through an~~
855 ~~apprenticeship program.~~

856 (7) (a) The board shall prescribe by rule continuing
857 education requirements intended to ensure protection of the
858 public through updated training of licensees and registered
859 specialists, not to exceed 10 ~~16~~ hours biennially, as a
860 condition for renewal of a license or registration as a
861 specialist under this chapter. Continuing education courses
862 shall include, but not be limited to, the following subjects as
863 they relate to the practice of cosmetology: human
864 immunodeficiency virus and acquired immune deficiency syndrome;
865 Occupational Safety and Health Administration regulations;
866 workers' compensation issues; state and federal laws and rules
867 as they pertain to cosmetologists, cosmetology, salons,
868 specialists, specialty salons, and booth renters; chemical
869 makeup as it pertains to hair, skin, and nails; and
870 environmental issues. Courses given at cosmetology conferences

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871 may be counted toward the number of continuing education hours
872 required if approved by the board.

873 ~~(b) Any person whose occupation or practice is confined~~
874 ~~solely to hair braiding, hair wrapping, or body wrapping is~~
875 ~~exempt from the continuing education requirements of this~~
876 ~~subsection.~~

877 (b)~~(e)~~ The board may, by rule, require any licensee in
878 violation of a continuing education requirement to take a
879 refresher course or refresher course and examination in addition
880 to any other penalty. The number of hours for the refresher
881 course may not exceed 48 hours.

882 Section 36. Paragraph (f) of subsection (1) of section
883 477.026, Florida Statutes, is amended to read:

884 477.026 Fees; disposition.—

885 (1) The board shall set fees according to the following
886 schedule:

887 ~~(f) For hair braiders, hair wrappers, and body wrappers,~~
888 ~~fees for registration shall not exceed \$25.~~

889 Section 37. Subsection (4) of section 477.0263, Florida
890 Statutes, is amended, and subsection (5) is added to that
891 section, to read:

892 477.0263 Cosmetology services to be performed in licensed
893 salon; exceptions.—

894 (4) Pursuant to rules adopted by the board, any cosmetology
895 or specialty service may be performed in a location other than a
896 licensed salon when the service is performed in connection with
897 a special event and is performed by a person ~~who is employed by~~
898 ~~a licensed salon and~~ who holds the proper license or specialty
899 registration. ~~An appointment for the performance of any such~~

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900 ~~service in a location other than a licensed salon must be made~~
901 ~~through a licensed salon.~~

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

905 Section 38. Paragraph (f) of subsection (1) of section
906 477.0265, Florida Statutes, is amended to read:

907 477.0265 Prohibited acts.—

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

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

913 Section 39. Paragraph (a) of subsection (1) of section
914 477.029, Florida Statutes, is amended to read:

915 477.029 Penalty.—

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

917 (a) Hold himself or herself out as a cosmetologist or
918 ~~specialist, hair wrapper, hair braider, or body wrapper~~ unless
919 duly licensed or registered, or otherwise authorized, as
920 provided in this chapter.

921 Section 40. Subsection (5) of section 481.203, Florida
922 Statutes, is amended to read:

923 481.203 Definitions.—As used in this part:

924 (5) "Business organization" means a partnership, a limited
925 liability company, a corporation, or an individual operating
926 under a fictitious name ~~"Certificate of authorization" means a~~
927 ~~certificate issued by the department to a corporation or~~
928 ~~partnership to practice architecture or interior design.~~

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929 Section 41. Present subsection (4) of section 481.215,
930 Florida Statutes, is redesignated as subsection (6), a new
931 subsection (4) is added to that section, and subsections (3) and
932 (5) of that section are amended, to read:

933 481.215 Renewal of license.—

934 (3) A ~~No~~ license renewal may not ~~shall~~ be issued to an
935 architect ~~or an interior designer~~ by the department until the
936 licensee submits proof satisfactory to the department that,
937 during the 2 years before ~~prior to~~ application for renewal, the
938 licensee participated per biennium in not less than 20 hours of
939 at least 50 minutes each per biennium of continuing education
940 approved by the board. ~~The board shall approve only continuing~~
941 ~~education that builds upon the basic knowledge of architecture~~
942 ~~or interior design. The board may make exception from the~~
943 ~~requirements of continuing education in emergency or hardship~~
944 ~~eases.~~

945 (4) The department may not issue a license renewal to an
946 interior designer until the licensee submits proof satisfactory
947 to the department that during the 2 years before the application
948 for renewal the licensee participated per biennium in not less
949 than 16 continuing education hours of at least 50 minutes each
950 of continuing education approved by the board. The licensee
951 shall provide documentation of successful completion of the
952 continuing education units from the board-approved providers
953 which focused on one or more of the following subjects:

954 (a) Public safety, including application of state and local
955 building codes and regulations.

956 (b) Application of federal, state, and local laws relating
957 to accessibility standards, including the Americans with

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958 Disabilities Act.

959 (c) Any other topic related to the health, safety, and
960 welfare of building occupants.

961 (5) The board shall only approve continuing education that
962 builds upon the basic knowledge of architecture or interior
963 design. The board may make exceptions to the requirements of
964 continuing education in emergency or hardship cases. The board
965 shall require, by rule adopted pursuant to ss. 120.536(1) and
966 120.54, a specified number of hours in specialized or advanced
967 courses, approved by the Florida Building Commission, on any
968 portion of the Florida Building Code, adopted pursuant to part
969 IV of chapter 553, relating to the licensee's respective area of
970 practice.

971 Section 42. Section 481.219, Florida Statutes, is amended
972 to read:

973 481.219 Qualification of business organizations
974 certification of partnerships, limited liability companies, and
975 corporations.-

976 (1) A licensee may ~~The practice of or the offer to practice~~
977 ~~architecture or interior design by licensees through a~~ qualified
978 business organization that offers ~~corporation, limited liability~~
979 ~~company, or partnership offering~~ architectural or interior
980 design services to the public, ~~or by a corporation, limited~~
981 ~~liability company, or partnership offering~~ architectural or
982 interior design services to the public through licensees under
983 this part as agents, employees, officers, or partners, is
984 permitted, subject to the provisions of this section.

985 (2) If a licensee or an applicant proposes to engage in the
986 practice of architecture or interior design as a business

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987 organization, the licensee or applicant shall qualify the
988 business organization upon approval of the board ~~For the~~
989 ~~purposes of this section, a certificate of authorization shall~~
990 ~~be required for a corporation, limited liability company,~~
991 ~~partnership, or person practicing under a fictitious name,~~
992 ~~offering architectural services to the public jointly or~~
993 ~~separately. However, when an individual is practicing~~
994 ~~architecture in her or his own name, she or he shall not be~~
995 ~~required to be certified under this section. Certification under~~
996 ~~this subsection to offer architectural services shall include~~
997 ~~all the rights and privileges of certification under subsection~~
998 ~~(3) to offer interior design services.~~

999 (3) (a) A business organization may not engage in the
1000 practice of architecture unless its qualifying agent is a
1001 registered architect under this part. A business organization
1002 may not engage in the practice of interior design unless its
1003 qualifying agent is a registered architect or a registered
1004 interior designer under this part. A qualifying agent who
1005 terminates an affiliation with a qualified business organization
1006 shall immediately notify the department of such termination. If
1007 such qualifying agent is the only qualifying agent for that
1008 business organization, the business organization must be
1009 qualified by another qualifying agent within 60 days after the
1010 termination. Except as provided in paragraph (b), the business
1011 organization may not engage in the practice of architecture or
1012 interior design until it is qualified by another qualifying
1013 agent.

1014 (b) In the event a qualifying agent ceases employment with
1015 a qualified business organization, the executive director or the

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1016 chair of the board may authorize another registered architect or
1017 interior designer employed by the business organization to
1018 temporarily serve as its qualifying agent for a period of no
1019 more than 60 days. The business organization is not authorized
1020 to operate beyond such period under this chapter absent
1021 replacement of the qualifying agent who has ceased employment.

1022 (c) A qualifying agent shall notify the department in
1023 writing before engaging in the practice of architecture or
1024 interior design in her or his own name or in affiliation with a
1025 different business organization, and she or he or such business
1026 organization shall supply the same information to the department
1027 as required of applicants under this part.

1028 ~~(3) For the purposes of this section, a certificate of~~
1029 ~~authorization shall be required for a corporation, limited~~
1030 ~~liability company, partnership, or person operating under a~~
1031 ~~fictitious name, offering interior design services to the public~~
1032 ~~jointly or separately. However, when an individual is practicing~~
1033 ~~interior design in her or his own name, she or he shall not be~~
1034 ~~required to be certified under this section.~~

1035 (4) All final construction documents and instruments of
1036 service which include drawings, specifications, plans, reports,
1037 or other papers or documents that involve ~~involving~~ the practice
1038 of architecture which are prepared or approved for the use of
1039 the business organization ~~corporation, limited liability~~
1040 ~~company, or partnership~~ and filed for public record within the
1041 state must ~~shall~~ bear the signature and seal of the licensee who
1042 prepared or approved them and the date on which they were
1043 sealed.

1044 ~~(5) All drawings, specifications, plans, reports, or other~~

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1045 ~~papers or documents prepared or approved for the use of the~~
1046 ~~corporation, limited liability company, or partnership by an~~
1047 ~~interior designer in her or his professional capacity and filed~~
1048 ~~for public record within the state shall bear the signature and~~
1049 ~~seal of the licensee who prepared or approved them and the date~~
1050 ~~on which they were sealed.~~

1051 ~~(6) The department shall issue a certificate of~~
1052 ~~authorization to any applicant who the board certifies as~~
1053 ~~qualified for a certificate of authorization and who has paid~~
1054 ~~the fee set in s. 481.207.~~

1055 ~~(5)~~ (7) The board shall allow a licensee or certify an
1056 applicant to qualify one or more business organizations as
1057 qualified for a certificate of authorization to offer
1058 architectural or interior design services, or to use a
1059 fictitious name to offer such services, if provided that:

1060 (a) One or more of the principal officers of the
1061 corporation or limited liability company, or one or more
1062 partners of the partnership, and all personnel of the
1063 corporation, limited liability company, or partnership who act
1064 in its behalf in this state as architects, are registered as
1065 provided by this part; or

1066 (b) One or more of the principal officers of the
1067 corporation or one or more partners of the partnership, and all
1068 personnel of the corporation, limited liability company, or
1069 partnership who act in its behalf in this state as interior
1070 designers, are registered as provided by this part.

1071 ~~(8) The department shall adopt rules establishing a~~
1072 ~~procedure for the biennial renewal of certificates of~~
1073 ~~authorization.~~

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1074 ~~(9) The department shall renew a certificate of~~
1075 ~~authorization upon receipt of the renewal application and~~
1076 ~~biennial renewal fee.~~

1077 ~~(6)(10)~~ Each qualifying agent who qualifies a business
1078 organization, partnership, limited liability company, or and
1079 corporation certified under this section shall notify the
1080 department within 30 days after of any change in the information
1081 contained in the application upon which the qualification
1082 certification is based. Any registered architect or interior
1083 designer who qualifies the business organization shall ensure
1084 corporation, limited liability company, or partnership as
1085 provided in subsection (7) shall be responsible for ensuring
1086 responsible supervising control of projects of the business
1087 organization entity and shall notify the department of the upon
1088 termination of her or his employment with a business
1089 organization qualified partnership, limited liability company,
1090 or corporation certified under this section shall notify the
1091 department of the termination within 30 days after such
1092 termination.

1093 ~~(7)(11)~~ A business organization is not No corporation,
1094 limited liability company, or partnership shall be relieved of
1095 responsibility for the conduct or acts of its agents, employees,
1096 or officers by reason of its compliance with this section.
1097 However, except as provided in s. 558.0035, the architect who
1098 signs and seals the construction documents and instruments of
1099 service is shall be liable for the professional services
1100 performed, and the interior designer who signs and seals the
1101 interior design drawings, plans, or specifications shall be
1102 liable for the professional services performed.

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1103 ~~(12) Disciplinary action against a corporation, limited~~
1104 ~~liability company, or partnership shall be administered in the~~
1105 ~~same manner and on the same grounds as disciplinary action~~
1106 ~~against a registered architect or interior designer,~~
1107 ~~respectively.~~

1108 (8)~~(13)~~ ~~Nothing in~~ This section may not ~~shall~~ be construed
1109 to mean that a certificate of registration to practice
1110 architecture or interior design must ~~shall~~ be held by a business
1111 organization ~~corporation, limited liability company, or~~
1112 ~~partnership. Nothing in~~ This section does not prohibit a
1113 business organization from offering ~~prohibits corporations,~~
1114 ~~limited liability companies, and partnerships from joining~~
1115 ~~together to offer~~ architectural, engineering, interior design,
1116 surveying and mapping, and landscape architectural services, or
1117 any combination of such services, to the public if the business
1118 organization, ~~provided that each corporation, limited liability~~
1119 ~~company, or partnership~~ otherwise meets the requirements of law.

1120 (9)~~(14)~~ A business organization that is qualified by a
1121 registered architect may ~~Corporations, limited liability~~
1122 ~~companies, or partnerships holding a valid certificate of~~
1123 ~~authorization to practice architecture shall be permitted to use~~
1124 in their title the term "interior designer" or "registered
1125 interior designer."

1126 Section 43. Subsection (10) of section 481.221, Florida
1127 Statutes, is amended to read:

1128 481.221 Seals; display of certificate number.—

1129 (10) Each registered architect or interior designer must,
1130 ~~and each corporation, limited liability company, or partnership~~
1131 ~~holding a certificate of authorization, shall~~ include her or his

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1132 ~~license its certificate~~ number in any newspaper, telephone
1133 directory, or other advertising medium used by the registered
1134 ~~licensee architect, interior designer, corporation, limited~~
1135 ~~liability company, or partnership.~~ Each business organization
1136 must include the license number of the registered architect or
1137 interior designer who serves as the qualifying agent for that
1138 business organization in any newspaper, telephone directory, or
1139 other advertising medium used by the business organization, but
1140 is not required to display the license numbers of other
1141 registered architects or interior designers employed by the
1142 business organization ~~A corporation, limited liability company,~~
1143 ~~or partnership is not required to display the certificate number~~
1144 ~~of individual registered architects or interior designers~~
1145 ~~employed by or working within the corporation, limited liability~~
1146 ~~company, or partnership.~~

1147 Section 44. Paragraphs (a) and (c) of subsection (5) of
1148 section 481.229, Florida Statutes, are amended to read:

1149 481.229 Exceptions; exemptions from licensure.—

1150 (5) (a) This part does not prohibit ~~Nothing contained in~~
1151 ~~this part shall prevent~~ a registered architect or a qualified
1152 business organization ~~partnership, limited liability company, or~~
1153 ~~corporation holding a valid certificate of authorization to~~
1154 ~~provide architectural services~~ from performing any interior
1155 design service or from using the title "interior designer" or
1156 "registered interior designer."

1157 (c) Notwithstanding any other provision of this part, a
1158 registered architect or business organization ~~qualified any~~
1159 ~~corporation, partnership, or person operating under a fictitious~~
1160 ~~name which holds a certificate of authorization to provide~~

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1161 architectural services must ~~shall~~ be qualified, without fee, ~~for~~
1162 ~~a certificate of authorization~~ to provide interior design
1163 services upon submission of a completed application for
1164 qualification therefor. ~~For corporations, partnerships, and~~
1165 ~~persons operating under a fictitious name which hold a~~
1166 ~~certificate of authorization to provide interior design~~
1167 ~~services, satisfaction of the requirements for renewal of the~~
1168 ~~certificate of authorization to provide architectural services~~
1169 ~~under s. 481.219 shall be deemed to satisfy the requirements for~~
1170 ~~renewal of the certificate of authorization to provide interior~~
1171 ~~design services under that section.~~

1172 Section 45. Section 481.303, Florida Statutes, is amended
1173 to read:

1174 481.303 Definitions.—As used in this chapter, the term:

1175 (1) "Board" means the Board of Landscape Architecture.

1176 (2)~~(4)~~ "Certificate of registration" means a license issued
1177 by the department to a natural person to engage in the practice
1178 of landscape architecture.

1179 (3)~~(2)~~ "Department" means the Department of Business and
1180 Professional Regulation.

1181 ~~(5) "Certificate of authorization" means a license issued~~
1182 ~~by the department to a corporation or partnership to engage in~~
1183 ~~the practice of landscape architecture.~~

1184 (4)~~(6)~~ "Landscape architecture" means professional
1185 services, including, but not limited to, the following:

1186 (a) Consultation, investigation, research, planning,
1187 design, preparation of drawings, specifications, contract
1188 documents and reports, responsible construction supervision, or
1189 landscape management in connection with the planning and

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1190 development of land and incidental water areas, including the
1191 use of Florida-friendly landscaping as defined in s. 373.185,
1192 where, and to the extent that, the dominant purpose of such
1193 services or creative works is the preservation, conservation,
1194 enhancement, or determination of proper land uses, natural land
1195 features, ground cover and plantings, or naturalistic and
1196 aesthetic values;

1197 (b) The determination of settings, grounds, and approaches
1198 for and the siting of buildings and structures, outdoor areas,
1199 or other improvements;

1200 (c) The setting of grades, shaping and contouring of land
1201 and water forms, determination of drainage, and provision for
1202 storm drainage and irrigation systems where such systems are
1203 necessary to the purposes outlined herein; and

1204 (d) The design of such tangible objects and features as are
1205 necessary to the purpose outlined herein.

1206 (5)~~(7)~~ "Landscape design" means consultation for and
1207 preparation of planting plans drawn for compensation, including
1208 specifications and installation details for plant materials,
1209 soil amendments, mulches, edging, gravel, and other similar
1210 materials. Such plans may include only recommendations for the
1211 conceptual placement of tangible objects for landscape design
1212 projects. Construction documents, details, and specifications
1213 for tangible objects and irrigation systems shall be designed or
1214 approved by licensed professionals as required by law.

1215 (6)~~(3)~~ "Registered landscape architect" means a person who
1216 holds a license to practice landscape architecture in this state
1217 under the authority of this act.

1218 Section 46. Section 481.310, Florida Statutes, is amended

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1219 to read:

1220 481.310 Practical experience requirement.—Beginning October
1221 1, 1990, every applicant for licensure as a registered landscape
1222 architect shall demonstrate, prior to licensure, 1 year of
1223 practical experience in landscape architectural work. An
1224 applicant who holds a master of landscape architecture degree
1225 and a bachelor's degree in a related field is not required to
1226 demonstrate 1 year of practical experience in landscape
1227 architectural work to obtain licensure. The board shall adopt
1228 rules providing standards for the required experience. An
1229 applicant who qualifies for examination pursuant to s.
1230 481.309(1)(b)1. may obtain the practical experience after
1231 completing the required professional degree. Experience used to
1232 qualify for examination pursuant to s. 481.309(1)(b)2. may not
1233 be used to satisfy the practical experience requirement under
1234 this section.

1235 Section 47. Subsections (5) and (6) of section 481.311,
1236 Florida Statutes, are renumbered as subsections (4) and (5),
1237 respectively, and subsection (3) and present subsection (4) of
1238 that section are amended, to read:

1239 481.311 Licensure.—

1240 (3) The board shall certify as qualified for a license by
1241 endorsement an applicant who:

1242 (a) Qualifies to take the examination as set forth in s.
1243 481.309; and has passed a national, regional, state, or
1244 territorial licensing examination which is substantially
1245 equivalent to the examination required by s. 481.309; ~~or~~

1246 (b) Holds a valid license to practice landscape
1247 architecture issued by another state or territory of the United

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1248 States, if the criteria for issuance of such license were
1249 substantially identical to the licensure criteria which existed
1250 in this state at the time the license was issued; or-

1251 (c) Has held a valid license to practice landscape
1252 architecture in another state or territory of the United States
1253 for at least 10 years before the date of application and has
1254 successfully completed a state, regional, national, or other
1255 examination that is equivalent to or more stringent than the
1256 examination required by the board, subject to subsection (5). An
1257 applicant who has met the requirements to be qualified for a
1258 license by endorsement except for successful completion of an
1259 examination that is equivalent to or more stringent than the
1260 examination required by the board may take the examination
1261 required by the board without completing additional education
1262 requirements.

1263 ~~(4) The board shall certify as qualified for a certificate~~
1264 ~~of authorization any applicant corporation or partnership who~~
1265 ~~satisfies the requirements of s. 481.319.~~

1266 Section 48. Subsection (2) of section 481.317, Florida
1267 Statutes, is amended to read:

1268 481.317 Temporary certificates.-

1269 ~~(2) Upon approval by the board and payment of the fee set~~
1270 ~~in s. 481.307, the department shall grant a temporary~~
1271 ~~certificate of authorization for work on one specified project~~
1272 ~~in this state for a period not to exceed 1 year to an out-of-~~
1273 ~~state corporation, partnership, or firm, provided one of the~~
1274 ~~principal officers of the corporation, one of the partners of~~
1275 ~~the partnership, or one of the principals in the fictitiously~~
1276 ~~named firm has obtained a temporary certificate of registration~~

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1277 ~~in accordance with subsection (1).~~

1278 Section 49. Section 481.319, Florida Statutes, is amended
1279 to read:

1280 481.319 Corporate and partnership practice of landscape
1281 architecture; ~~certificate of authorization.~~

1282 (1) The practice of or offer to practice landscape
1283 architecture by registered landscape architects registered under
1284 this part through a corporation or partnership offering
1285 landscape architectural services to the public, or through a
1286 corporation or partnership offering landscape architectural
1287 services to the public through individual registered landscape
1288 architects as agents, employees, officers, or partners, is
1289 permitted, subject to the provisions of this section, if:

1290 (a) One or more of the principal officers of the
1291 corporation, or partners of the partnership, and all personnel
1292 of the corporation or partnership who act in its behalf as
1293 landscape architects in this state are registered landscape
1294 architects; and

1295 (b) One or more of the officers, one or more of the
1296 directors, one or more of the owners of the corporation, or one
1297 or more of the partners of the partnership is a registered
1298 landscape architect; ~~and~~

1299 ~~(c) The corporation or partnership has been issued a
1300 certificate of authorization by the board as provided herein.~~

1301 (2) All documents involving the practice of landscape
1302 architecture which are prepared for the use of the corporation
1303 or partnership shall bear the signature and seal of a registered
1304 landscape architect.

1305 (3) A landscape architect applying to practice in the name

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1306 of a ~~An applicant~~ corporation must ~~shall~~ file with the
1307 department the names and addresses of all officers and board
1308 members of the corporation, including the principal officer or
1309 officers, duly registered to practice landscape architecture in
1310 this state and, also, of all individuals duly registered to
1311 practice landscape architecture in this state who shall be in
1312 responsible charge of the practice of landscape architecture by
1313 the corporation in this state. A landscape architect applying to
1314 practice in the name of a ~~An applicant~~ partnership must ~~shall~~
1315 file with the department the names and addresses of all partners
1316 of the partnership, including the partner or partners duly
1317 registered to practice landscape architecture in this state and,
1318 also, of an individual or individuals duly registered to
1319 practice landscape architecture in this state who shall be in
1320 responsible charge of the practice of landscape architecture by
1321 said partnership in this state.

1322 (4) Each landscape architect qualifying a partnership or
1323 ~~and corporation licensed~~ under this part must ~~shall~~ notify the
1324 department within 1 month after ~~of~~ any change in the information
1325 contained in the application upon which the license is based.
1326 Any landscape architect who terminates her or his ~~or her~~
1327 employment with a partnership or corporation licensed under this
1328 part shall notify the department of the termination within 1
1329 month after such termination.

1330 ~~(5) Disciplinary action against a corporation or~~
1331 ~~partnership shall be administered in the same manner and on the~~
1332 ~~same grounds as disciplinary action against a registered~~
1333 ~~landscape architect.~~

1334 (5) ~~(6)~~ Except as provided in s. 558.0035, the fact that a

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1335 registered landscape architect practices landscape architecture
1336 through a corporation or partnership as provided in this section
1337 does not relieve the landscape architect from personal liability
1338 for her or his ~~or her~~ professional acts.

1339 Section 50. Subsection (5) of section 481.321, Florida
1340 Statutes, is amended to read:

1341 481.321 Seals; display of certificate number.—

1342 (5) Each registered landscape architect must ~~and each~~
1343 ~~corporation or partnership holding a certificate of~~
1344 ~~authorization shall~~ include her or his ~~its~~ certificate number in
1345 any newspaper, telephone directory, or other advertising medium
1346 used by the registered landscape architect, corporation, or
1347 partnership. A corporation or partnership must ~~is not required~~
1348 ~~to~~ display the certificate number ~~numbers~~ of at least one
1349 officer, director, owner, or partner who is a individual
1350 registered landscape architect ~~architects~~ employed by or
1351 practicing with the corporation or partnership.

1352 Section 51. Subsection (5) of section 481.329, Florida
1353 Statutes, is amended to read:

1354 481.329 Exceptions; exemptions from licensure.—

1355 (5) This part does not prohibit any person from engaging in
1356 the practice of landscape design, as defined in s. 481.303
1357 ~~481.303(7)~~, or from submitting for approval to a governmental
1358 agency planting plans that are independent of, or a component
1359 of, construction documents that are prepared by a Florida-
1360 registered professional. Persons providing landscape design
1361 services shall not use the title, term, or designation
1362 "landscape architect," "landscape architectural," "landscape
1363 architecture," "L.A.," "landscape engineering," or any

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1364 description tending to convey the impression that she or he is a
1365 landscape architect unless she or he is registered as provided
1366 in this part.

1367 Section 52. Subsection (9) of section 489.103, Florida
1368 Statutes, is amended to read:

1369 489.103 Exemptions.—This part does not apply to:

1370 (9) Any work or operation of a casual, minor, or
1371 inconsequential nature in which the aggregate contract price for
1372 labor, materials, and all other items is less than \$2,500
1373 ~~\$1,000~~, but this exemption does not apply:

1374 (a) If the construction, repair, remodeling, or improvement
1375 is a part of a larger or major operation, whether undertaken by
1376 the same or a different contractor, or in which a division of
1377 the operation is made in contracts of amounts less than \$2,500
1378 ~~\$1,000~~ for the purpose of evading this part or otherwise.

1379 (b) To a person who advertises that he or she is a
1380 contractor or otherwise represents that he or she is qualified
1381 to engage in contracting.

1382 Section 53. Subsection (2) of section 489.111, Florida
1383 Statutes, is amended to read:

1384 489.111 Licensure by examination.—

1385 (2) A person shall be eligible for licensure by examination
1386 if the person:

1387 (a) Is 18 years of age;

1388 (b) Is of good moral character; and

1389 (c) Meets eligibility requirements according to one of the
1390 following criteria:

1391 1. Has received a baccalaureate degree from an accredited
1392 4-year college in the appropriate field of engineering,

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1393 architecture, or building construction and has 1 year of proven
1394 experience in the category in which the person seeks to qualify.
1395 For the purpose of this part, a minimum of 2,000 person-hours
1396 shall be used in determining full-time equivalency.

1397 2. Has a total of at least 4 years of active experience as
1398 a worker who has learned the trade by serving an apprenticeship
1399 as a skilled worker who is able to command the rate of a
1400 mechanic in the particular trade or as a foreman who is in
1401 charge of a group of workers and usually is responsible to a
1402 superintendent or a contractor or his or her equivalent,
1403 provided, however, that at least 1 year of active experience
1404 shall be as a foreman.

1405 3. Has a combination of not less than 1 year of experience
1406 as a foreman and not less than 3 years of credits for any
1407 accredited college-level courses; has a combination of not less
1408 than 1 year of experience as a skilled worker, 1 year of
1409 experience as a foreman, and not less than 2 years of credits
1410 for any accredited college-level courses; or has a combination
1411 of not less than 2 years of experience as a skilled worker, 1
1412 year of experience as a foreman, and not less than 1 year of
1413 credits for any accredited college-level courses. All junior
1414 college or community college-level courses shall be considered
1415 accredited college-level courses.

1416 4.a. An active certified residential contractor is eligible
1417 to receive a certified building contractor license after passing
1418 or having previously passed ~~take~~ the building contractors'
1419 examination if he or she possesses a minimum of 3 years of
1420 proven experience in the classification in which he or she is
1421 certified.

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1422 b. An active certified residential contractor is eligible
1423 to receive a certified general contractor license after passing
1424 or having previously passed ~~take~~ the general contractors'
1425 examination if he or she possesses a minimum of 4 years of
1426 proven experience in the classification in which he or she is
1427 certified.

1428 c. An active certified building contractor is eligible to
1429 receive a certified general contractor license after passing or
1430 having previously passed ~~take~~ the general contractors'
1431 examination if he or she possesses a minimum of 4 years of
1432 proven experience in the classification in which he or she is
1433 certified.

1434 5.a. An active certified air-conditioning Class C
1435 contractor is eligible to receive a certified air-conditioning
1436 Class B contractor license after passing or having previously
1437 passed ~~take~~ the air-conditioning Class B contractors'
1438 examination if he or she possesses a minimum of 3 years of
1439 proven experience in the classification in which he or she is
1440 certified.

1441 b. An active certified air-conditioning Class C contractor
1442 is eligible to receive a certified air-conditioning Class A
1443 contractor license after passing or having previously passed
1444 ~~take~~ the air-conditioning Class A contractors' examination if he
1445 or she possesses a minimum of 4 years of proven experience in
1446 the classification in which he or she is certified.

1447 c. An active certified air-conditioning Class B contractor
1448 is eligible to receive a certified air-conditioning Class A
1449 contractor license after passing or having previously passed
1450 ~~take~~ the air-conditioning Class A contractors' examination if he

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1451 or she possesses a minimum of 1 year of proven experience in the
1452 classification in which he or she is certified.

1453 6.a. An active certified swimming pool servicing contractor
1454 is eligible to receive a certified residential swimming pool
1455 contractor license after passing or having previously passed
1456 ~~take~~ the residential swimming pool contractors' examination if
1457 he or she possesses a minimum of 3 years of proven experience in
1458 the classification in which he or she is certified.

1459 b. An active certified swimming pool servicing contractor
1460 is eligible to receive a certified commercial swimming pool
1461 contractor license after passing or having previously passed
1462 ~~take~~ the swimming pool commercial contractors' examination if he
1463 or she possesses a minimum of 4 years of proven experience in
1464 the classification in which he or she is certified.

1465 c. An active certified residential swimming pool contractor
1466 is eligible to receive a certified commercial swimming pool
1467 contractor license after passing or having previously passed
1468 ~~take~~ the commercial swimming pool contractors' examination if he
1469 or she possesses a minimum of 1 year of proven experience in the
1470 classification in which he or she is certified.

1471 d. An applicant is eligible to receive a certified swimming
1472 pool/spa servicing contractor license after passing or having
1473 previously passed ~~take~~ the swimming pool/spa servicing
1474 contractors' examination if he or she has satisfactorily
1475 completed 60 hours of instruction in courses related to the
1476 scope of work covered by that license and approved by the
1477 Construction Industry Licensing Board by rule and has at least 1
1478 year of proven experience related to the scope of work of such a
1479 contractor.

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1480 Section 54. Subsection (3) of section 489.115, Florida
1481 Statutes, is amended to read:

1482 489.115 Certification and registration; endorsement;
1483 reciprocity; renewals; continuing education.—

1484 (3) The board shall certify as qualified for certification
1485 by endorsement any applicant who:

1486 (a) Meets the requirements for certification as set forth
1487 in this section; has passed a national, regional, state, or
1488 United States territorial licensing examination that is
1489 substantially equivalent to the examination required by this
1490 part; and has satisfied the requirements set forth in s.
1491 489.111;

1492 (b) Holds a valid license to practice contracting issued by
1493 another state or territory of the United States, if the criteria
1494 for issuance of such license were substantially equivalent to
1495 Florida's current certification criteria; ~~or~~

1496 (c) Holds a valid, current license to practice contracting
1497 issued by another state or territory of the United States, if
1498 the state or territory has entered into a reciprocal agreement
1499 with the board for the recognition of contractor licenses issued
1500 in that state, based on criteria for the issuance of such
1501 licenses that are substantially equivalent to the criteria for
1502 certification in this state; or

1503 (d) Has held a valid, current license to practice
1504 contracting issued by another state or territory for at least 10
1505 years before the date of application and is applying for the
1506 same or similar license in this state, subject to subsections
1507 (5)–(9).

1508 Section 55. Subsection (5) of section 489.511, Florida

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1509 Statutes, is amended to read:

1510 489.511 Certification; application; examinations;
1511 endorsement.—

1512 (5) The board shall certify as qualified for certification
1513 by endorsement any individual applying for certification who:

1514 (a) Meets the requirements for certification as set forth
1515 in this section; has passed a national, regional, state, or
1516 United States territorial licensing examination that is
1517 substantially equivalent to the examination required by this
1518 part; and has satisfied the requirements set forth in s.

1519 489.521; ~~or~~

1520 (b) Holds a valid license to practice electrical or alarm
1521 system contracting issued by another state or territory of the
1522 United States, if the criteria for issuance of such license was
1523 substantially equivalent to the certification criteria that
1524 existed in this state at the time the certificate was issued; or

1525 (c) Has held a valid, current license to practice
1526 electrical or alarm system contracting issued by another state
1527 or territory for at least 10 years before the date of
1528 application and is applying for the same or similar license in
1529 this state, subject to ss. 489.510 and 489.521(3)(a), and
1530 subparagraph (1)(b)1.

1531 Section 56. Subsection (3) and paragraph (b) of subsection
1532 (4) of section 489.517, Florida Statutes, are amended to read:

1533 489.517 Renewal of certificate or registration; continuing
1534 education.—

1535 (3) Each certificateholder or registrant shall provide
1536 proof, in a form established by rule of the board, that the
1537 certificateholder or registrant has completed at least 7 ~~14~~

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1538 classroom hours of at least 50 minutes each of continuing
1539 education courses during each biennium since the issuance or
1540 renewal of the certificate or registration. The board shall by
1541 rule establish criteria for the approval of continuing education
1542 courses and providers and may by rule establish criteria for
1543 accepting alternative nonclassroom continuing education on an
1544 hour-for-hour basis.

1545 (4)

1546 (b) Of the 7 ~~14~~ classroom hours of continuing education
1547 required, at least 1 hour ~~7 hours~~ must be on technical subjects,
1548 1 hour on workers' compensation, 1 hour on workplace safety, 1
1549 hour on business practices, and for alarm system contractors and
1550 electrical contractors engaged in alarm system contracting, 2
1551 hours on false alarm prevention.

1552 Section 57. Paragraph (b) of subsection (1) of section
1553 489.518, Florida Statutes, is amended to read:

1554 489.518 Alarm system agents.—

1555 (1) A licensed electrical or alarm system contractor may
1556 not employ a person to perform the duties of a burglar alarm
1557 system agent unless the person:

1558 (b) Has successfully completed a minimum of 14 hours of
1559 training within 90 days after employment, to include basic alarm
1560 system electronics in addition to related training including
1561 CCTV and access control training, with at least 2 hours of
1562 training in the prevention of false alarms. Such training shall
1563 be from a board-approved provider, and the employee or applicant
1564 for employment shall provide proof of successful completion to
1565 the licensed employer. The board shall by rule establish
1566 criteria for the approval of training courses and providers and

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1567 may by rule establish criteria for accepting alternative
1568 nonclassroom education on an hour-for-hour basis. The board
1569 shall approve providers that conduct training in other than the
1570 English language. The board shall establish a fee for the
1571 approval of training providers or courses, not to exceed \$60.
1572 Qualified employers may conduct training classes for their
1573 employees, with board approval.

1574 Section 58. Section 492.104, Florida Statutes, is amended,
1575 to read:

1576 492.104 Rulemaking authority.—The Board of Professional
1577 Geologists has authority to adopt rules pursuant to ss.
1578 120.536(1) and 120.54 to implement this chapter. Every licensee
1579 shall be governed and controlled by this chapter and the rules
1580 adopted by the board. The board is authorized to set, by rule,
1581 fees for application, examination, ~~certificate of authorization,~~
1582 late renewal, initial licensure, and license renewal. These fees
1583 may should not exceed the cost of implementing the application,
1584 examination, initial licensure, and license renewal or other
1585 administrative process and shall be established as follows:

1586 (1) The application fee shall not exceed \$150 and shall be
1587 nonrefundable.

1588 (2) The examination fee shall not exceed \$250, and the fee
1589 may be apportioned to each part of a multipart examination. The
1590 examination fee shall be refundable in whole or part if the
1591 applicant is found to be ineligible to take any portion of the
1592 licensure examination.

1593 (3) The initial license fee shall not exceed \$100.

1594 (4) The biennial renewal fee shall not exceed \$150.

1595 ~~(5) The fee for a certificate of authorization shall not~~

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1596 ~~exceed \$350 and the fee for renewal of the certificate shall not~~
 1597 ~~exceed \$350.~~

1598 (5)~~(6)~~ The fee for reactivation of an inactive license may
 1599 ~~shall~~ not exceed \$50.

1600 (6)~~(7)~~ The fee for a provisional license may ~~shall~~ not
 1601 exceed \$400.

1602 (7)~~(8)~~ The fee for application, examination, and licensure
 1603 for a license by endorsement is ~~shall be~~ as provided in this
 1604 section for licenses in general.

1605 Section 59. Subsection (1) of section 492.108, Florida
 1606 Statutes, is amended to read:

1607 492.108 Licensure by endorsement; requirements; fees.—

1608 (1) The department shall issue a license by endorsement to
 1609 any applicant who, upon applying to the department and remitting
 1610 an application fee, has been certified by the board that he or
 1611 she:

1612 (a) Has met the qualifications for licensure in s.

1613 492.105(1)(b)-(e) and:-

1614 1.~~(b)~~ Is the holder of an active license in good standing
 1615 in a state, trust, territory, or possession of the United
 1616 States.

1617 2.~~(e)~~ Was licensed through written examination in at least
 1618 one state, trust, territory, or possession of the United States,
 1619 the examination requirements of which have been approved by the
 1620 board as substantially equivalent to or more stringent than
 1621 those of this state, and has received a score on such
 1622 examination which is equal to or greater than the score required
 1623 by this state for licensure by examination.

1624 3.~~(d)~~ Has taken and successfully passed the laws and rules

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1625 portion of the examination required for licensure as a
1626 professional geologist in this state.

1627 (b) Has held a valid license to practice geology in another
1628 state, trust, territory, or possession of the United States for
1629 at least 10 years before the date of application and has
1630 successfully completed a state, regional, national, or other
1631 examination that is equivalent to or more stringent than the
1632 examination required by the department. If such applicant has
1633 met the requirements for a license by endorsement except
1634 successful completion of an examination that is equivalent to or
1635 more stringent than the examination required by the board, such
1636 applicant may take the examination required by the board.

1637 Section 60. Section 492.111, Florida Statutes, is amended
1638 to read:

1639 492.111 Practice of professional geology by a firm,
1640 corporation, or partnership; ~~certificate of authorization.~~—The
1641 practice of, or offer to practice, professional geology by
1642 individual professional geologists licensed under the provisions
1643 of this chapter through a firm, corporation, or partnership
1644 offering geological services to the public through individually
1645 licensed professional geologists as agents, employees, officers,
1646 or partners thereof is permitted subject to the provisions of
1647 this chapter, if provided that:

1648 (1) At all times that it offers geological services to the
1649 public, the firm, corporation, or partnership is qualified by
1650 ~~has on file with the department the name and license number of~~
1651 one or more individuals who hold a current, active license as a
1652 professional geologist in the state and are serving as a
1653 geologist of record for the firm, corporation, or partnership. A

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1654 geologist of record may be any principal officer or employee of
1655 such firm or corporation, or any partner or employee of such
1656 partnership, who holds a current, active license as a
1657 professional geologist in this state, or any other Florida-
1658 licensed professional geologist with whom the firm, corporation,
1659 or partnership has entered into a long-term, ongoing
1660 relationship, as defined by rule of the board, to serve as one
1661 of its geologists of record. ~~It shall be the responsibility of~~
1662 ~~the firm, corporation, or partnership and~~ The geologist of
1663 record shall ~~to~~ notify the department of any changes in the
1664 relationship or identity of that geologist of record within 30
1665 days after such change.

1666 ~~(2) The firm, corporation, or partnership has been issued a~~
1667 ~~certificate of authorization by the department as provided in~~
1668 ~~this chapter. For purposes of this section, a certificate of~~
1669 ~~authorization shall be required of any firm, corporation,~~
1670 ~~partnership, association, or person practicing under a~~
1671 ~~fictitious name and offering geological services to the public;~~
1672 ~~except that, when an individual is practicing professional~~
1673 ~~geology in her or his own name, she or he shall not be required~~
1674 ~~to obtain a certificate of authorization under this section.~~
1675 ~~Such certificate of authorization shall be renewed every 2~~
1676 ~~years.~~

1677 ~~(2)(3)~~ All final geological papers or documents involving
1678 the practice of the profession of geology which have been
1679 prepared or approved for the use of such firm, corporation, or
1680 partnership, for delivery to any person for public record with
1681 the state, shall be dated and bear the signature and seal of the
1682 professional geologist or professional geologists who prepared

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1683 or approved them.

1684 (3)~~(4)~~ Except as provided in s. 558.0035, the fact that a
1685 licensed professional geologist practices through a corporation
1686 or partnership does not relieve the registrant from personal
1687 liability for negligence, misconduct, or wrongful acts committed
1688 by her or him. The partnership and all partners are jointly and
1689 severally liable for the negligence, misconduct, or wrongful
1690 acts committed by their agents, employees, or partners while
1691 acting in a professional capacity. Any officer, agent, or
1692 employee of a corporation is personally liable and accountable
1693 only for negligent acts, wrongful acts, or misconduct committed
1694 by her or him or committed by any person under her or his direct
1695 supervision and control, while rendering professional services
1696 on behalf of the corporation. The personal liability of a
1697 shareholder of a corporation, in her or his capacity as
1698 shareholder, may be no greater than that of a shareholder-
1699 employee of a corporation incorporated under chapter 607. The
1700 corporation is liable up to the full value of its property for
1701 any negligent acts, wrongful acts, or misconduct committed by
1702 any of its officers, agents, or employees while they are engaged
1703 on behalf of the corporation in the rendering of professional
1704 services.

1705 ~~(5) The firm, corporation, or partnership desiring a~~
1706 ~~certificate of authorization shall file with the department an~~
1707 ~~application therefor, upon a form to be prescribed by the~~
1708 ~~department, accompanied by the required application fee.~~

1709 ~~(6) The department may refuse to issue a certificate of~~
1710 ~~authorization if any facts exist which would entitle the~~
1711 ~~department to suspend or revoke an existing certificate of~~

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1712 ~~authorization or if the department, after giving persons~~
1713 ~~involved a full and fair hearing, determines that any of the~~
1714 ~~officers or directors of said firm or corporation, or partners~~
1715 ~~of said partnership, have violated the provisions of s. 492.113.~~

1716 Section 61. Subsection (4) of section 492.113, Florida
1717 Statutes, is amended to read:

1718 492.113 Disciplinary proceedings.—

1719 (4) The department shall reissue the license of a
1720 disciplined professional geologist ~~or business~~ upon
1721 certification by the board that the disciplined person has
1722 complied with ~~all of~~ the terms and conditions set forth in the
1723 final order.

1724 Section 62. Section 492.115, Florida Statutes, is amended
1725 to read:

1726 492.115 Roster of licensed professional geologists.—A
1727 roster showing the names and places of business or residence of
1728 all licensed professional geologists and all properly qualified
1729 firms, corporations, or partnerships practicing holding
1730 ~~certificates of authorization to practice~~ professional geology
1731 in the state shall be prepared annually by the department. A
1732 copy of this roster must be made available to ~~shall be~~
1733 ~~obtainable by~~ each licensed professional geologist and each
1734 firm, corporation, or partnership qualified by a professional
1735 geologist holding a certificate of authorization, and copies
1736 thereof shall be placed on file with the department.

1737 Section 63. Paragraph (i) of subsection (2) of section
1738 548.003, Florida Statutes, is amended to read:

1739 548.003 Florida State Boxing Commission.—

1740 (2) The Florida State Boxing Commission, as created by

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1741 subsection (1), shall administer the provisions of this chapter.
1742 The commission has authority to adopt rules pursuant to ss.
1743 120.536(1) and 120.54 to implement the provisions of this
1744 chapter and to implement each of the duties and responsibilities
1745 conferred upon the commission, including, but not limited to:

1746 ~~(i) Designation and duties of a knockdown timekeeper.~~

1747 Section 64. Subsection (1) of section 548.017, Florida
1748 Statutes, is amended to read:

1749 548.017 Participants, managers, and other persons required
1750 to have licenses.—

1751 (1) A participant, manager, trainer, second, ~~timekeeper,~~
1752 referee, judge, ~~announcer,~~ physician, matchmaker, or promoter
1753 must be licensed before directly or indirectly acting in such
1754 capacity in connection with any match involving a participant. A
1755 physician approved by the commission must be licensed pursuant
1756 to chapter 458 or chapter 459, must maintain an unencumbered
1757 license in good standing, and must demonstrate satisfactory
1758 medical training or experience in boxing, or a combination of
1759 both, to the executive director before working as the ringside
1760 physician.

1761 Section 65. Effective January 1, 2020, subsection (1) of
1762 section 553.74, Florida Statutes, is amended to read:

1763 553.74 Florida Building Commission.—

1764 (1) The Florida Building Commission is created and located
1765 within the Department of Business and Professional Regulation
1766 for administrative purposes. Members are appointed by the
1767 Governor subject to confirmation by the Senate. The commission
1768 is composed of 21 ~~27~~ members, consisting of the following
1769 members:

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1770 (a) One architect licensed pursuant to chapter 481 with at
1771 least 5 years of experience in the design and construction of
1772 buildings containing Florida Building Code designated Group R
1773 occupancy at or above 210 feet in height above the elevation of
1774 the lowest level of emergency services access ~~registered to~~
1775 ~~practice in this state and actively engaged in the profession.~~
1776 ~~The American Institute of Architects, Florida Section, is~~
1777 ~~encouraged to recommend a list of candidates for consideration.~~

1778 (b) One structural engineer registered to practice in this
1779 state and actively engaged in the profession. The Florida
1780 Engineering Society is encouraged to recommend a list of
1781 candidates for consideration.

1782 (c) One air-conditioning or mechanical contractor certified
1783 to do business in this state and actively engaged in the
1784 profession. The Florida Air Conditioning Contractors
1785 Association, the Florida Refrigeration and Air Conditioning
1786 Contractors Association, and the Mechanical Contractors
1787 Association of Florida are encouraged to recommend a list of
1788 candidates for consideration.

1789 (d) One electrical contractor certified to do business in
1790 this state and actively engaged in the profession. The Florida
1791 Association of Electrical Contractors and the National
1792 Electrical Contractors Association, Florida Chapter, are
1793 encouraged to recommend a list of candidates for consideration.

1794 ~~(e) One member from fire protection engineering or~~
1795 ~~technology who is actively engaged in the profession. The~~
1796 ~~Florida Chapter of the Society of Fire Protection Engineers and~~
1797 ~~the Florida Fire Marshals and Inspectors Association are~~
1798 ~~encouraged to recommend a list of candidates for consideration.~~

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1799 (e)~~(f)~~ One certified general contractor or one certified
1800 building contractor certified to do business in this state and
1801 actively engaged in the profession. The Associated Builders and
1802 Contractors of Florida, the Florida Associated General
1803 Contractors Council, the Florida Home Builders Association, and
1804 the Union Contractors Association are encouraged to recommend a
1805 list of candidates for consideration.

1806 (f)~~(g)~~ One plumbing contractor licensed to do business in
1807 this state and actively engaged in the profession. The Florida
1808 Association of Plumbing, Heating, and Cooling Contractors is
1809 encouraged to recommend a list of candidates for consideration.

1810 (g)~~(h)~~ One roofing or sheet metal contractor certified to
1811 do business in this state and actively engaged in the
1812 profession. The Florida Roofing, Sheet Metal, and Air
1813 Conditioning Contractors Association and the Sheet Metal and Air
1814 Conditioning Contractors' National Association are encouraged to
1815 recommend a list of candidates for consideration.

1816 (h)~~(i)~~ One certified residential contractor licensed to do
1817 business in this state and actively engaged in the profession.
1818 The Florida Home Builders Association is encouraged to recommend
1819 a list of candidates for consideration.

1820 (i)~~(j)~~ Three members who are municipal, county, or district
1821 codes enforcement officials, one of whom is also a fire
1822 official. The Building Officials Association of Florida and the
1823 Florida Fire Marshals and Inspectors Association are encouraged
1824 to recommend a list of candidates for consideration.

1825 (j) The State Fire Marshal or his or her designee who has
1826 expertise in fire suppression.

1827 ~~(k) One member who represents the Department of Financial~~

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1828 Services.

1829 ~~(l) One member who is a county codes enforcement official.~~
1830 ~~The Building Officials Association of Florida is encouraged to~~
1831 ~~recommend a list of candidates for consideration.~~

1832 (k) ~~(m)~~ One member of a Florida-based organization of
1833 persons with disabilities or a nationally chartered organization
1834 of persons with disabilities with chapters in this state which
1835 complies with or is certified to be compliant with the
1836 requirements of the Americans with Disability Act of 1990, as
1837 amended.

1838 (l) ~~(n)~~ One member of the manufactured buildings industry
1839 who is licensed to do business in this state and is actively
1840 engaged in the industry. The Florida Manufactured Housing
1841 Association is encouraged to recommend a list of candidates for
1842 consideration.

1843 (m) ~~(o)~~ One mechanical or electrical engineer registered to
1844 practice in this state and actively engaged in the profession.
1845 The Florida Engineering Society is encouraged to recommend a
1846 list of candidates for consideration.

1847 ~~(p) One member who is a representative of a municipality or~~
1848 ~~a charter county. The Florida League of Cities and the Florida~~
1849 ~~Association of Counties are encouraged to recommend a list of~~
1850 ~~candidates for consideration.~~

1851 (n) ~~(q)~~ One member of the building products manufacturing
1852 industry who is authorized to do business in this state and is
1853 actively engaged in the industry. The Florida Building Material
1854 Association, the Florida Concrete and Products Association, and
1855 the Fenestration Manufacturers Association are encouraged to
1856 recommend a list of candidates for consideration.

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1857 (o)~~(r)~~ One member who is a representative of the building
1858 owners and managers industry who is actively engaged in
1859 commercial building ownership or management. The Building Owners
1860 and Managers Association is encouraged to recommend a list of
1861 candidates for consideration.

1862 (p)~~(s)~~ One member who is a representative of the insurance
1863 industry. The Florida Insurance Council is encouraged to
1864 recommend a list of candidates for consideration.

1865 ~~(t) One member who is a representative of public education.~~

1866 (q)~~(u)~~ One member who is a swimming pool contractor
1867 licensed to do business in this state and actively engaged in
1868 the profession. The Florida Swimming Pool Association and the
1869 United Pool and Spa Association are encouraged to recommend a
1870 list of candidates for consideration.

1871 (r)~~(v)~~ One member who is a representative of the green
1872 building industry and who is a third-party commission agent, a
1873 Florida board member of the United States Green Building Council
1874 or Green Building Initiative, a professional who is accredited
1875 under the International Green Construction Code (IGCC), or a
1876 professional who is accredited under Leadership in Energy and
1877 Environmental Design (LEED).

1878 (s)~~(w)~~ One member who is a representative of a natural gas
1879 distribution system and who is actively engaged in the
1880 distribution of natural gas in this state. The Florida Natural
1881 Gas Association is encouraged to recommend a list of candidates
1882 for consideration.

1883 ~~(x) One member who is a representative of the Department of
1884 Agriculture and Consumer Services' Office of Energy. The
1885 Commissioner of Agriculture is encouraged to recommend a list of~~

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1886 ~~candidates for consideration.~~

1887 ~~(y) One member who shall be the chair.~~

1888 Section 66. Subsection (3) of section 559.25, Florida
1889 Statutes, is amended to read:

1890 559.25 Exemptions.—The provisions of this part shall not
1891 apply to or affect the following persons:

1892 ~~(3) Duly licensed auctioneers, selling at auction.~~

1893 Section 67. Paragraphs (h) and (k) of subsection (2) of
1894 section 287.055, Florida Statutes, are amended to read:

1895 287.055 Acquisition of professional architectural,
1896 engineering, landscape architectural, or surveying and mapping
1897 services; definitions; procedures; contingent fees prohibited;
1898 penalties.—

1899 (2) DEFINITIONS.—For purposes of this section:

1900 (h) A "design-build firm" means a partnership, corporation,
1901 or other legal entity that:

1902 1. Is certified under s. 489.119 to engage in contracting
1903 through a certified or registered general contractor or a
1904 certified or registered building contractor as the qualifying
1905 agent; or

1906 2. Is qualified ~~certified~~ under s. 471.023 to practice or
1907 to offer to practice engineering; qualified ~~certified~~ under s.
1908 481.219 to practice or to offer to practice architecture; or
1909 qualified ~~certified~~ under s. 481.319 to practice or to offer to
1910 practice landscape architecture.

1911 (k) A "design criteria professional" means a firm that is
1912 qualified ~~who holds a current certificate of registration~~ under
1913 chapter 481 to practice architecture or landscape architecture
1914 or a firm who holds a current certificate as a registered

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1915 engineer under chapter 471 to practice engineering and who is
1916 employed by or under contract to the agency for the providing of
1917 professional architect services, landscape architect services,
1918 or engineering services in connection with the preparation of
1919 the design criteria package.

1920 Section 68. Except as otherwise expressly provided in this
1921 act, this act shall take effect July 1, 2019.