

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: Commerce Committee  
 2 Representative Ingoglia offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

7 Section 1. This act may be cited as the "Occupational  
8 Freedom and Opportunity Act."

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

11 287.055 Acquisition of professional architectural,  
12 engineering, landscape architectural, or surveying and mapping  
13 services; definitions; procedures; contingent fees prohibited;  
14 penalties.—

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

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

18 1. Is certified under s. 489.119 to engage in contracting  
19 through a certified or registered general contractor or a  
20 certified or registered building contractor as the qualifying  
21 agent; or

22 2. Is qualified ~~certified~~ under s. 471.023 to practice or  
23 to offer to practice engineering; qualified ~~certified~~ under s.  
24 481.219 to practice or to offer to practice architecture; or  
25 qualified ~~certified~~ under s. 481.319 to practice or to offer to  
26 practice landscape architecture.

27 (k) A "design criteria professional" means a firm that is  
28 qualified ~~who holds a current certificate of registration~~ under  
29 chapter 481 to practice architecture or landscape architecture  
30 or a firm who holds a current certificate as a registered  
31 engineer under chapter 471 to practice engineering and who is  
32 employed by or under contract to the agency for the providing of  
33 professional architect services, landscape architect services,  
34 or engineering services in connection with the preparation of  
35 the design criteria package.

36 Section 3. Subsection (4) of section 322.57, Florida  
37 Statutes, is renumbered as subsection (5), and a new subsection  
38 (4) is added to that section, to read:

39 322.57 Tests of knowledge concerning specified vehicles;  
40 endorsement; nonresidents; violations.-

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41 (4) (a) As used in this subsection, the term  
42 "servicemember" means a member of any branch of the United  
43 States military or military reserves, the United States Coast  
44 Guard or its reserves, the Florida National Guard, or the  
45 Florida Air National Guard.

46 (b) The department shall waive the requirement to pass the  
47 examination for a commercial driver license for servicemembers  
48 and veterans if:

49 1. The applicant is a veteran who has been honorably  
50 discharged from military service within 1 year before the  
51 application.

52 2. The applicant is trained as an Army Motor Transport  
53 Operator (MOS 88M) or a similar military specialty.

54 3. The applicant has received training to operate large  
55 trucks in compliance with the Federal Motor Carrier Safety  
56 Administration.

57 4. The applicant has at least 2 years of experience in the  
58 military driving vehicles that would require a commercial driver  
59 license to operate.

60 (c) An applicant must complete all other requirements for  
61 a commercial driver license within 1 year after receiving a  
62 waiver under paragraph (b) or the waiver is invalid.

63 (d) The department shall adopt rules to administer this  
64 subsection.

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65 Section 4. Subsection (13) of section 326.004, Florida  
66 Statutes, is amended to read:

67 326.004 Licensing.—

68 (13) Each broker must maintain a principal place of  
69 business in this state and may establish branch offices in the  
70 state. ~~A separate license must be maintained for each branch~~  
71 ~~office. The division shall establish by rule a fee not to exceed~~  
72 ~~\$100 for each branch office license.~~

73 Section 5. Subsection (3) of section 447.02, Florida  
74 Statutes, is amended to read:

75 447.02 Definitions.—The following terms, when used in this  
76 chapter, shall have the meanings ascribed to them in this  
77 section:

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

80 Section 6. Section 447.04, Florida Statutes, is repealed.

81 Section 7. Section 447.041, Florida Statutes, is repealed.

82 Section 8. Section 447.045, Florida Statutes, is repealed.

83 Section 9. Section 447.06, Florida Statutes, is repealed.

84 Section 10. Subsections (6) and (8) of section 447.09,  
85 Florida Statutes, are amended to read:

86 447.09 Right of franchise preserved; penalties.—It shall  
87 be unlawful for any person:

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

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

92 Section 11. Section 447.12, Florida Statutes, is repealed.

93 Section 12. Section 447.16, Florida Statutes, is repealed.

94 Section 13. Subsection (4) of section 447.305, Florida  
95 Statutes, is amended to read:

96 447.305 Registration of employee organization.—

97 ~~(4) Notification of registrations and renewals of~~  
98 ~~registration shall be furnished at regular intervals by the~~  
99 ~~commission to the Department of Business and Professional~~  
100 ~~Regulation.~~

101 Section 14. Subsection (14) is added to section 455.213,  
102 Florida Statutes, to read:

103 455.213 General licensing provisions.—

104 (14) The department or a board must enter into a  
105 reciprocal licensing agreement with other states if the practice  
106 act within the purview of this chapter permits such agreement.  
107 If a reciprocal licensing agreement exists or if the department  
108 or board has determined another state's licensing requirements  
109 or examinations to be substantially similar to those under the  
110 practice act, the department or board must post on its website  
111 which jurisdictions have such reciprocal licensing agreements or  
112 substantially similar licenses.

113 Section 15. Section 455.2278, Florida Statutes, is created  
114 to read:

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115 455.2278 Restriction on disciplinary action for student  
116 loan default.—

117 (1) DEFINITIONS.—As used in this section, the term:

118 (a) "Default" means the failure to repay a student loan  
119 according to the terms agreed to in the promissory note.

120 (b) "Delinquency" means the failure to make a student loan  
121 payment when it is due.

122 (c) "Student loan" means a federal-guaranteed or state-  
123 guaranteed loan for the purposes of postsecondary education.

124 (d) "Work-conditional scholarship" means an award of  
125 financial aid for a student to further his or her education  
126 which imposes an obligation on the student to complete certain  
127 work-related requirements to receive or to continue receiving  
128 the scholarship.

129 (2) STUDENT LOAN DEFAULT; DELINQUENCY.—The department or a  
130 board may not suspend or revoke a license that it has issued to  
131 any person who is in default on or delinquent in the payment of  
132 his or her student loans solely on the basis of such default or  
133 delinquency.

134 (3) WORK-CONDITIONAL SCHOLARSHIP DEFAULT.—The department  
135 or a board may not suspend or revoke a license that it has  
136 issued to any person who is in default on the satisfaction of  
137 the requirements of his or her work-conditional scholarship  
138 solely on the basis of such default.

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139 Section 16. Paragraph (k) of subsection (1) of section  
140 456.072, Florida Statutes, is amended to read:

141 456.072 Grounds for discipline; penalties; enforcement.-

142 (1) The following acts shall constitute grounds for which  
143 the disciplinary actions specified in subsection (2) may be  
144 taken:

145 (k) Failing to perform any statutory or legal obligation  
146 placed upon a licensee. For purposes of this section, failing to  
147 repay a student loan issued or guaranteed by the state or the  
148 Federal Government in accordance with the terms of the loan is  
149 ~~not or failing to comply with service scholarship obligations~~  
150 ~~shall be~~ considered a failure to perform a statutory or legal  
151 obligation, ~~and the minimum disciplinary action imposed shall be~~  
152 ~~a suspension of the license until new payment terms are agreed~~  
153 ~~upon or the scholarship obligation is resumed, followed by~~  
154 ~~probation for the duration of the student loan or remaining~~  
155 ~~scholarship obligation period, and a fine equal to 10 percent of~~  
156 ~~the defaulted loan amount.~~ Fines collected shall be deposited  
157 into the Medical Quality Assurance Trust Fund.

158 Section 17. Section 456.0721, Florida Statutes, is  
159 repealed.

160 Section 18. Subsection (4) of section 456.074, Florida  
161 Statutes, is amended to read:

162 456.074 Certain health care practitioners; immediate  
163 suspension of license.-

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164       ~~(4) Upon receipt of information that a Florida-licensed~~  
165 ~~health care practitioner has defaulted on a student loan issued~~  
166 ~~or guaranteed by the state or the Federal Government, the~~  
167 ~~department shall notify the licensee by certified mail that he~~  
168 ~~or she shall be subject to immediate suspension of license~~  
169 ~~unless, within 45 days after the date of mailing, the licensee~~  
170 ~~provides proof that new payment terms have been agreed upon by~~  
171 ~~all parties to the loan. The department shall issue an emergency~~  
172 ~~order suspending the license of any licensee who, after 45 days~~  
173 ~~following the date of mailing from the department, has failed to~~  
174 ~~provide such proof. Production of such proof shall not prohibit~~  
175 ~~the department from proceeding with disciplinary action against~~  
176 ~~the licensee pursuant to s. 456.073.~~

177       Section 19. Section 468.401, Florida Statutes, is amended  
178 to read:

179       468.401 ~~Regulation of~~ Talent agencies; definitions.—As  
180 used in this part, the term ~~or any rule adopted pursuant hereto:~~

181       (1)~~(8)~~ "Artist" means a person performing on the  
182 professional stage or in the production of television, radio, or  
183 motion pictures; a musician or group of musicians; or a model.

184       (2)~~(7)~~ "Buyer" or "employer" means a person, company,  
185 partnership, or corporation that uses the services of a talent  
186 agency to provide artists.

187       (3) "Compensation" means any one or more of the following:



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188 (a) Any money or other valuable consideration paid or  
189 promised to be paid for services rendered by any person  
190 conducting the business of a talent agency under this part;

191 (b) Any money received by any person in excess of that  
192 which has been paid out by such person for transportation,  
193 transfer of baggage, or board and lodging for any applicant for  
194 employment; or

195 (c) The difference between the amount of money received by  
196 any person who furnishes employees, performers, or entertainers  
197 for circus, vaudeville, theatrical, or other entertainments,  
198 exhibitions, engagements, or performances and the amount paid by  
199 him or her to such employee, performer, or entertainer.

200 (4) "Engagement" means any employment or placement of an  
201 artist, where the artist performs in his or her artistic  
202 capacity. However, the term "engagement" shall not apply to  
203 procuring opera, music, theater, or dance engagements for any  
204 organization defined in s. 501(c)(3) of the Internal Revenue  
205 Code or any nonprofit Florida arts organization that has  
206 received a grant from the Division of Cultural Affairs of the  
207 Department of State or has participated in the state touring  
208 program of the Division of Cultural Affairs.

209 ~~(5) "Department" means the Department of Business and~~  
210 ~~Professional Regulation.~~

211 (5)~~(6)~~ "Operator" means the person who is or who will be  
212 in actual charge of a talent agency.

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213 ~~(6)-(2)~~ "Owner" means any partner in a partnership, member  
214 of a firm, or principal officer or officers of a corporation,  
215 whose partnership, firm, or corporation owns a talent agency, or  
216 any individual who is the sole owner of a talent agency.

217 ~~(7)-(9)~~ "Person" means any individual, company, society,  
218 firm, partnership, association, corporation, manager, or any  
219 agent or employee of any of the foregoing.

220 ~~(10)~~ "License" means a license issued by the Department of  
221 Business and Professional Regulation to carry on the business of  
222 a talent agency under this part.

223 ~~(11)~~ "Licensee" means a talent agency which holds a valid  
224 unrevoked and unforfeited license issued under this part.

225 ~~(8)-(1)~~ "Talent agency" means any person who, for  
226 compensation, engages in the occupation or business of procuring  
227 or attempting to procure engagements for an artist.

228 Section 20. Section 468.402, Florida Statutes, is  
229 repealed.

230 Section 21. Section 468.403, Florida Statutes, is  
231 repealed.

232 Section 22. Section 468.404, Florida Statutes, is  
233 repealed.

234 Section 23. Section 468.405, Florida Statutes, is  
235 repealed.

236 Section 24. Subsection (1) of section 468.406, Florida  
237 Statutes, is amended to read:

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238 468.406 Fees to be charged by talent agencies; rates;  
239 display.—

240 (1) Each owner or operator of a talent agency shall post  
241 in a conspicuous place in each place of business of the agency  
242 ~~applicant for a license shall file with the application an~~  
243 ~~itemized schedule of maximum fees, charges, and commissions that~~  
244 ~~which it intends to charge and collect for its services. The~~  
245 ~~This schedule may thereafter be raised only by filing with the~~  
246 ~~department an amended or supplemental schedule at least 30 days~~  
247 ~~before the change is to become effective. The schedule shall be~~  
248 ~~posted in a conspicuous place in each place of business of the~~  
249 ~~agency and shall be printed in not less than a 30-point~~  
250 ~~boldfaced type, except that an agency that uses written~~  
251 ~~contracts containing maximum fee schedules need not post such~~  
252 ~~schedules.~~

253 Section 25. Section 468.407, Florida Statutes, is  
254 repealed.

255 Section 26. Subsection (1) of section 468.408, Florida  
256 Statutes, is amended to read:

257 468.408 Bond required.—

258 (1) An owner or operator of a ~~There shall be filed with~~  
259 ~~the department for each talent agency shall obtain~~ license a  
260 bond in the form of a surety by a reputable company engaged in  
261 the bonding business and authorized to do business in this  
262 state. The bond shall be for the penal sum of \$5,000, with one

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263 or more sureties ~~to be approved by the department~~, and be  
264 conditioned that the owner or operator of the talent agency  
265 ~~applicant~~ conform to and not violate any of the duties, terms,  
266 conditions, provisions, or requirements of this part. Such bond  
267 may not be issued or renewed by the bonding agency unless each  
268 owner or operator of a talent agency submits fingerprints to the  
269 Department of Law Enforcement for a state criminal history  
270 record check and to the Federal Bureau of Investigation for a  
271 national criminal history record check, and the bonding agency  
272 verifies by examination of the criminal history records checks  
273 that each owner or operator has not been convicted of a crime  
274 that would require registration as a sexual offender, as  
275 required in s. 943.0435 or s. 944.607, or as a sexual predator,  
276 as required under s. 775.21.

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 talent agency  
287 ~~department~~ of any claim against such bond, and a copy of such

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288 notice shall be sent to the talent agency against which the  
289 claim is made.

290 Section 27. Section 468.409, Florida Statutes, is amended  
291 to read:

292 468.409 Records required to be kept.—Each talent agency  
293 shall keep on file the application, registration, or contract of  
294 each artist. In addition, such file must include the name and  
295 address of each artist, the amount of the compensation received,  
296 and all attempts to procure engagements for the artist. No such  
297 agency or employee thereof shall knowingly make any false entry  
298 in applicant files or receipt files. Each card or document in  
299 such files shall be preserved for a period of 1 year after the  
300 date of the last entry thereon. ~~Records required under this~~  
301 ~~section shall be readily available for inspection by the~~  
302 ~~department during reasonable business hours at the talent~~  
303 ~~agency's principal office. A talent agency must provide the~~  
304 ~~department with true copies of the records in the manner~~  
305 ~~prescribed by the department.~~

306 Section 28. Subsection (3) of section 468.410, Florida  
307 Statutes, is amended to read:

308 468.410 Prohibition against registration fees; referral.—

309 (3) A talent agency shall give each applicant a copy of a  
310 contract, within 24 hours after the contract's execution, which  
311 lists the services to be provided and the fees to be charged.  
312 ~~The contract shall state that the talent agency is regulated by~~

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313 ~~the department and shall list the address and telephone number~~  
314 ~~of the department.~~

315 Section 29. Subsections (4) through (11) of section  
316 468.412, Florida Statutes, are renumbered as subsections (3)  
317 through (10), respectively, and present subsections (2), (3),  
318 (4), (6), and (11) of that section are amended, to read:

319 468.412 Talent agency regulations; prohibited acts.—

320 (2) Each talent agency shall keep records in which shall  
321 be entered:

322 (a) The name and address of each artist employing such  
323 talent agency.†

324 (b) The amount of fees received from each such artist.†

325 (c) The employment in which each such artist is engaged at  
326 the time of employing such talent agency and the amount of  
327 compensation of the artist in such employment, if any, and the  
328 employments subsequently secured by such artist during the term  
329 of the contract between the artist and the talent agency and the  
330 amount of compensation received by the artist pursuant thereto.†  
331 and

332 ~~(d) Other information which the department may require~~  
333 ~~from time to time.~~

334 ~~(3) All books, records, and other papers kept pursuant to~~  
335 ~~this act by any talent agency shall be open at all reasonable~~  
336 ~~hours to the inspection of the department and its agents. Each~~  
337 ~~talent agency shall furnish to the department, upon request, a~~

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338 ~~true copy of such books, records, and papers, or any portion~~  
339 ~~thereof, and shall make such reports as the department may~~  
340 ~~prescribe from time to time.~~

341 ~~(3)-(4)~~ Each talent agency shall post in a conspicuous  
342 place in the office of such talent agency a printed copy of this  
343 part ~~and of the rules adopted under this part. Such copies shall~~  
344 ~~also contain the name and address of the officer charged with~~  
345 ~~enforcing this part. The department shall furnish to talent~~  
346 ~~agencies printed copies of any statute or rule required to be~~  
347 ~~posted under this subsection.~~

348 ~~(5)-(6)~~ A ~~No~~ talent agency may not publish or cause to be  
349 published any false, fraudulent, or misleading information,  
350 representation, notice, or advertisement. All advertisements of  
351 a talent agency by means of card, circulars, or signs, and in  
352 newspapers and other publications, and all letterheads,  
353 receipts, and blanks shall be printed and contain the ~~licensed~~  
354 ~~name, department license number,~~ and address of the talent  
355 agency and the words "talent agency." A ~~No~~ talent agency may not  
356 give any false information or make any false promises or  
357 representations concerning an engagement or employment to any  
358 applicant who applies for an engagement or employment.

359 ~~(10)-(11)~~ A talent agency may assign an engagement contract  
360 to another talent agency ~~licensed~~ in this state only if the  
361 artist agrees in writing to the assignment. The assignment must  
362 occur, and written notice of the assignment must be given to the

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363 artist, within 30 days after the artist agrees in writing to the  
364 assignment.

365 Section 30. Section 468.413, Florida Statutes, is amended  
366 to read:

367 468.413 Legal requirements; penalties.—

368 ~~(1) Each of the following acts constitutes a felony of the~~  
369 ~~third degree, punishable as provided in s. 775.082, s. 775.083,~~  
370 ~~or s. 775.084:~~

371 ~~(a) Owning or operating, or soliciting business as, a~~  
372 ~~talent agency in this state without first procuring a license~~  
373 ~~from the department.~~

374 ~~(b) Obtaining or attempting to obtain a license by means~~  
375 ~~of fraud, misrepresentation, or concealment.~~

376 (1)~~(2)~~ Each of the following acts constitutes a  
377 misdemeanor of the second degree, punishable as provided in s.  
378 775.082 or s. 775.083:

379 ~~(a) Relocating a business as a talent agency, or operating~~  
380 ~~under any name other than that designated on the license, unless~~  
381 ~~written notification is given to the department and to the~~  
382 ~~surety or sureties on the original bond, and unless the license~~  
383 ~~is returned to the department for the recording thereon of such~~  
384 ~~changes.~~

385 ~~(b) Assigning or attempting to assign a license issued~~  
386 ~~under this part.~~

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387 ~~(c) Failing to show on a license application whether or~~  
388 ~~not the agency or any owner of the agency is financially~~  
389 ~~interested in any other business of like nature and, if so,~~  
390 ~~failing to specify such interest or interests.~~

391 ~~(a)(d)~~ Failing to maintain the records required by s.  
392 468.409 or knowingly making false entries in such records.

393 ~~(b)(e)~~ Requiring as a condition to registering or  
394 obtaining employment or placement for any applicant that the  
395 applicant subscribe to, purchase, or attend any publication,  
396 postcard service, advertisement, resume service, photography  
397 service, school, acting school, workshop, or acting workshop.

398 ~~(c)(f)~~ Failing to give each applicant a copy of a contract  
399 which lists the services to be provided and the fees to be  
400 charged ~~by, which states that the talent agency is regulated by~~  
401 ~~the department, and which lists the address and telephone number~~  
402 ~~of the department.~~

403 ~~(d)(g)~~ Failing to maintain a record sheet as required by  
404 s. 468.412(1).

405 ~~(e)(h)~~ Knowingly sending or causing to be sent any artist  
406 to a prospective employer or place of business, the character or  
407 operation of which employer or place of business the talent  
408 agency knows to be in violation of the laws of the United States  
409 or of this state.

410 ~~(3) The court may, in addition to other punishment~~  
411 ~~provided for in subsection (2), suspend or revoke the license of~~

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412 ~~any licensee under this part who has been found guilty of any~~  
413 ~~misdemeanor listed in subsection (2).~~

414 ~~(2)-(4)~~ In the event that ~~the department or~~ any state  
415 attorney shall have probable cause to believe that a talent  
416 agency or other person has violated any provision of subsection  
417 (1), an action may be brought by ~~the department or~~ any state  
418 attorney to enjoin such talent agency or any person from  
419 continuing such violation, or engaging therein or doing any acts  
420 in furtherance thereof, and for such other relief as to the  
421 court seems appropriate. ~~In addition to this remedy, the~~  
422 ~~department may assess a penalty against any talent agency or any~~  
423 ~~person in an amount not to exceed \$5,000.~~

424 Section 31. Section 468.414, Florida Statutes, is  
425 repealed.

426 Section 32. Section 468.415, Florida Statutes, is amended  
427 to read:

428 468.415 Sexual misconduct in the operation of a talent  
429 agency.—The talent agent-artist relationship is founded on  
430 mutual trust. Sexual misconduct in the operation of a talent  
431 agency means violation of the talent agent-artist relationship  
432 through which the talent agent uses the relationship to induce  
433 or attempt to induce the artist to engage or attempt to engage  
434 in sexual activity. Sexual misconduct is prohibited in the  
435 operation of a talent agency. ~~If~~ Any agent, owner, or operator  
436 of a ~~licensed~~ talent agency who commits ~~is found to have~~

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437 ~~committed~~ sexual misconduct in the operation of a talent agency,  
438 ~~the agency license shall be permanently revoked. Such agent,~~  
439 ~~owner, or operator~~ shall be permanently prohibited from acting  
440 ~~disqualified from present and future licensure as an agent,~~  
441 owner, or operator of a Florida talent agency.

442 Section 33. Paragraph (n) is added to subsection (1) of  
443 section 468.505, Florida Statutes, to read:

444 468.505 Exemptions; exceptions.—

445 (1) ~~Nothing in~~ This part may not be construed as  
446 prohibiting or restricting the practice, services, or activities  
447 of:

448 (n) A person who provides information, recommendations, or  
449 advice concerning nutrition, or who markets food, food  
450 materials, or dietary supplements for remuneration, if that  
451 person does not represent himself or herself as a dietitian,  
452 licensed dietitian, registered dietitian, licensed nutritionist,  
453 nutrition counselor, or licensed nutrition counselor, or use any  
454 word, letter, symbol, or insignia indicating or implying that he  
455 or she is a dietitian, nutritionist, or nutrition counselor.

456 Section 34. Subsection (4) of section 468.524, Florida  
457 Statutes, is amended to read:

458 468.524 Application for license.—

459 (4) A ~~An applicant or~~ licensee is ineligible to reapply  
460 for a license for a period of 1 year following final agency  
461 action on the ~~denial or~~ revocation of a license ~~applied for or~~

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462 issued under this part. This time restriction does not apply to  
463 administrative ~~denials or~~ revocations entered because:

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

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

468 ~~(c) The department is unable to complete the criminal  
469 background investigation because of insufficient information  
470 from the Florida Department of Law Enforcement, the Federal  
471 Bureau of Investigation, or any other applicable law enforcement  
472 agency;~~

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

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

480 Section 35. Paragraph (f) of subsection (5) of section  
481 468.603, Florida Statutes, is amended to read:

482 468.603 Definitions.—As used in this part:

483 (5) "Categories of building code inspectors" include the  
484 following:

485 (f) "Residential One and two family dwelling inspector"  
486 means a person who is qualified to inspect and determine that

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487 one-family, two-family, or three-family residences not exceeding  
488 two habitable stories above no more than one uninhabitable story  
489 and accessory use structures in connection therewith ~~one and two~~  
490 ~~family dwellings and accessory structures~~ are constructed in  
491 accordance with the provisions of the governing building,  
492 plumbing, mechanical, accessibility, and electrical codes.

493 Section 36. Paragraph (c) of subsection (2) and paragraph  
494 (a) of subsection (7) of section 468.609, Florida Statutes, are  
495 amended to read:

496 468.609 Administration of this part; standards for  
497 certification; additional categories of certification.—

498 (2) A person may take the examination for certification as  
499 a building code inspector or plans examiner pursuant to this  
500 part if the person:

501 (c) Meets eligibility requirements according to one of the  
502 following criteria:

503 1. Demonstrates 4 ~~5~~ years' combined experience in the  
504 field of construction or a related field, building code  
505 inspection, or plans review corresponding to the certification  
506 category sought;

507 2. Demonstrates a combination of postsecondary education  
508 in the field of construction or a related field and experience  
509 which totals 3 ~~4~~ years, with at least 1 year of such total being  
510 experience in construction, building code inspection, or plans  
511 review;

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512 3. Demonstrates a combination of technical education in  
513 the field of construction or a related field and experience  
514 which totals 3 4 years, with at least 1 year of such total being  
515 experience in construction, building code inspection, or plans  
516 review;

517 4. Currently holds a standard certificate issued by the  
518 board or a firesafety inspector license issued pursuant to  
519 chapter 633, with ~~has~~ a minimum of 3 years' verifiable full-time  
520 experience in firesafety inspection or firesafety plan review,  
521 and has satisfactorily completed a building code inspector or  
522 plans examiner training program that provides at least 100 hours  
523 but not more than 200 hours of cross-training in the  
524 certification category sought. The board shall establish by rule  
525 criteria for the development and implementation of the training  
526 programs. The board shall accept all classroom training offered  
527 by an approved provider if the content substantially meets the  
528 intent of the classroom component of the training program;

529 5. Demonstrates a combination of the completion of an  
530 approved training program in the field of building code  
531 inspection or plan review and a minimum of 2 years' experience  
532 in the field of building code inspection, plan review, fire code  
533 inspections and fire plans review of new buildings as a  
534 firesafety inspector certified under s. 633.216, or  
535 construction. The approved training portion of this requirement  
536 shall include proof of satisfactory completion of a training

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537 program that provides at least 200 hours but not more than 300  
538 hours of cross-training that is approved by the board in the  
539 chosen category of building code inspection or plan review in  
540 the certification category sought with at least 20 hours but not  
541 more than 30 hours of instruction in state laws, rules, and  
542 ethics relating to professional standards of practice, duties,  
543 and responsibilities of a certificateholder. The board shall  
544 coordinate with the Building Officials Association of Florida,  
545 Inc., to establish by rule the development and implementation of  
546 the training program. However, the board shall accept all  
547 classroom training offered by an approved provider if the  
548 content substantially meets the intent of the classroom  
549 component of the training program;

550 6. Currently holds a standard certificate issued by the  
551 board or a firesafety inspector license issued pursuant to  
552 chapter 633 and:

553 a. Has at least 4 ~~5~~ years' verifiable full-time experience  
554 as an inspector or plans examiner in a standard certification  
555 category currently held or has a minimum of 4 ~~5~~ years'  
556 verifiable full-time experience as a firesafety inspector  
557 licensed pursuant to chapter 633.

558 b. Has satisfactorily completed a building code inspector  
559 or plans examiner classroom training course or program that  
560 provides at least 200 but not more than 300 hours in the  
561 certification category sought, except for one-family and two-

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562 family dwelling training programs, which must provide at least  
563 500 but not more than 800 hours of training as prescribed by the  
564 board. The board shall establish by rule criteria for the  
565 development and implementation of classroom training courses and  
566 programs in each certification category; or

567 7.a. Has completed a 4-year internship certification  
568 program as a building code inspector or plans examiner while  
569 employed full-time by a municipality, county, or other  
570 governmental jurisdiction, under the direct supervision of a  
571 certified building official. Proof of graduation with a related  
572 vocational degree or college degree or of verifiable work  
573 experience may be exchanged for the internship experience  
574 requirement year-for-year, but may reduce the requirement to no  
575 less than 1 year.

576 b. Has passed an examination administered by the  
577 International Code Council in the certification category sought.  
578 Such examination must be passed before beginning the internship  
579 certification program.

580 c. Has passed the principles and practice examination  
581 before completing the internship certification program.

582 d. Has passed a board-approved 40-hour code training  
583 course in the certification category sought before completing  
584 the internship certification program.



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585 e. Has obtained a favorable recommendation from the  
586 supervising building official after completion of the internship  
587 certification program.

588 (7) (a) The board shall provide for the issuance of  
589 provisional certificates valid for 2 years ~~1 year~~, as specified  
590 by board rule, to any building code inspector or plans examiner  
591 who meets the eligibility requirements described in subsection  
592 (2) and any newly employed or promoted building code  
593 administrator who meets the eligibility requirements described  
594 in subsection (3). The provisional license may be renewed by the  
595 board for just cause; however, a provisional license is not  
596 valid for longer than 3 years.

597 Section 37. Section 468.613, Florida Statutes, is amended  
598 to read:

599 468.613 Certification by endorsement.—The board shall  
600 examine other certification or training programs, as applicable,  
601 upon submission to the board for its consideration of an  
602 application for certification by endorsement. The board shall  
603 waive its examination, qualification, education, or training  
604 requirements, to the extent that such examination,  
605 qualification, education, or training requirements of the  
606 applicant are determined by the board to be comparable with  
607 those established by the board. The board shall waive its  
608 examination, qualification, education, or training requirements  
609 if an applicant for certification by endorsement is at least 18

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610 years of age; is of good moral character; has held a valid  
611 building administrator, inspector, plans examiner, or the  
612 equivalent, certification issued by another state or territory  
613 of the United States for at least 10 years before the date of  
614 application; and has successfully passed an applicable  
615 examination administered by the International Codes Council.  
616 Such application must be submitted to the board while the  
617 applicant holds a valid license in another state or territory or  
618 within 2 years after the expiration of such license.

619 Section 38. Subsection (3) of section 468.8314, Florida  
620 Statutes, is amended to read:

621 468.8314 Licensure.—

622 (3) The department shall certify as qualified for a  
623 license by endorsement an applicant who is of good moral  
624 character as determined in s. 468.8313, who maintains an  
625 insurance policy as required by s. 468.8322, and who:†

626 (a) Holds a valid license to practice home inspection  
627 services in another state or territory of the United States,  
628 whose educational requirements are substantially equivalent to  
629 those required by this part; and has passed a national,  
630 regional, state, or territorial licensing examination that is  
631 substantially equivalent to the examination required by this  
632 part; or

633 (b) Has held a valid license to practice home inspection  
634 services issued by another state or territory of the United

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635 States for at least 10 years before the date of application.  
636 Such application must be submitted to the department while the  
637 applicant holds a valid license in another state or territory or  
638 within 2 years after the expiration of such license.

639 Section 39. Subsection (5) of section 471.015, Florida  
640 Statutes, is amended to read:

641 471.015 Licensure.—

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

648 (b) The board shall deem that an applicant who seeks  
649 licensure by endorsement has passed an examination substantially  
650 equivalent to the fundamentals examination and the principles  
651 and practices examination when such applicant has held a valid  
652 professional engineer's license in another state for 15 ~~25~~ years  
653 ~~and has had 30 years of continuous professional-level~~  
654 ~~engineering experience.~~

655 Section 40. Subsection (7) of section 473.308, Florida  
656 Statutes, is amended to read:

657 473.308 Licensure.—

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

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

666 ~~2. Has completed such continuing education courses as the~~  
667 ~~board deems appropriate, within the limits for each applicable~~  
668 ~~2-year period as set forth in s. 473.312, but at least such~~  
669 ~~courses as are equivalent to the continuing education~~  
670 ~~requirements for a Florida certified public accountant licensed~~  
671 ~~in this state during the 2 years immediately preceding her or~~  
672 ~~his application for licensure by endorsement; or~~

673 (b)1.a. Holds a valid license to practice public  
674 accounting issued by another state or territory of the United  
675 States, if the criteria for issuance of such license were  
676 substantially equivalent to the licensure criteria that existed  
677 in this state at the time the license was issued;

678 ~~2.b.~~ Holds a valid license to practice public accounting  
679 issued by another state or territory of the United States but  
680 the criteria for issuance of such license did not meet the  
681 requirements of subparagraph 1. ~~sub-subparagraph a.~~; has met the  
682 requirements of this section for education, work experience, and  
683 good moral character; and has passed a national, regional,  
684 state, or territorial licensing examination that is

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685 substantially equivalent to the examination required by s.  
686 473.306; or

687 ~~3.e.~~ Holds a valid license to practice public accounting  
688 issued by another state or territory of the United States for at  
689 least 10 years before the date of application; has passed a  
690 national, regional, state, or territorial licensing examination  
691 that is substantially equivalent to the examination required by  
692 s. 473.306; and has met the requirements of this section for  
693 good moral character.; ~~and~~

694 ~~2. Has completed continuing education courses that are~~  
695 ~~equivalent to the continuing education requirements for a~~  
696 ~~Florida certified public accountant licensed in this state~~  
697 ~~during the 2 years immediately preceding her or his application~~  
698 ~~for licensure by endorsement.~~

699 Section 41. Subsection (6) of section 474.202, Florida  
700 Statutes, is amended to read:

701 474.202 Definitions.—As used in this chapter:

702 (6) "Limited-service veterinary medical practice" means  
703 offering or providing veterinary services at any location that  
704 has a primary purpose other than that of providing veterinary  
705 medical service at a permanent or mobile establishment permitted  
706 by the board; provides veterinary medical services for privately  
707 owned animals that do not reside at that location; operates for  
708 a limited time; and provides limited types of veterinary medical  
709 services, including vaccinations or immunizations against

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710 disease, preventative procedures for parasitic control, and  
711 microchip implantation.

712 Section 42. Subsection (9) is added to section 474.203,  
713 Florida Statutes, to read:

714 474.203 Exemptions.—This chapter does not apply to:

715 (9) An employee, agent, or contractor of a public or  
716 private animal shelter, humane organization, or animal control  
717 agency operated by a humane organization or by a county,  
718 municipality, or other incorporated political subdivision whose  
719 work is confined solely to the implantation of a radio frequency  
720 identification device microchip for dogs and cats in accordance  
721 with s. 823.15.

722  
723 For the purposes of chapters 465 and 893, persons exempt  
724 pursuant to subsection (1), subsection (2), or subsection (4)  
725 are deemed to be duly licensed practitioners authorized by the  
726 laws of this state to prescribe drugs or medicinal supplies.

727 Section 43. Paragraph (b) of subsection (2) of section  
728 474.207, Florida Statutes, is amended to read:

729 474.207 Licensure by examination.—

730 (2) The department shall license each applicant who the  
731 board certifies has:

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

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735           2. Graduated from a college of veterinary medicine listed  
736 in the American Veterinary Medical Association Roster of  
737 Veterinary Colleges of the World and obtained a certificate from  
738 the Education Commission for Foreign Veterinary Graduates or the  
739 Program for the Assessment of Veterinary Education Equivalence.

740  
741 The department shall not issue a license to any applicant who is  
742 under investigation in any state or territory of the United  
743 States or in the District of Columbia for an act which would  
744 constitute a violation of this chapter until the investigation  
745 is complete and disciplinary proceedings have been terminated,  
746 at which time the provisions of s. 474.214 shall apply.

747           Section 44. Subsection (1) of section 474.217, Florida  
748 Statutes, is amended to read:

749           474.217 Licensure by endorsement.—

750           (1) The department shall issue a license by endorsement to  
751 any applicant who, upon applying to the department and remitting  
752 a fee set by the board, demonstrates to the board that she or  
753 he:

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

757           (b)1. ~~Either~~ Holds, and has held for the 3 years  
758 immediately preceding the application for licensure, a valid,  
759 active license to practice veterinary medicine in another state

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760 of the United States, the District of Columbia, or a territory  
761 of the United States, provided that the applicant has  
762 successfully completed a state, regional, national, or other  
763 examination that is equivalent to or more stringent than the  
764 examination required by the board ~~requirements for licensure in~~  
765 ~~the issuing state, district, or territory are equivalent to or~~  
766 ~~more stringent than the requirements of this chapter; or~~

767 2. Meets the qualifications of s. 474.207(2)(b) and has  
768 successfully completed a state, regional, national, or other  
769 examination which is equivalent to or more stringent than the  
770 examination given by the department and has passed the board's  
771 clinical competency examination or another clinical competency  
772 examination specified by rule of the board.

773 Section 45. Effective January 1, 2021, subsection (2) of  
774 section 476.114, Florida Statutes, is amended to read:

775 476.114 Examination; prerequisites.—

776 (2) An applicant shall be eligible for licensure by  
777 examination to practice barbering if the applicant:

778 (a) Is at least 16 years of age;

779 (b) Pays the required application fee; and

780 (c)1. Holds an active valid license to practice barbering  
781 in another state, has held the license for at least 1 year, and  
782 does not qualify for licensure by endorsement as provided for in  
783 s. 476.144(5); or



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784 2. Has received a minimum of 900 ~~1,200~~ hours of training  
785 in sanitation, safety, and laws and rules, as established by the  
786 board, which shall include, but shall not be limited to, the  
787 equivalent of completion of services directly related to the  
788 practice of barbering at one of the following:

- 789 a. A school of barbering licensed pursuant to chapter  
790 1005;
- 791 b. A barbering program within the public school system; or  
792 c. A government-operated barbering program in this state.

793

794 The board shall establish by rule procedures whereby the school  
795 or program may certify that a person is qualified to take the  
796 required examination after the completion of a minimum of 600  
797 ~~1,000~~ actual school hours. If the person passes the examination,  
798 she or he shall have satisfied this requirement; but if the  
799 person fails the examination, she or he shall not be qualified  
800 to take the examination again until the completion of the full  
801 requirements provided by this section.

802 Section 46. 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

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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  
813 qualifications required of applicants from this state.

814 Section 47. 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 48. Section 477.0132, Florida Statutes, is  
823 repealed.

824 Section 49. 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).

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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  
837 person whose occupation or practice is confined solely to  
838 applying polish to fingernails and toenails.

839 (11) A license or registration is not required for a  
840 person whose occupation or practice is confined solely to makeup  
841 application, which includes, but is not limited to, application  
842 of makeup primer, face paint, lipstick, eyeliner, eye shadow,  
843 foundation, rouge or cheek color, mascara, strip lashes,  
844 individual lashes, face powder, corrective stick, and makeup  
845 remover; but does not include manual or chemical exfoliation,  
846 semi-permanent lash application, lash or brow tinting, or hair  
847 removal.

848 Section 50. Subsections (6) and (7) of section 477.019,  
849 Florida Statutes, are amended to read:

850 477.019 Cosmetologists; qualifications; licensure;  
851 supervised practice; license renewal; endorsement; continuing  
852 education.—

853 (6) The board shall certify as qualified for licensure by  
854 endorsement as a cosmetologist in this state an applicant who  
855 holds a current active license to practice cosmetology in  
856 another state. ~~The board may not require proof of educational~~  
857 ~~hours if the license was issued in a state that requires 1,200~~

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858 ~~or more hours of prelicensure education and passage of a written~~  
859 ~~examination. This subsection does not apply to applicants who~~  
860 ~~received their license in another state through an~~  
861 ~~apprenticeship program.~~

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

879 ~~(b) Any person whose occupation or practice is confined~~  
880 ~~solely to hair braiding, hair wrapping, or body wrapping is~~  
881 ~~exempt from the continuing education requirements of this~~  
882 ~~subsection.~~

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883        ~~(b)(e)~~ The board may, by rule, require any licensee in  
884 violation of a continuing education requirement to take a  
885 refresher course or refresher course and examination in addition  
886 to any other penalty. The number of hours for the refresher  
887 course may not exceed 48 hours.

888        Section 51. Effective January 1, 2021, subsection (1) of  
889 section 477.0201, Florida Statutes, is amended to read:

890        477.0201 Specialty registration; qualifications;  
891 registration renewal; endorsement.—

892        (1) Any person is qualified for registration as a  
893 specialist in any ~~one or more of the~~ specialty practice  
894 ~~practices~~ within the practice of cosmetology under this chapter  
895 who:

896        (a) Is at least 16 years of age or has received a high  
897 school diploma.

898        (b) Has received a certificate of completion for: ~~in a~~

899        1. 180 hours of training, as established by the board,  
900 which shall focus primarily on sanitation and safety, to  
901 practice specialties as defined in s. 477.013(6) (a) and (b);  
902 ~~specialty pursuant to s. 477.013(6)~~

903        2. 220 hours of training, as established by the board,  
904 which shall focus primarily on sanitation and safety, to  
905 practice the specialty as defined in s. 477.013(6) (c); or

906        3. 400 hours of training or the number of hours of  
907 training required to maintain minimum Pell Grant requirements,

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908 as established by the board, which shall focus primarily on  
909 sanitation and safety, to practice the specialties as defined in  
910 s. 477.013(6)(a)-(c).

911 (c) The certificate of completion specified in paragraph  
912 (b) must be from one of the following:

- 913 1. A school licensed pursuant to s. 477.023.
- 914 2. A school licensed pursuant to chapter 1005 or the  
915 equivalent licensing authority of another state.
- 916 3. A specialty program within the public school system.
- 917 4. A specialty division within the Cosmetology Division of  
918 the Florida School for the Deaf and the Blind, provided the  
919 training programs comply with minimum curriculum requirements  
920 established by the board.

921 Section 52. Paragraph (f) of subsection (1) of section  
922 477.026, Florida Statutes, is amended to read:

923 477.026 Fees; disposition.—

924 (1) The board shall set fees according to the following  
925 schedule:

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

928 Section 53. Subsection (4) of section 477.0263, Florida  
929 Statutes, is amended, and subsection (5) is added to that  
930 section, to read:

931 477.0263 Cosmetology services to be performed in licensed  
932 salon; exceptions.—

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933 (4) Pursuant to rules adopted by the board, any  
934 cosmetology or specialty service may be performed in a location  
935 other than a licensed salon when the service is performed in  
936 connection with a special event and is performed by a person ~~who~~  
937 ~~is employed by a licensed salon and~~ who holds the proper license  
938 or specialty registration. ~~An appointment for the performance of~~  
939 ~~any such service in a location other than a licensed salon must~~  
940 ~~be made through a licensed salon.~~

941 (5) Any person who holds the proper license may perform  
942 hair shampooing, hair cutting, hair arranging, nail polish  
943 removal, nail filing, nail buffing, and nail cleansing services  
944 in a location other than a licensed salon.

945 Section 54. Paragraph (f) of subsection (1) of section  
946 477.0265, Florida Statutes, is amended to read:

947 477.0265 Prohibited acts.—

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

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

953 Section 55. Paragraph (a) of subsection (1) of section  
954 477.029, Florida Statutes, is amended to read:

955 477.029 Penalty.—

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

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957 (a) Hold himself or herself out as a cosmetologist or  
958 specialist, ~~hair wrapper, hair braider, or body wrapper~~ unless  
959 duly licensed or registered, or otherwise authorized, as  
960 provided in this chapter.

961 Section 56. Section 481.201, Florida Statutes, is amended  
962 to read:

963 481.201 Purpose.—The primary legislative purpose for  
964 enacting this part is to ensure that every architect practicing  
965 in this state meets minimum requirements for safe practice. It  
966 is the legislative intent that architects who fall below minimum  
967 competency or who otherwise present a danger to the public shall  
968 be prohibited from practicing in this state. ~~The Legislature~~  
969 ~~further finds that it is in the interest of the public to limit~~  
970 ~~the practice of interior design to interior designers or~~  
971 ~~architects who have the design education and training required~~  
972 ~~by this part or to persons who are exempted from the provisions~~  
973 ~~of this part.~~

974 Section 57. Section 481.203, Florida Statutes, is amended  
975 to read:

976 481.203 Definitions.—As used in this part, the term:

977 (1)~~(3)~~ "Architect" or "registered architect" means a  
978 natural person who is licensed under this part to engage in the  
979 practice of architecture.

980 (2)~~(6)~~ "Architecture" means the rendering or offering to  
981 render services in connection with the design and construction

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982 of a structure or group of structures which have as their  
983 principal purpose human habitation or use, and the utilization  
984 of space within and surrounding such structures. These services  
985 include planning, providing preliminary study designs, drawings  
986 and specifications, job-site inspection, and administration of  
987 construction contracts.

988 (3)~~(1)~~ "Board" means the Board of Architecture and  
989 Interior Design.

990 (4) "Business organization" means a partnership, a limited  
991 liability company, a corporation, or an individual operating  
992 under a fictitious name.

993 ~~(5) "Certificate of authorization" means a certificate~~  
994 ~~issued by the department to a corporation or partnership to~~  
995 ~~practice architecture or interior design.~~

996 (5)~~(4)~~ "Certificate of registration" means a license  
997 issued by the department to a natural person to engage in the  
998 practice of architecture or interior design.

999 (6)~~(13)~~ "Common area" means an area that is held out for  
1000 use by all tenants or owners in a multiple-unit dwelling,  
1001 including, but not limited to, a lobby, elevator, hallway,  
1002 laundry room, clubhouse, or swimming pool.

1003 (7)~~(2)~~ "Department" means the Department of Business and  
1004 Professional Regulation.

1005 (8)~~(14)~~ "Diversified interior design experience" means  
1006 experience which substantially encompasses the various elements

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1007 of interior design services set forth under the definition of  
1008 "interior design" in subsection (10)~~(8)~~.

1009 ~~(9)~~~~(15)~~ "Interior decorator services" includes the  
1010 selection or assistance in selection of surface materials,  
1011 window treatments, wallcoverings, paint, floor coverings,  
1012 surface-mounted lighting, surface-mounted fixtures, and loose  
1013 furnishings not subject to regulation under applicable building  
1014 codes.

1015 ~~(10)~~~~(8)~~ "Interior design" means designs, consultations,  
1016 studies, drawings, specifications, and administration of design  
1017 construction contracts relating to nonstructural interior  
1018 elements of a building or structure. "Interior design" includes,  
1019 but is not limited to, reflected ceiling plans, space planning,  
1020 furnishings, and the fabrication of nonstructural elements  
1021 within and surrounding interior spaces of buildings. "Interior  
1022 design" specifically excludes the design of or the  
1023 responsibility for architectural and engineering work, except  
1024 for specification of fixtures and their location within interior  
1025 spaces. As used in this subsection, "architectural and  
1026 engineering interior construction relating to the building  
1027 systems" includes, but is not limited to, construction of  
1028 structural, mechanical, plumbing, heating, air-conditioning,  
1029 ventilating, electrical, or vertical transportation systems, or  
1030 construction which materially affects lifesafety systems  
1031 pertaining to firesafety protection such as fire-rated

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1032 separations between interior spaces, fire-rated vertical shafts  
1033 in multistory structures, fire-rated protection of structural  
1034 elements, smoke evacuation and compartmentalization, emergency  
1035 ingress or egress systems, and emergency alarm systems.

1036 ~~(11)-(10)~~ "Nonstructural element" means an element which  
1037 does not require structural bracing and which is something other  
1038 than a load-bearing wall, load-bearing column, or other load-  
1039 bearing element of a building or structure which is essential to  
1040 the structural integrity of the building.

1041 ~~(12)-(11)~~ "Reflected ceiling plan" means a ceiling design  
1042 plan which is laid out as if it were projected downward and  
1043 which may include lighting and other elements.

1044 ~~(13)-(9)~~ "Registered interior designer" or "interior  
1045 designer" means a natural person who holds a valid certificate  
1046 of registration to practice interior design ~~is licensed under~~  
1047 ~~this part.~~

1048 ~~(14)-(16)~~ "Responsible supervising control" means the  
1049 exercise of direct personal supervision and control throughout  
1050 the preparation of documents, instruments of service, or any  
1051 other work requiring the seal and signature of a licensee under  
1052 this part.

1053 ~~(15)-(12)~~ "Space planning" means the analysis, programming,  
1054 or design of spatial requirements, including preliminary space  
1055 layouts and final planning.

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1056        ~~(16)(7)~~ "Townhouse" is a single-family dwelling unit not  
1057        exceeding three stories in height which is constructed in a  
1058        series or group of attached units with property lines separating  
1059        such units. Each townhouse shall be considered a separate  
1060        building and shall be separated from adjoining townhouses by the  
1061        use of separate exterior walls meeting the requirements for zero  
1062        clearance from property lines as required by the type of  
1063        construction and fire protection requirements; or shall be  
1064        separated by a party wall; or may be separated by a single wall  
1065        meeting the following requirements:

1066            (a) Such wall shall provide not less than 2 hours of fire  
1067        resistance. Plumbing, piping, ducts, or electrical or other  
1068        building services shall not be installed within or through the  
1069        2-hour wall unless such materials and methods of penetration  
1070        have been tested in accordance with the Standard Building Code.

1071            (b) Such wall shall extend from the foundation to the  
1072        underside of the roof sheathing, and the underside of the roof  
1073        shall have at least 1 hour of fire resistance for a width not  
1074        less than 4 feet on each side of the wall.

1075            (c) Each dwelling unit sharing such wall shall be designed  
1076        and constructed to maintain its structural integrity independent  
1077        of the unit on the opposite side of the wall.

1078        Section 58. Paragraph (a) of subsection (3) of section  
1079        481.205, Florida Statutes, is amended to read:

1080            481.205 Board of Architecture and Interior Design.—

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1081 (3) (a) Notwithstanding the provisions of ss. 455.225,  
1082 455.228, and 455.32, the duties and authority of the department  
1083 to receive complaints and investigate and discipline persons  
1084 licensed or registered under this part, including the ability to  
1085 determine legal sufficiency and probable cause; to initiate  
1086 proceedings and issue final orders for summary suspension or  
1087 restriction of a license or certificate of registration pursuant  
1088 to s. 120.60(6); to issue notices of noncompliance, notices to  
1089 cease and desist, subpoenas, and citations; to retain legal  
1090 counsel, investigators, or prosecutorial staff in connection  
1091 with the licensed practice of architecture or registered ~~and~~  
1092 interior design; and to investigate and deter the unlicensed  
1093 practice of architecture ~~and interior design~~ as provided in s.  
1094 455.228 are delegated to the board. All complaints and any  
1095 information obtained pursuant to an investigation authorized by  
1096 the board are confidential and exempt from s. 119.07(1) as  
1097 provided in s. 455.225(2) and (10).

1098 Section 59. Section 481.207, Florida Statutes, is amended  
1099 to read:

1100 481.207 Fees.—The board, by rule, may establish ~~separate~~  
1101 fees for architects and registered interior designers, to be  
1102 paid for applications, examination, reexamination, licensing and  
1103 renewal, delinquency, reinstatement, and recordmaking and  
1104 recordkeeping. The examination fee shall be in an amount that  
1105 covers the cost of obtaining and administering the examination

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1106 and shall be refunded if the applicant is found ineligible to  
1107 sit for the examination. The application fee is nonrefundable.  
1108 The fee for initial application and examination for architects  
1109 ~~and interior designers~~ may not exceed \$775 plus the actual per  
1110 applicant cost to the department for purchase of the examination  
1111 from the National Council of Architectural Registration Boards  
1112 ~~or the National Council of Interior Design Qualifications,~~  
1113 ~~respectively,~~ or similar national organizations. The initial  
1114 nonrefundable fee for registered interior designers may not  
1115 exceed \$75. The biennial renewal fee for architects may not  
1116 exceed \$200. The biennial renewal fee for registered interior  
1117 designers may not exceed \$75 ~~\$500~~. The delinquency fee may not  
1118 exceed the biennial renewal fee established by the board for an  
1119 active license. The board shall establish fees that are adequate  
1120 to ensure the continued operation of the board and to fund the  
1121 proportionate expenses incurred by the department which are  
1122 allocated to the regulation of architects and registered  
1123 interior designers. Fees shall be based on department estimates  
1124 of the revenue required to implement this part and the  
1125 provisions of law with respect to the regulation of architects  
1126 and interior designers.

1127 Section 60. Section 481.209, Florida Statutes, is amended  
1128 to read:

1129 481.209 Examinations.—

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1130 (1) A person desiring to be licensed as a registered  
1131 architect by initial examination shall apply to the department,  
1132 complete the application form, and remit a nonrefundable  
1133 application fee. The department shall license any applicant who  
1134 the board certifies:

1135 ~~(a)~~ has passed the licensure examination prescribed by  
1136 board rule; and

1137 ~~(b)~~ is a graduate of a school or college of architecture  
1138 with a program accredited by the National Architectural  
1139 Accreditation Board.

1140 (2) A person seeking to obtain a certificate of  
1141 registration as a registered interior designer and a seal  
1142 pursuant to s. 481.221 must provide the department with his or  
1143 her name and address and written proof that he or she has  
1144 successfully passed the qualification examination prescribed by  
1145 the Council for Interior Design Qualification or its successor  
1146 entity or the California Council for Interior Design  
1147 Certification or its successor entity, or has successfully  
1148 passed an equivalent exam as determined by the department. Any  
1149 person who was licensed as an interior designer by the  
1150 department and who was in good standing as of July 1, 2020, is  
1151 eligible to obtain a certificate of registration as a registered  
1152 interior designer ~~desiring to be licensed as a registered~~  
1153 ~~interior designer shall apply to the department for licensure.~~  
1154 ~~The department shall administer the licensure examination for~~

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1155 ~~interior designers to each applicant who has completed the~~  
1156 ~~application form and remitted the application and examination~~  
1157 ~~fees specified in s. 481.207 and who the board certifies:~~  
1158 ~~(a) Is a graduate from an interior design program of 5~~  
1159 ~~years or more and has completed 1 year of diversified interior~~  
1160 ~~design experience;~~  
1161 ~~(b) Is a graduate from an interior design program of 4~~  
1162 ~~years or more and has completed 2 years of diversified interior~~  
1163 ~~design experience;~~  
1164 ~~(c) Has completed at least 3 years in an interior design~~  
1165 ~~curriculum and has completed 3 years of diversified interior~~  
1166 ~~design experience; or~~  
1167 ~~(d) Is a graduate from an interior design program of at~~  
1168 ~~least 2 years and has completed 4 years of diversified interior~~  
1169 ~~design experience.~~  
1170 ~~Subsequent to October 1, 2000, for the purpose of having the~~  
1171 ~~educational qualification required under this subsection~~  
1172 ~~accepted by the board, the applicant must complete his or her~~  
1173 ~~education at a program, school, or college of interior design~~  
1174 ~~whose curriculum has been approved by the board as of the time~~  
1175 ~~of completion. Subsequent to October 1, 2003, all of the~~  
1176 ~~required amount of educational credits shall have been obtained~~  
1177 ~~in a program, school, or college of interior design whose~~  
1178 ~~curriculum has been approved by the board, as of the time each~~  
1179 ~~educational credit is gained. The board shall adopt rules~~

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1180 ~~providing for the review and approval of programs, schools, and~~  
1181 ~~colleges of interior design and courses of interior design study~~  
1182 ~~based on a review and inspection by the board of the curriculum~~  
1183 ~~of programs, schools, and colleges of interior design in the~~  
1184 ~~United States, including those programs, schools, and colleges~~  
1185 ~~accredited by the Foundation for Interior Design Education~~  
1186 ~~Research. The board shall adopt rules providing for the review~~  
1187 ~~and approval of diversified interior design experience required~~  
1188 ~~by this subsection.~~

1189 Section 61. Subsections (1), (2), and (3) of section  
1190 481.213, Florida Statutes, are amended, and subsection (8) is  
1191 added to that section, to read:

1192 481.213 Licensure and registration.—

1193 (1) The department shall license or register any applicant  
1194 who the board certifies is qualified for licensure or  
1195 registration and who has paid the initial licensure or  
1196 registration fee. Licensure as an architect under this section  
1197 shall be deemed to include all the rights and privileges of  
1198 registration ~~licensure~~ as an interior designer under this  
1199 section.

1200 (2) The board shall certify for licensure or registration  
1201 by examination any applicant who passes the prescribed licensure  
1202 or registration examination and satisfies the requirements of  
1203 ss. 481.209 and 481.211, for architects, or the requirements of  
1204 s. 481.209, for interior designers.

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1205 (3) The board shall certify as qualified for a license by  
1206 endorsement as an architect or registration as a registered an  
1207 interior designer an applicant who:

1208 (a) Qualifies to take the prescribed licensure or  
1209 registration examination, and has passed the prescribed  
1210 licensure or registration examination or a substantially  
1211 equivalent examination in another jurisdiction, as set forth in  
1212 s. 481.209 for architects or registered interior designers, as  
1213 applicable, and has satisfied the internship requirements set  
1214 forth in s. 481.211 for architects;

1215 (b) Holds a valid license to practice architecture or a  
1216 license, registration, or certification to practice interior  
1217 design issued by another jurisdiction of the United States, if  
1218 the criteria for issuance of such license were substantially  
1219 equivalent to the licensure criteria that existed in this state  
1220 at the time the license was issued; ~~provided, however, that an~~  
1221 ~~applicant who has been licensed for use of the title "interior~~  
1222 ~~design" rather than licensed to practice interior design shall~~  
1223 ~~not qualify hereunder;~~ or

1224 (c) Has passed the prescribed licensure examination and  
1225 holds a valid certificate issued by the National Council of  
1226 Architectural Registration Boards, and holds a valid license to  
1227 practice architecture issued by another state or jurisdiction of  
1228 the United States.

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1230 An architect who is licensed in another state who seeks  
1231 qualification for license by endorsement under this subsection  
1232 must complete a board-approved 2 hour course on wind mitigation  
1233 under the Florida Building Code.

1234 (8) A certificate of registration is not required for a  
1235 person whose occupation or practice is confined to interior  
1236 decorator services or for a person whose occupation or practice  
1237 is confined to interior design not covered by this part.

1238 Section 62. Subsection (1) of section 481.2131, Florida  
1239 Statutes, is amended to read:

1240 481.2131 Interior design; practice requirements;  
1241 disclosure of compensation for professional services.-

1242 ~~(1) A registered interior designer is authorized to~~  
1243 ~~perform "interior design" as defined in s. 481.203. Interior~~  
1244 ~~design documents prepared by a registered interior designer~~  
1245 ~~shall contain a statement that the document is not an~~  
1246 ~~architectural or engineering study, drawing, specification, or~~  
1247 ~~design and is not to be used for construction of any load-~~  
1248 ~~bearing columns, load-bearing framing or walls of structures, or~~  
1249 ~~issuance of any building permit, except as otherwise provided by~~  
1250 ~~law. Interior design documents that are prepared and sealed by a~~  
1251 ~~registered interior designer must ~~may~~, if required by a~~  
1252 ~~permitting body, be accepted by the permitting body ~~be submitted~~~~  
1253 ~~for the issuance of a building permit for interior construction~~  
1254 ~~excluding design of any structural, mechanical, plumbing,~~

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1255 heating, air-conditioning, ventilating, electrical, or vertical  
1256 transportation systems or that materially affect lifesafety  
1257 systems pertaining to firesafety protection such as fire-rated  
1258 separations between interior spaces, fire-rated vertical shafts  
1259 in multistory structures, fire-rated protection of structural  
1260 elements, smoke evacuation and compartmentalization, emergency  
1261 ingress or egress systems, and emergency alarm systems.

1262 Section 63. Section 481.215, Florida Statutes, is amended  
1263 to read:

1264 481.215 Renewal of license or certificate of  
1265 registration.-

1266 (1) Subject to the requirement of subsection (3), the  
1267 department shall renew a license or certificate of registration  
1268 upon receipt of the renewal application and renewal fee.

1269 (2) The department shall adopt rules establishing a  
1270 procedure for the biennial renewal of licenses or certificates  
1271 of registration.

1272 (3) A ~~No~~ license or certificate of registration renewal  
1273 may not shall be issued to an architect or a registered an  
1274 interior designer by the department until the licensee or  
1275 registrant submits proof satisfactory to the department that,  
1276 during the 2 years before ~~prior to~~ application for renewal, the  
1277 licensee or registrant participated per biennium in not less  
1278 than 20 hours of at least 50 minutes each per biennium of  
1279 continuing education approved by the board. The board shall

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1280 approve only continuing education that builds upon the basic  
1281 knowledge of architecture ~~or interior design~~. The board may make  
1282 exception from the requirements of continuing education in  
1283 emergency or hardship cases.

1284 (4) The board shall by rule establish criteria for the  
1285 approval of continuing education courses and providers and shall  
1286 by rule establish criteria for accepting alternative  
1287 nonclassroom continuing education on an hour-for-hour basis.

1288 (5) For a license or certificate of registration, the  
1289 board shall require, by rule adopted pursuant to ss. 120.536(1)  
1290 and 120.54, 2 a specified number of hours in specialized or  
1291 advanced courses, ~~approved by the Florida Building Commission,~~  
1292 on any portion of the Florida Building Code, adopted pursuant to  
1293 part IV of chapter 553, relating to the licensee's respective  
1294 area of practice. Such hours count toward the continuing  
1295 education hours required under subsection (3). A licensee may  
1296 complete the courses required under this subsection online.

1297 Section 64. Section 481.217, Florida Statutes, is amended  
1298 to read:

1299 481.217 Inactive status.—

1300 (1) The board may prescribe by rule continuing education  
1301 requirements as a condition of reactivating a license. The rules  
1302 may not require more than one renewal cycle of continuing  
1303 education to reactivate a license or registration for a  
1304 registered architect or registered interior designer. ~~For~~

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1305 ~~interior design, the board may approve only continuing education~~  
1306 ~~that builds upon the basic knowledge of interior design.~~

1307 (2) The board shall adopt rules relating to application  
1308 procedures for inactive status and for the reactivation of  
1309 inactive licenses or registrations.

1310 Section 65. Section 481.219, Florida Statutes, is amended  
1311 to read:

1312 481.219 Qualification of business organizations  
1313 ~~certification of partnerships, limited liability companies, and~~  
1314 ~~corporations.-~~

1315 (1) A licensee may ~~The practice of or the offer to~~  
1316 ~~practice architecture or interior design by licensees through a~~  
1317 qualified business organization that offers ~~corporation, limited~~  
1318 ~~liability company, or partnership offering architectural or~~  
1319 ~~interior design services to the public, or by a corporation,~~  
1320 ~~limited liability company, or partnership offering architectural~~  
1321 ~~or interior design services to the public through licensees~~  
1322 ~~under this part as agents, employees, officers, or partners, is~~  
1323 ~~permitted,~~ subject to the provisions of this section.

1324 (2) If a licensee or an applicant proposes to engage in  
1325 the practice of architecture as a business organization, the  
1326 licensee or applicant shall qualify the business organization  
1327 upon approval of the board ~~For the purposes of this section, a~~  
1328 ~~certificate of authorization shall be required for a~~  
1329 ~~corporation, limited liability company, partnership, or person~~

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1330 ~~practicing under a fictitious name, offering architectural~~  
1331 ~~services to the public jointly or separately. However, when an~~  
1332 ~~individual is practicing architecture in her or his own name,~~  
1333 ~~she or he shall not be required to be certified under this~~  
1334 ~~section. Certification under this subsection to offer~~  
1335 ~~architectural services shall include all the rights and~~  
1336 ~~privileges of certification under subsection (3) to offer~~  
1337 ~~interior design services.~~

1338 (3) (a) A business organization may not engage in the  
1339 practice of architecture unless its qualifying agent is a  
1340 registered architect under this part. A qualifying agent who  
1341 terminates an affiliation with a qualified business organization  
1342 shall immediately notify the department of such termination. If  
1343 such qualifying agent is the only qualifying agent for that  
1344 business organization, the business organization must be  
1345 qualified by another qualifying agent within 60 days after the  
1346 termination. Except as provided in paragraph (b), the business  
1347 organization may not engage in the practice of architecture  
1348 until it is qualified by another qualifying agent.

1349 (b) In the event a qualifying agent ceases employment with  
1350 a qualified business organization, the executive director or the  
1351 chair of the board may authorize another registered architect  
1352 employed by the business organization to temporarily serve as  
1353 its qualifying agent for a period of no more than 60 days. The  
1354 business organization is not authorized to operate beyond such

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1355 period under this chapter absent replacement of the qualifying  
1356 agent who has ceased employment.

1357 (c) A qualifying agent shall notify the department in  
1358 writing before engaging in the practice of architecture in her  
1359 or his own name or in affiliation with a different business  
1360 organization, and she or he or such business organization shall  
1361 supply the same information to the department as required of  
1362 applicants under this part.

1363 ~~(3) For the purposes of this section, a certificate of~~  
1364 ~~authorization shall be required for a corporation, limited~~  
1365 ~~liability company, partnership, or person operating under a~~  
1366 ~~fictitious name, offering interior design services to the public~~  
1367 ~~jointly or separately. However, when an individual is practicing~~  
1368 ~~interior design in her or his own name, she or he shall not be~~  
1369 ~~required to be certified under this section.~~

1370 (4) All final construction documents and instruments of  
1371 service which include drawings, specifications, plans, reports,  
1372 or other papers or documents that involve ~~involving~~ the practice  
1373 of architecture which are prepared or approved for the use of  
1374 the business organization ~~corporation, limited liability~~  
1375 ~~company, or partnership~~ and filed for public record within the  
1376 state must ~~shall~~ bear the signature and seal of the licensee who  
1377 prepared or approved them and the date on which they were  
1378 sealed.

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1379 ~~(5) All drawings, specifications, plans, reports, or other~~  
1380 ~~papers or documents prepared or approved for the use of the~~  
1381 ~~corporation, limited liability company, or partnership by an~~  
1382 ~~interior designer in her or his professional capacity and filed~~  
1383 ~~for public record within the state shall bear the signature and~~  
1384 ~~seal of the licensee who prepared or approved them and the date~~  
1385 ~~on which they were sealed.~~

1386 ~~(6) The department shall issue a certificate of~~  
1387 ~~authorization to any applicant who the board certifies as~~  
1388 ~~qualified for a certificate of authorization and who has paid~~  
1389 ~~the fee set in s. 481.207.~~

1390 ~~(5)(7)~~ The board shall allow a licensee or certify an  
1391 applicant to qualify one or more business organizations as  
1392 qualified for a certificate of authorization to offer  
1393 architectural or interior design services, or to use a  
1394 fictitious name to offer such services, if provided that:

1395 ~~(a)~~ one or more of the principal officers of the  
1396 corporation or limited liability company, or one or more  
1397 partners of the partnership, and all personnel of the  
1398 corporation, limited liability company, or partnership who act  
1399 in its behalf in this state as architects, are registered as  
1400 provided by this part. ~~or~~

1401 ~~(b) One or more of the principal officers of the~~  
1402 ~~corporation or one or more partners of the partnership, and all~~  
1403 ~~personnel of the corporation, limited liability company, or~~

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1404 ~~partnership who act in its behalf in this state as interior~~  
1405 ~~designers, are registered as provided by this part.~~

1406 ~~(8) The department shall adopt rules establishing a~~  
1407 ~~procedure for the biennial renewal of certificates of~~  
1408 ~~authorization.~~

1409 ~~(9) The department shall renew a certificate of~~  
1410 ~~authorization upon receipt of the renewal application and~~  
1411 ~~biennial renewal fee.~~

1412 ~~(6)-(10)~~ Each qualifying agent who qualifies a business  
1413 organization, partnership, limited liability company, or ~~and~~  
1414 corporation certified under this section shall notify the  
1415 department within 30 days after ~~of~~ any change in the information  
1416 contained in the application upon which the qualification  
1417 ~~certification~~ is based. Any registered architect or interior  
1418 designer who qualifies the business organization shall ensure  
1419 ~~corporation, limited liability company, or partnership as~~  
1420 ~~provided in subsection (7) shall be responsible for ensuring~~  
1421 responsible supervising control of projects of the business  
1422 organization entity and shall notify the department of the ~~upon~~  
1423 termination of her or his employment with a business  
1424 organization qualified partnership, limited liability company,  
1425 ~~or corporation certified under this section shall notify the~~  
1426 ~~department of the termination~~ within 30 days after such  
1427 termination.

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1428            (7) (11) A business organization is not ~~No corporation,~~  
1429 ~~limited liability company, or partnership~~ shall be relieved of  
1430 responsibility for the conduct or acts of its agents, employees,  
1431 or officers by reason of its compliance with this section.  
1432 However, except as provided in s. 558.0035, the architect who  
1433 signs and seals the construction documents and instruments of  
1434 service is ~~shall be~~ liable for the professional services  
1435 performed, and the interior designer who signs and seals the  
1436 interior design drawings, plans, or specifications shall be  
1437 liable for the professional services performed.

1438            ~~(12)~~ ~~Disciplinary action against a corporation, limited~~  
1439 ~~liability company, or partnership shall be administered in the~~  
1440 ~~same manner and on the same grounds as disciplinary action~~  
1441 ~~against a registered architect or interior designer,~~  
1442 ~~respectively.~~

1443            (8) (13) ~~Nothing in~~ This section may not ~~shall~~ be construed  
1444 to mean that a certificate of registration to practice  
1445 architecture ~~or interior design~~ must ~~shall~~ be held by a business  
1446 organization ~~corporation, limited liability company, or~~  
1447 ~~partnership.~~ ~~Nothing in~~ This section does not prohibit a  
1448 business organization from offering ~~prohibits corporations,~~  
1449 ~~limited liability companies, and partnerships from joining~~  
1450 ~~together to offer~~ architectural or, engineering, interior  
1451 design, surveying and mapping, and landscape architectural  
1452 services, or any combination of such services, to the public if

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1453 ~~the business organization, provided that each corporation,~~  
1454 ~~limited liability company, or partnership~~ otherwise meets the  
1455 requirements of law.

1456 ~~(14) Corporations, limited liability companies, or~~  
1457 ~~partnerships holding a valid certificate of authorization to~~  
1458 ~~practice architecture shall be permitted to use in their title~~  
1459 ~~the term "interior designer" or "registered interior designer."~~

1460 Section 66. Subsections (5) and (10) of section 481.221,  
1461 Florida Statutes, are amended to read:

1462 481.221 Seals; display of certificate number.—

1463 (5) A ~~Ne~~ registered interior designer may not ~~shall~~ affix,  
1464 or permit to be affixed, her or his seal or signature to any  
1465 plan, specification, drawing, or other document which depicts  
1466 work which she or he is not competent or registered ~~licensed~~ to  
1467 perform.

1468 (10) Each registered architect must ~~or interior designer,~~  
1469 ~~and each corporation, limited liability company, or partnership~~  
1470 ~~holding a certificate of authorization, shall include her or his~~  
1471 license ~~its certificate~~ number in any newspaper, telephone  
1472 directory, or other advertising medium used by the registered  
1473 licensee. Each business organization must include the license  
1474 number of the registered architect who serves as the qualifying  
1475 agent for that business organization in any newspaper, telephone  
1476 directory, or other advertising medium used by the business  
1477 organization ~~architect, interior designer, corporation, limited~~

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1478 ~~liability company, or partnership. A corporation, limited~~  
1479 ~~liability company, or partnership is not required to display the~~  
1480 ~~certificate number of individual registered architects or~~  
1481 ~~interior designers employed by or working within the~~  
1482 ~~corporation, limited liability company, or partnership.~~

1483 Section 67. Section 481.223, Florida Statutes, is amended  
1484 to read:

1485 481.223 Prohibitions; penalties; injunctive relief.-

1486 (1) A person may not knowingly:

1487 (a) Practice architecture unless the person is an  
1488 architect or a registered architect; however, a licensed  
1489 architect who has been licensed by the board and who chooses to  
1490 relinquish or not to renew his or her license may use the title  
1491 "Architect, Retired" but may not otherwise render any  
1492 architectural services.

1493 ~~(b) Practice interior design unless the person is a~~  
1494 ~~registered interior designer unless otherwise exempted herein;~~  
1495 ~~however, an interior designer who has been licensed by the board~~  
1496 ~~and who chooses to relinquish or not to renew his or her license~~  
1497 ~~may use the title "Interior Designer, Retired" but may not~~  
1498 ~~otherwise render any interior design services.~~

1499 (b)(e) Use the name or title "architect," ~~or~~ "registered  
1500 architect," or ~~"interior designer" or "registered interior~~  
1501 ~~designer," or words to that effect,~~ when the person is not then  
1502 the holder of a valid license or certificate of registration

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1503 issued pursuant to this part. This paragraph does not restrict  
1504 the use of the name or title "interior designer" or "interior  
1505 design firm."

1506 ~~(c)~~ Present as his or her own the license of another.

1507 ~~(d)~~ Give false or forged evidence to the board or a  
1508 member thereof.

1509 ~~(e)~~ Use or attempt to use an architect ~~or interior~~  
1510 ~~designer~~ license or interior design certificate of registration  
1511 that has been suspended, revoked, or placed on inactive or  
1512 delinquent status.

1513 ~~(f)~~ Employ unlicensed persons to practice architecture  
1514 ~~or interior design.~~

1515 ~~(g)~~ Conceal information relative to violations of this  
1516 part.

1517 (2) Any person who violates any provision of subsection  
1518 (1) commits a misdemeanor of the first degree, punishable as  
1519 provided in s. 775.082 or s. 775.083.

1520 (3) (a) Notwithstanding chapter 455 or any other law to the  
1521 contrary, an affected person may maintain an action for  
1522 injunctive relief to restrain or prevent a person from violating  
1523 paragraph (1) (a) ~~or~~ paragraph (1) (b), ~~or paragraph (1) (c).~~ The  
1524 prevailing party is entitled to actual costs and attorney's  
1525 fees.

1526 (b) For purposes of this subsection, the term "affected  
1527 person" means a person directly affected by the actions of a

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1528 person suspected of violating paragraph (1) (a) or, paragraph  
1529 (1) (b), ~~or paragraph (1) (c)~~ and includes, but is not limited to,  
1530 the department, any person who received services from the  
1531 alleged violator, or any private association composed primarily  
1532 of members of the profession the alleged violator is practicing  
1533 or offering to practice or holding himself or herself out as  
1534 qualified to practice.

1535 Section 68. Section 481.2251, Florida Statutes, is amended  
1536 to read:

1537 481.2251 Disciplinary proceedings against registered  
1538 interior designers.—

1539 (1) The following acts constitute grounds for which the  
1540 disciplinary actions specified in subsection (2) may be taken:

1541 (a) Attempting to register ~~obtain, obtaining,~~ or renewing  
1542 registration, by bribery, by fraudulent misrepresentation, or  
1543 through an error of the board, ~~a license to practice interior~~  
1544 ~~design;~~

1545 (b) Having an interior design license, certification, or  
1546 registration ~~a license to practice interior design~~ revoked,  
1547 suspended, or otherwise acted against, including the denial of  
1548 licensure, registration, or certification by the licensing  
1549 authority of another jurisdiction for any act which would  
1550 constitute a violation of this part or of chapter 455;

1551 (c) Being convicted or found guilty, ~~regardless of~~  
1552 ~~adjudication,~~ of a crime in any jurisdiction which directly

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1553 relates to the provision of interior design services or to the  
1554 ability to provide interior design services. ~~A plea of nolo~~  
1555 ~~contendere shall create a rebuttable presumption of guilt to the~~  
1556 ~~underlying criminal charges. However, the board shall allow the~~  
1557 ~~person being disciplined to present any evidence relevant to the~~  
1558 ~~underlying charges and the circumstances surrounding her or his~~  
1559 ~~plea;~~

1560 (d) False, deceptive, or misleading advertising;

1561 ~~(e) Failing to report to the board any person who the~~  
1562 ~~licensee knows is in violation of this part or the rules of the~~  
1563 ~~board;~~

1564 ~~(f) Aiding, assisting, procuring, or advising any~~  
1565 ~~unlicensed person to use the title "interior designer" contrary~~  
1566 ~~to this part or to a rule of the board;~~

1567 ~~(g) Failing to perform any statutory or legal obligation~~  
1568 ~~placed upon a registered interior designer;~~

1569 (e) ~~(h)~~ Making or filing a report which the registrant  
1570 ~~licensee~~ knows to be false, intentionally or negligently failing  
1571 to file a report or record required by state or federal law, or  
1572 willfully impeding or obstructing such filing or inducing  
1573 another person to do so. Such reports or records shall include  
1574 only those which are signed in the capacity as a registered  
1575 interior designer;

1576 (f) ~~(i)~~ Making deceptive, untrue, or fraudulent  
1577 representations in the provision of interior design services;

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1578        ~~(g)-(j)~~ Accepting and performing professional  
1579 responsibilities which the registrant licensee knows or has  
1580 reason to know that she or he is not competent or licensed to  
1581 perform;

1582        ~~(k)~~ Violating any provision of this part, any rule of the  
1583 board, or a lawful order of the board previously entered in a  
1584 disciplinary hearing;

1585        ~~(l)~~ Conspiring with another licensee or with any other  
1586 person to commit an act, or committing an act, which would tend  
1587 to coerce, intimidate, or preclude another licensee from  
1588 lawfully advertising her or his services;

1589        ~~(m)~~ Acceptance of compensation or any consideration by an  
1590 interior designer from someone other than the client without  
1591 full disclosure of the compensation or consideration amount or  
1592 value to the client prior to the engagement for services, in  
1593 violation of s. 481.2131(2);

1594        ~~(h)-(n)~~ Rendering or offering to render architectural  
1595 services; or

1596        ~~(i)-(o)~~ Committing an act of fraud or deceit, or of  
1597 negligence, incompetency, or misconduct, in the practice of  
1598 interior design, including, but not limited to, allowing the  
1599 preparation of any interior design studies, plans, or other  
1600 instruments of service in an office that does not have a full-  
1601 time Florida-registered interior designer assigned to such

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1602 ~~office or failing to exercise responsible supervisory control~~  
1603 ~~over services or projects, as required by board rule.~~

1604 (2) When the board finds any person guilty of any of the  
1605 grounds set forth in subsection (1), it may enter an order  
1606 taking the following action or imposing one or more of the  
1607 following penalties:

1608 (a) Refusal to register the applicant ~~approve an~~  
1609 ~~application for licensure;~~

1610 (b) Refusal to renew an existing registration ~~license;~~

1611 (c) Removal from the state registry ~~Revocation or~~  
1612 ~~suspension of a license; or~~

1613 (d) Imposition of an administrative fine not to exceed  
1614 \$500 ~~\$1,000~~ for each violation or separate offense and a fine of  
1615 up to \$2,500 ~~\$5,000~~ for matters pertaining to a material  
1616 violation of the Florida Building Code as reported by a local  
1617 jurisdiction; ~~or~~

1618 ~~(e) Issuance of a reprimand.~~

1619 Section 69. Paragraph (b) of subsection (5) and  
1620 subsections (6) and (8) of section 481.229, Florida Statutes,  
1621 are amended to read:

1622 481.229 Exceptions; exemptions from licensure.-

1623 (5)

1624 (b) Notwithstanding any other provision of this part, all  
1625 persons licensed as architects under this part shall be  
1626 qualified for interior design registration ~~licensure~~ upon

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1627 submission of a completed application for such license and a fee  
1628 not to exceed \$30. Such persons shall be exempt from the  
1629 requirements of s. 481.209(2). For architects licensed as  
1630 interior designers, satisfaction of the requirements for renewal  
1631 of licensure as an architect under s. 481.215 shall be deemed to  
1632 satisfy the requirements for renewal of registration licensure  
1633 as an interior designer under that section. Complaint  
1634 processing, investigation, or other discipline-related legal  
1635 costs related to persons licensed as interior designers under  
1636 this paragraph shall be assessed against the architects' account  
1637 of the Regulatory Trust Fund.

1638 (6) This part does ~~shall~~ not apply to:

1639 (a) A person who performs interior design services or  
1640 interior decorator services for any residential application,  
1641 ~~provided that such person does not advertise as, or represent~~  
1642 ~~himself or herself as, an interior designer.~~ For purposes of  
1643 this paragraph, "residential applications" includes all types of  
1644 residences, including, but not limited to, residence buildings,  
1645 single-family homes, multifamily homes, townhouses, apartments,  
1646 condominiums, and domestic outbuildings appurtenant to one-  
1647 family or two-family residences. ~~However, "residential~~  
1648 ~~applications" does not include common areas associated with~~  
1649 ~~instances of multiple-unit dwelling applications.~~

1650 (b) An employee of a retail establishment providing  
1651 "interior decorator services" on the premises of the retail

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1652 establishment or in the furtherance of a retail sale or  
1653 prospective retail sale, provided that such employee does not  
1654 advertise as, or represent himself or herself as, an interior  
1655 designer.

1656 (8) A manufacturer of commercial food service equipment or  
1657 the manufacturer's representative, distributor, or dealer or an  
1658 employee thereof, who prepares designs, specifications, or  
1659 layouts for the sale or installation of such equipment is exempt  
1660 from licensure as an architect or registration as an interior  
1661 designer, if:

1662 (a) The designs, specifications, or layouts are not used  
1663 for construction or installation that may affect structural,  
1664 mechanical, plumbing, heating, air conditioning, ventilating,  
1665 electrical, or vertical transportation systems.

1666 (b) The designs, specifications, or layouts do not  
1667 materially affect lifesafety systems pertaining to firesafety  
1668 protection, smoke evacuation and compartmentalization, and  
1669 emergency ingress or egress systems.

1670 (c) Each design, specification, or layout document  
1671 prepared by a person or entity exempt under this subsection  
1672 contains a statement on each page of the document that the  
1673 designs, specifications, or layouts are not architectural,  
1674 ~~interior design,~~ or engineering designs, specifications, or  
1675 layouts and not used for construction unless reviewed and  
1676 approved by a licensed architect or engineer.

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1677 Section 70. Subsection (1) of section 481.231, Florida  
1678 Statutes, is amended to read:

1679 481.231 Effect of part locally.—

1680 (1) ~~Nothing in~~ This part does not ~~shall be construed to~~  
1681 repeal, amend, limit, or otherwise affect any specific provision  
1682 of any local building code or zoning law or ordinance that has  
1683 been duly adopted, now or hereafter enacted, which is more  
1684 restrictive, with respect to the services of registered  
1685 architects or registered interior designers, than ~~the provisions~~  
1686 ~~of~~ this part; provided, however, that a licensed architect shall  
1687 be deemed registered ~~licensed~~ as an interior designer for  
1688 purposes of offering or rendering interior design services to a  
1689 county, municipality, or other local government or political  
1690 subdivision.

1691 Section 71. Section 481.303, Florida Statutes, is amended  
1692 to read:

1693 481.303 Definitions.—As used in this chapter, the term:

1694 (1) "Board" means the Board of Landscape Architecture.

1695 (2) ~~(4)~~ "Certificate of registration" means a license  
1696 issued by the department to a natural person to engage in the  
1697 practice of landscape architecture.

1698 (3) ~~(2)~~ "Department" means the Department of Business and  
1699 Professional Regulation.

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1700 ~~(5) "Certificate of authorization" means a license issued~~  
1701 ~~by the department to a corporation or partnership to engage in~~  
1702 ~~the practice of landscape architecture.~~

1703 ~~(4)-(6)~~ "Landscape architecture" means professional  
1704 services, including, but not limited to, the following:

1705 (a) Consultation, investigation, research, planning,  
1706 design, preparation of drawings, specifications, contract  
1707 documents and reports, responsible construction supervision, or  
1708 landscape management in connection with the planning and  
1709 development of land and incidental water areas, including the  
1710 use of Florida-friendly landscaping as defined in s. 373.185,  
1711 where, and to the extent that, the dominant purpose of such  
1712 services or creative works is the preservation, conservation,  
1713 enhancement, or determination of proper land uses, natural land  
1714 features, ground cover and plantings, or naturalistic and  
1715 aesthetic values;

1716 (b) The determination of settings, grounds, and approaches  
1717 for and the siting of buildings and structures, outdoor areas,  
1718 or other improvements;

1719 (c) The setting of grades, shaping and contouring of land  
1720 and water forms, determination of drainage, and provision for  
1721 storm drainage and irrigation systems where such systems are  
1722 necessary to the purposes outlined herein; and

1723 (d) The design of such tangible objects and features as  
1724 are necessary to the purpose outlined herein.

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1725            ~~(5)-(7)~~ "Landscape design" means consultation for and  
1726 preparation of planting plans drawn for compensation, including  
1727 specifications and installation details for plant materials,  
1728 soil amendments, mulches, edging, gravel, and other similar  
1729 materials. Such plans may include only recommendations for the  
1730 conceptual placement of tangible objects for landscape design  
1731 projects. Construction documents, details, and specifications  
1732 for tangible objects and irrigation systems shall be designed or  
1733 approved by licensed professionals as required by law.

1734            ~~(6)-(3)~~ "Registered landscape architect" means a person who  
1735 holds a license to practice landscape architecture in this state  
1736 under the authority of this act.

1737            Section 72. Section 481.310, Florida Statutes, is amended  
1738 to read:

1739            481.310 Practical experience requirement.—Beginning  
1740 October 1, 1990, every applicant for licensure as a registered  
1741 landscape architect shall demonstrate, before ~~prior to~~  
1742 licensure, 1 year of practical experience in landscape  
1743 architectural work. An applicant who holds both a bachelor's  
1744 degree and a master's degree in landscape architecture is not  
1745 required to demonstrate 1 year of practical experience in  
1746 landscape architectural work to obtain licensure. The board  
1747 shall adopt rules providing standards for the required  
1748 experience. An applicant who qualifies for examination pursuant  
1749 to s. 481.309(1)(b)1. may obtain the practical experience after

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1750 completing the required professional degree. Experience used to  
1751 qualify for examination pursuant to s. 481.309(1)(b)2. may not  
1752 be used to satisfy the practical experience requirement under  
1753 this section.

1754 Section 73. Subsections (5) and (6) of section 481.311,  
1755 Florida Statutes, are renumbered as subsections (4) and (5),  
1756 respectively, and subsection (3) and present subsection (4) of  
1757 that section are amended, to read:

1758 481.311 Licensure.—

1759 (3) The board shall certify as qualified for a license by  
1760 endorsement an applicant who:

1761 (a) Qualifies to take the examination as set forth in s.  
1762 481.309; and has passed a national, regional, state, or  
1763 territorial licensing examination which is substantially  
1764 equivalent to the examination required by s. 481.309; ~~or~~

1765 (b) Holds a valid license to practice landscape  
1766 architecture issued by another state or territory of the United  
1767 States, if the criteria for issuance of such license were  
1768 substantially identical to the licensure criteria which existed  
1769 in this state at the time the license was issued; or—

1770 (c) Has held a valid license to practice landscape  
1771 architecture in another state or territory of the United States  
1772 for at least 10 years before the date of application and has  
1773 successfully completed a state, regional, national, or other  
1774 examination that is equivalent to or more stringent than the

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1775 examination required by the board, subject to subsection (5). An  
1776 applicant who has met the requirements to be qualified for a  
1777 license by endorsement except for successful completion of an  
1778 examination that is equivalent to or more stringent than the  
1779 examination required by the board may take the examination  
1780 required by the board without completing additional education  
1781 requirements. Such application must be submitted to the board  
1782 while the applicant holds a valid license in another state or  
1783 territory or within 2 years after the expiration of such  
1784 license.

1785 ~~(4) The board shall certify as qualified for a certificate~~  
1786 ~~of authorization any applicant corporation or partnership who~~  
1787 ~~satisfies the requirements of s. 481.319.~~

1788 Section 74. Subsection (4) of section 481.313, Florida  
1789 Statutes, is amended to read:

1790 481.313 Renewal of license.—

1791 (4) The board, by rule adopted pursuant to ss. 120.536(1)  
1792 and 120.54, shall establish criteria for the approval of  
1793 continuing education courses and providers, and shall by rule  
1794 establish criteria for accepting alternative nonclassroom  
1795 continuing education on an hour-for-hour basis. A landscape  
1796 architect shall receive hour-for-hour credit for attending  
1797 continuing education courses approved by the Landscape  
1798 Architecture Continuing Education System or another nationally  
1799 recognized clearinghouse for continuing education that relate to

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1800 and increase the basic knowledge of landscape architecture, as  
1801 determined by the board, if such landscape architect submits  
1802 proof satisfactory to the board that such course was approved by  
1803 the Landscape Architecture Continuing Education System or  
1804 another nationally recognized clearinghouse for continuing  
1805 education, the syllabus or outline for such course, and  
1806 attendance of such course.

1807 Section 75. Subsection (2) of section 481.317, Florida  
1808 Statutes, is amended to read:

1809 481.317 Temporary certificates.—

1810 ~~(2) Upon approval by the board and payment of the fee set~~  
1811 ~~in s. 481.307, the department shall grant a temporary~~  
1812 ~~certificate of authorization for work on one specified project~~  
1813 ~~in this state for a period not to exceed 1 year to an out-of-~~  
1814 ~~state corporation, partnership, or firm, provided one of the~~  
1815 ~~principal officers of the corporation, one of the partners of~~  
1816 ~~the partnership, or one of the principals in the fictitiously~~  
1817 ~~named firm has obtained a temporary certificate of registration~~  
1818 ~~in accordance with subsection (1).~~

1819 Section 76. Section 481.319, Florida Statutes, is amended  
1820 to read:

1821 481.319 Corporate and partnership practice of landscape  
1822 architecture; ~~certificate of authorization.~~—

1823 (1) The practice of or offer to practice landscape  
1824 architecture by registered landscape architects registered under

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1825 | this part through a corporation or partnership offering  
1826 | landscape architectural services to the public, or through a  
1827 | corporation or partnership offering landscape architectural  
1828 | services to the public through individual registered landscape  
1829 | architects as agents, employees, officers, or partners, is  
1830 | permitted, subject to the provisions of this section, if:

1831 |       (a) One or more of the principal officers of the  
1832 | corporation, or partners of the partnership, and all personnel  
1833 | of the corporation or partnership who act in its behalf as  
1834 | landscape architects in this state are registered landscape  
1835 | architects; and

1836 |       (b) One or more of the officers, one or more of the  
1837 | directors, one or more of the owners of the corporation, or one  
1838 | or more of the partners of the partnership is a registered  
1839 | landscape architect; ~~and~~

1840 |       ~~(c) The corporation or partnership has been issued a~~  
1841 | ~~certificate of authorization by the board as provided herein.~~

1842 |       (2) All documents involving the practice of landscape  
1843 | architecture which are prepared for the use of the corporation  
1844 | or partnership shall bear the signature and seal of a registered  
1845 | landscape architect.

1846 |       (3) A landscape architect applying to practice in the name  
1847 | of a ~~An applicant~~ corporation must ~~shall~~ file with the  
1848 | department the names and addresses of all officers and board  
1849 | members of the corporation, including the principal officer or

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1850 officers, duly registered to practice landscape architecture in  
1851 this state and, also, of all individuals duly registered to  
1852 practice landscape architecture in this state who shall be in  
1853 responsible charge of the practice of landscape architecture by  
1854 the corporation in this state. A landscape architect applying to  
1855 practice in the name of a ~~An applicant~~ partnership must ~~shall~~  
1856 file with the department the names and addresses of all partners  
1857 of the partnership, including the partner or partners duly  
1858 registered to practice landscape architecture in this state and,  
1859 also, of an individual or individuals duly registered to  
1860 practice landscape architecture in this state who shall be in  
1861 responsible charge of the practice of landscape architecture by  
1862 said partnership in this state.

1863 (4) Each landscape architect qualifying a partnership or  
1864 ~~and corporation licensed~~ under this part must ~~shall~~ notify the  
1865 department within 1 month after ~~of~~ any change in the information  
1866 contained in the application upon which the license is based.  
1867 Any landscape architect who terminates her or his ~~or her~~  
1868 employment with a partnership or corporation licensed under this  
1869 part shall notify the department of the termination within 1  
1870 month after such termination.

1871 ~~(5) Disciplinary action against a corporation or~~  
1872 ~~partnership shall be administered in the same manner and on the~~  
1873 ~~same grounds as disciplinary action against a registered~~  
1874 ~~landscape architect.~~

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1875        ~~(5)-(6)~~ Except as provided in s. 558.0035, the fact that a  
1876 registered landscape architect practices landscape architecture  
1877 through a corporation or partnership as provided in this section  
1878 does not relieve the landscape architect from personal liability  
1879 for her or his ~~or her~~ professional acts.

1880        Section 77. Subsection (5) of section 481.321, Florida  
1881 Statutes, is amended to read:

1882            481.321 Seals; display of certificate number.—

1883            (5) Each registered landscape architect must ~~and each~~  
1884 ~~corporation or partnership holding a certificate of~~  
1885 ~~authorization shall include her or his its~~ certificate number in  
1886 any newspaper, telephone directory, or other advertising medium  
1887 used by the registered landscape architect, corporation, or  
1888 partnership. A corporation or partnership must ~~is not required~~  
1889 ~~to~~ display the certificate number numbers of at least one  
1890 officer, director, owner, or partner who is a individual  
1891 registered landscape architect architects employed by or  
1892 practicing with the corporation or partnership.

1893        Section 78. Subsection (5) of section 481.329, Florida  
1894 Statutes, is amended to read:

1895            481.329 Exceptions; exemptions from licensure.—

1896            (5) This part does not prohibit any person from engaging  
1897 in the practice of landscape design, as defined in s. 481.303  
1898 ~~481.303(7)~~, or from submitting for approval to a governmental  
1899 agency planting plans that are independent of, or a component

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1900 of, construction documents that are prepared by a Florida-  
1901 registered professional. Persons providing landscape design  
1902 services shall not use the title, term, or designation  
1903 "landscape architect," "landscape architectural," "landscape  
1904 architecture," "L.A.," "landscape engineering," or any  
1905 description tending to convey the impression that she or he is a  
1906 landscape architect unless she or he is registered as provided  
1907 in this part.

1908 Section 79. Subsection (9) of section 489.103, Florida  
1909 Statutes, is amended to read:

1910 489.103 Exemptions.—This part does not apply to:

1911 (9) Any work or operation of a casual, minor, or  
1912 inconsequential nature in which the aggregate contract price for  
1913 labor, materials, and all other items is less than \$2,500  
1914 ~~\$1,000~~, but this exemption does not apply:

1915 (a) If the construction, repair, remodeling, or  
1916 improvement is a part of a larger or major operation, whether  
1917 undertaken by the same or a different contractor, or in which a  
1918 division of the operation is made in contracts of amounts less  
1919 than \$2,500 ~~\$1,000~~ for the purpose of evading this part or  
1920 otherwise.

1921 (b) To a person who advertises that he or she is a  
1922 contractor or otherwise represents that he or she is qualified  
1923 to engage in contracting.

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1924 Section 80. Subsection (2) of section 489.111, Florida  
1925 Statutes, is amended to read:

1926 489.111 Licensure by examination.—

1927 (2) A person shall be eligible for licensure by  
1928 examination if the person:

1929 (a) Is 18 years of age;

1930 (b) Is of good moral character; and

1931 (c) Meets eligibility requirements according to one of the  
1932 following criteria:

1933 1. Has received a baccalaureate degree from an accredited  
1934 4-year college in the appropriate field of engineering,  
1935 architecture, or building construction and has 1 year of proven  
1936 experience in the category in which the person seeks to qualify.  
1937 For the purpose of this part, a minimum of 2,000 person-hours  
1938 shall be used in determining full-time equivalency. An applicant  
1939 who is exempt from passing an examination or portion thereof as  
1940 provided in s. 489.113(1) is eligible for a license under this  
1941 section.

1942 2. Has a total of at least 4 years of active experience as  
1943 a worker who has learned the trade by serving an apprenticeship  
1944 as a skilled worker who is able to command the rate of a  
1945 mechanic in the particular trade or as a foreman who is in  
1946 charge of a group of workers and usually is responsible to a  
1947 superintendent or a contractor or his or her equivalent,

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1948 provided, however, that at least 1 year of active experience  
1949 shall be as a foreman.

1950 3. Has a combination of not less than 1 year of experience  
1951 as a foreman and not less than 3 years of credits for any  
1952 accredited college-level courses; has a combination of not less  
1953 than 1 year of experience as a skilled worker, 1 year of  
1954 experience as a foreman, and not less than 2 years of credits  
1955 for any accredited college-level courses; or has a combination  
1956 of not less than 2 years of experience as a skilled worker, 1  
1957 year of experience as a foreman, and not less than 1 year of  
1958 credits for any accredited college-level courses. All junior  
1959 college or community college-level courses shall be considered  
1960 accredited college-level courses.

1961 4.a. An active certified residential contractor is  
1962 eligible to receive a certified building contractor license  
1963 after passing or having previously passed ~~take~~ the building  
1964 contractors' examination if he or she possesses a minimum of 3  
1965 years of proven experience in the classification in which he or  
1966 she is certified.

1967 b. An active certified residential contractor is eligible  
1968 to receive a certified general contractor license after passing  
1969 or having previously passed ~~take~~ the general contractors'  
1970 examination if he or she possesses a minimum of 4 years of  
1971 proven experience in the classification in which he or she is  
1972 certified.

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1973 c. An active certified building contractor is eligible to  
1974 receive a certified general contractor license after passing or  
1975 having previously passed ~~take~~ the general contractors'  
1976 examination if he or she possesses a minimum of 4 years of  
1977 proven experience in the classification in which he or she is  
1978 certified.

1979 5.a. An active certified air-conditioning Class C  
1980 contractor is eligible to receive a certified air conditioning  
1981 Class B contractor license after passing or having previously  
1982 passed ~~take~~ the air-conditioning Class B contractors'  
1983 examination if he or she possesses a minimum of 3 years of  
1984 proven experience in the classification in which he or she is  
1985 certified.

1986 b. An active certified air-conditioning Class C contractor  
1987 is eligible to receive a certified air conditioning Class A  
1988 contractor license after passing or having previously passed  
1989 ~~take~~ the air-conditioning Class A contractors' examination if he  
1990 or she possesses a minimum of 4 years of proven experience in  
1991 the classification in which he or she is certified.

1992 c. An active certified air-conditioning Class B contractor  
1993 is eligible to receive a certified air conditioning Class A  
1994 contractor license after passing or having previously passed  
1995 ~~take~~ the air-conditioning Class A contractors' examination if he  
1996 or she possesses a minimum of 1 year of proven experience in the  
1997 classification in which he or she is certified.

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1998           6.a. An active certified swimming pool servicing  
1999 contractor is eligible to receive a certified residential  
2000 swimming pool contractor license after passing or having  
2001 previously passed ~~take~~ the residential swimming pool  
2002 contractors' examination if he or she possesses a minimum of 3  
2003 years of proven experience in the classification in which he or  
2004 she is certified.

2005           b. An active certified swimming pool servicing contractor  
2006 is eligible to receive a certified commercial swimming pool  
2007 contractor license after passing or having previously passed  
2008 ~~take~~ the swimming pool commercial contractors' examination if he  
2009 or she possesses a minimum of 4 years of proven experience in  
2010 the classification in which he or she is certified.

2011           c. An active certified residential swimming pool  
2012 contractor is eligible to receive a certified commercial  
2013 swimming pool contractor license after passing or having  
2014 previously passed ~~take~~ the commercial swimming pool contractors'  
2015 examination if he or she possesses a minimum of 1 year of proven  
2016 experience in the classification in which he or she is  
2017 certified.

2018           d. An applicant is eligible to receive a certified  
2019 swimming pool/spa servicing contractor license after passing or  
2020 having previously passed ~~take~~ the swimming pool/spa servicing  
2021 contractors' examination if he or she has satisfactorily  
2022 completed 60 hours of instruction in courses related to the

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2023 scope of work covered by that license and approved by the  
2024 Construction Industry Licensing Board by rule and has at least 1  
2025 year of proven experience related to the scope of work of such a  
2026 contractor.

2027 Section 81. Subsection (1) of section 489.113, Florida  
2028 Statutes, is amended to read:

2029 489.113 Qualifications for practice; restrictions.—

2030 (1) Any person who desires to engage in contracting on a  
2031 statewide basis shall, as a prerequisite thereto, establish his  
2032 or her competency and qualifications to be certified pursuant to  
2033 this part. To establish competency, a person shall pass the  
2034 appropriate examination approved by the board and certified by  
2035 the department. If an applicant has received a baccalaureate  
2036 degree from an accredited 4-year college in building  
2037 construction, or a related degree as approved by the board by  
2038 rule, such applicant is only required to take and pass the  
2039 business and finance portion of the examination. Any person who  
2040 desires to engage in contracting on other than a statewide basis  
2041 shall, as a prerequisite thereto, be registered pursuant to this  
2042 part, unless exempted by this part.

2043 Section 82. Subsection (3) of section 489.115, Florida  
2044 Statutes, is amended to read:

2045 489.115 Certification and registration; endorsement;  
2046 reciprocity; renewals; continuing education.—

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2047 (3) The board shall certify as qualified for certification  
2048 by endorsement any applicant who:

2049 (a) Meets the requirements for certification as set forth  
2050 in this section; has passed a national, regional, state, or  
2051 United States territorial licensing examination that is  
2052 substantially equivalent to the examination required by this  
2053 part; and has satisfied the requirements set forth in s.  
2054 489.111;

2055 (b) Holds a valid license to practice contracting issued  
2056 by another state or territory of the United States, if the  
2057 criteria for issuance of such license were substantially  
2058 equivalent to Florida's current certification criteria; ~~or~~

2059 (c) Holds a valid, current license to practice contracting  
2060 issued by another state or territory of the United States, if  
2061 the state or territory has entered into a reciprocal agreement  
2062 with the board for the recognition of contractor licenses issued  
2063 in that state, based on criteria for the issuance of such  
2064 licenses that are substantially equivalent to the criteria for  
2065 certification in this state;

2066 (d) Has held a valid license to practice contracting  
2067 issued by another state or territory for at least 10 years  
2068 before the date of application and is applying for the same or  
2069 similar license in this state, subject to subsections (5)-(9).  
2070 The board may consider whether such applicant has had a license  
2071 to practice contracting revoked, suspended, or otherwise acted

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2072 against by the licensing authority of another state, territory,  
2073 or country. Such application must be submitted to the board  
2074 while the applicant holds a valid license in another state or  
2075 territory or within 2 years after the expiration of such  
2076 license. A building contractor, residential contractor, general  
2077 contractor, or roofing contractor who obtains a license by  
2078 endorsement or reciprocity under this paragraph must have  
2079 completed, within the previous 2 years or within 30 days after  
2080 being licensed, a board-approved 2 hour course on wind  
2081 mitigation, flood resistance, and water intrusion requirements  
2082 under the Florida Building Code. The approved course may be  
2083 provided online. The board may approve other building code  
2084 courses to satisfy this requirement, provided the necessary wind  
2085 mitigation, flood resistance, and water intrusion requirements  
2086 are presented.

2087 Section 83. Subsection (5) of section 489.511, Florida  
2088 Statutes, is amended to read:

2089 489.511 Certification; application; examinations;  
2090 endorsement.—

2091 (5) The board shall certify as qualified for certification  
2092 by endorsement any individual applying for certification who:

2093 (a) Meets the requirements for certification as set forth  
2094 in this section; has passed a national, regional, state, or  
2095 United States territorial licensing examination that is  
2096 substantially equivalent to the examination required by this

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2097 part; and has satisfied the requirements set forth in s.  
2098 489.521; ~~or~~

2099 (b) Holds a valid license to practice electrical or alarm  
2100 system contracting issued by another state or territory of the  
2101 United States, if the criteria for issuance of such license was  
2102 substantially equivalent to the certification criteria that  
2103 existed in this state at the time the certificate was issued; or

2104 (c) Has held a valid license to practice electrical or  
2105 alarm system contracting issued by another state or territory  
2106 for at least 10 years before the date of application and is  
2107 applying for the same or similar license in this state, subject  
2108 to ss. 489.510 and 489.521(3)(a), and subparagraph (1)(b)1. Such  
2109 application must be submitted to the board while the applicant  
2110 holds a valid license in another state or territory or within 2  
2111 years after the expiration of such license. An electrical  
2112 contractor or alarm system contractor who is licensed in another  
2113 state who seeks qualification for license by endorsement under  
2114 this paragraph must complete a class on the Florida Building  
2115 Code approved by the board, not to exceed 2 hours.

2116 Section 84. Subsection (3) and paragraph (b) of subsection  
2117 (4) of section 489.517, Florida Statutes, are amended to read:  
2118 489.517 Renewal of certificate or registration; continuing  
2119 education.—

2120 (3)(a) Each certificateholder or registrant licensed as a  
2121 specialty contractor or an alarm system contractor shall provide

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2122 proof, in a form established by rule of the board, that the  
2123 certificateholder or registrant has completed at least 7 ~~14~~  
2124 classroom hours of at least 50 minutes each of continuing  
2125 education courses during each biennium since the issuance or  
2126 renewal of the certificate or registration. The board shall by  
2127 rule establish criteria for the approval of continuing education  
2128 courses and providers and may by rule establish criteria for  
2129 accepting alternative nonclassroom continuing education on an  
2130 hour-for-hour basis.

2131 (b) Each certificateholder or registrant licensed as an  
2132 electrical contractor shall provide proof, in a form established  
2133 by rule of the board, that the certificateholder or registrant  
2134 has completed at least 11 classroom hours of at least 50 minutes  
2135 each of continuing education courses during each biennium since  
2136 the issuance or renewal of the certificate or registration. The  
2137 board shall by rule establish criteria for the approval of  
2138 continuing education courses and providers and may by rule  
2139 establish criteria for accepting alternative nonclassroom  
2140 continuing education on an hour-for-hour basis.

2141 (4)

2142 (b)1. For licensed specialty contractors or alarm system  
2143 contractors, of the 7 ~~14~~ classroom hours of continuing education  
2144 required, at least 1 hour ~~7 hours~~ must be on technical subjects,  
2145 1 hour on workers' compensation, 1 hour on workplace safety, 1  
2146 hour on business practices, and ~~for alarm system contractors and~~

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2147 ~~electrical contractors engaged in alarm system contracting,~~ 2  
2148 hours on false alarm prevention.

2149 2. For licensed electrical contractors, of the minimum 11  
2150 classroom hours of continuing education required, at least 7  
2151 hours must be on technical subjects, 1 hour on workers'  
2152 compensation, 1 hour on workplace safety, and 1 hour on business  
2153 practices. Electrical contractors engaged in alarm system  
2154 contracting must also complete 2 hours on false alarm  
2155 prevention.

2156 Section 85. Paragraph (b) of subsection (1) of section  
2157 489.518, Florida Statutes, is amended to read:

2158 489.518 Alarm system agents.—

2159 (1) A licensed electrical or alarm system contractor may  
2160 not employ a person to perform the duties of a burglar alarm  
2161 system agent unless the person:

2162 (b) Has successfully completed a minimum of 14 hours of  
2163 training within 90 days after employment, to include basic alarm  
2164 system electronics in addition to related training including  
2165 CCTV and access control training, with at least 2 hours of  
2166 training in the prevention of false alarms. Such training shall  
2167 be from a board-approved provider, and the employee or applicant  
2168 for employment shall provide proof of successful completion to  
2169 the licensed employer. The board shall by rule establish  
2170 criteria for the approval of training courses and providers and  
2171 may by rule establish criteria for accepting alternative

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2172 nonclassroom education on an hour-for-hour basis. The board  
2173 shall approve providers that conduct training in other than the  
2174 English language. The board shall establish a fee for the  
2175 approval of training providers or courses, not to exceed \$60.  
2176 Qualified employers may conduct training classes for their  
2177 employees, with board approval.

2178 Section 86. Section 492.104, Florida Statutes, is amended,  
2179 to read:

2180 492.104 Rulemaking authority.—The Board of Professional  
2181 Geologists has authority to adopt rules pursuant to ss.  
2182 120.536(1) and 120.54 to implement this chapter. Every licensee  
2183 shall be governed and controlled by this chapter and the rules  
2184 adopted by the board. The board is authorized to set, by rule,  
2185 fees for application, examination, ~~certificate of authorization,~~  
2186 late renewal, initial licensure, and license renewal. These fees  
2187 ~~may should~~ not exceed the cost of implementing the application,  
2188 examination, initial licensure, and license renewal or other  
2189 administrative process and shall be established as follows:

2190 (1) The application fee shall not exceed \$150 and shall be  
2191 nonrefundable.

2192 (2) The examination fee shall not exceed \$250, and the fee  
2193 may be apportioned to each part of a multipart examination. The  
2194 examination fee shall be refundable in whole or part if the  
2195 applicant is found to be ineligible to take any portion of the  
2196 licensure examination.

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2197 (3) The initial license fee shall not exceed \$100.

2198 (4) The biennial renewal fee shall not exceed \$150.

2199 ~~(5) The fee for a certificate of authorization shall not~~  
2200 ~~exceed \$350 and the fee for renewal of the certificate shall not~~  
2201 ~~exceed \$350.~~

2202 (5)~~(6)~~ The fee for reactivation of an inactive license may  
2203 ~~shall~~ not exceed \$50.

2204 (6)~~(7)~~ The fee for a provisional license may ~~shall~~ not  
2205 exceed \$400.

2206 (7)~~(8)~~ The fee for application, examination, and licensure  
2207 for a license by endorsement is ~~shall be~~ as provided in this  
2208 section for licenses in general.

2209 Section 87. Subsection (1) of section 492.108, Florida  
2210 Statutes, is amended to read:

2211 492.108 Licensure by endorsement; requirements; fees.—

2212 (1) The department shall issue a license by endorsement to  
2213 any applicant who, upon applying to the department and remitting  
2214 an application fee, has been certified by the board that he or  
2215 she:

2216 (a) Has met the qualifications for licensure in s.  
2217 492.105(1)(b)-(e) and:-

2218 1.~~(b)~~ Is the holder of an active license in good standing  
2219 in a state, trust, territory, or possession of the United  
2220 States.

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2221 2.(e) Was licensed through written examination in at least  
2222 one state, trust, territory, or possession of the United States,  
2223 the examination requirements of which have been approved by the  
2224 board as substantially equivalent to or more stringent than  
2225 those of this state, and has received a score on such  
2226 examination which is equal to or greater than the score required  
2227 by this state for licensure by examination.

2228 3.(d) Has taken and successfully passed the laws and rules  
2229 portion of the examination required for licensure as a  
2230 professional geologist in this state.

2231 (b) Has held a valid license to practice geology in  
2232 another state, trust, territory, or possession of the United  
2233 States for at least 10 years before the date of application and  
2234 has successfully completed a state, regional, national, or other  
2235 examination that is equivalent to or more stringent than the  
2236 examination required by the department. If such applicant has  
2237 met the requirements for a license by endorsement except  
2238 successful completion of an examination that is equivalent to or  
2239 more stringent than the examination required by the board, such  
2240 applicant may take the examination required by the board. Such  
2241 application must be submitted to the board while the applicant  
2242 holds a valid license in another state or territory or within 2  
2243 years after the expiration of such license.

2244 Section 88. Section 492.111, Florida Statutes, is amended  
2245 to read:

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2246 492.111 Practice of professional geology by a firm,  
2247 corporation, or partnership; ~~certificate of authorization.~~—The  
2248 practice of, or offer to practice, professional geology by  
2249 individual professional geologists licensed under the provisions  
2250 of this chapter through a firm, corporation, or partnership  
2251 offering geological services to the public through individually  
2252 licensed professional geologists as agents, employees, officers,  
2253 or partners thereof is permitted subject to the provisions of  
2254 this chapter, if ~~provided that~~:

2255 (1) At all times that it offers geological services to the  
2256 public, the firm, corporation, or partnership is qualified by  
2257 ~~has on file with the department the name and license number of~~  
2258 one or more individuals who hold a current, active license as a  
2259 professional geologist in the state and are serving as a  
2260 geologist of record for the firm, corporation, or partnership. A  
2261 geologist of record may be any principal officer or employee of  
2262 such firm or corporation, or any partner or employee of such  
2263 partnership, who holds a current, active license as a  
2264 professional geologist in this state, or any other Florida-  
2265 licensed professional geologist with whom the firm, corporation,  
2266 or partnership has entered into a long-term, ongoing  
2267 relationship, as defined by rule of the board, to serve as one  
2268 of its geologists of record. ~~It shall be the responsibility of~~  
2269 ~~the firm, corporation, or partnership and~~ The geologist of  
2270 record shall ~~to~~ notify the department of any changes in the

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2271 relationship or identity of that geologist of record within 30  
2272 days after such change.

2273 ~~(2) The firm, corporation, or partnership has been issued~~  
2274 ~~a certificate of authorization by the department as provided in~~  
2275 ~~this chapter. For purposes of this section, a certificate of~~  
2276 ~~authorization shall be required of any firm, corporation,~~  
2277 ~~partnership, association, or person practicing under a~~  
2278 ~~fictitious name and offering geological services to the public;~~  
2279 ~~except that, when an individual is practicing professional~~  
2280 ~~geology in her or his own name, she or he shall not be required~~  
2281 ~~to obtain a certificate of authorization under this section.~~  
2282 ~~Such certificate of authorization shall be renewed every 2~~  
2283 ~~years.~~

2284 ~~(2)(3)~~ All final geological papers or documents involving  
2285 the practice of the profession of geology which have been  
2286 prepared or approved for the use of such firm, corporation, or  
2287 partnership, for delivery to any person for public record with  
2288 the state, shall be dated and bear the signature and seal of the  
2289 professional geologist or professional geologists who prepared  
2290 or approved them.

2291 ~~(3)(4)~~ Except as provided in s. 558.0035, the fact that a  
2292 licensed professional geologist practices through a corporation  
2293 or partnership does not relieve the registrant from personal  
2294 liability for negligence, misconduct, or wrongful acts committed  
2295 by her or him. The partnership and all partners are jointly and

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2296 severally liable for the negligence, misconduct, or wrongful  
2297 acts committed by their agents, employees, or partners while  
2298 acting in a professional capacity. Any officer, agent, or  
2299 employee of a corporation is personally liable and accountable  
2300 only for negligent acts, wrongful acts, or misconduct committed  
2301 by her or him or committed by any person under her or his direct  
2302 supervision and control, while rendering professional services  
2303 on behalf of the corporation. The personal liability of a  
2304 shareholder of a corporation, in her or his capacity as  
2305 shareholder, may be no greater than that of a shareholder-  
2306 employee of a corporation incorporated under chapter 607. The  
2307 corporation is liable up to the full value of its property for  
2308 any negligent acts, wrongful acts, or misconduct committed by  
2309 any of its officers, agents, or employees while they are engaged  
2310 on behalf of the corporation in the rendering of professional  
2311 services.

2312 ~~(5) The firm, corporation, or partnership desiring a~~  
2313 ~~certificate of authorization shall file with the department an~~  
2314 ~~application therefor, upon a form to be prescribed by the~~  
2315 ~~department, accompanied by the required application fee.~~

2316 ~~(6) The department may refuse to issue a certificate of~~  
2317 ~~authorization if any facts exist which would entitle the~~  
2318 ~~department to suspend or revoke an existing certificate of~~  
2319 ~~authorization or if the department, after giving persons~~  
2320 ~~involved a full and fair hearing, determines that any of the~~

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2321 ~~officers or directors of said firm or corporation, or partners~~  
2322 ~~of said partnership, have violated the provisions of s. 492.113.~~

2323 Section 89. Subsection (4) of section 492.113, Florida  
2324 Statutes, is amended to read:

2325 492.113 Disciplinary proceedings.—

2326 (4) The department shall reissue the license of a  
2327 disciplined professional geologist ~~or business~~ upon  
2328 certification by the board that the disciplined person has  
2329 complied with ~~all of~~ the terms and conditions set forth in the  
2330 final order.

2331 Section 90. Section 492.115, Florida Statutes, is amended  
2332 to read:

2333 492.115 Roster of licensed professional geologists.—A  
2334 roster showing the names and places of business or residence of  
2335 all licensed professional geologists and all properly qualified  
2336 firms, corporations, or partnerships practicing holding  
2337 ~~certificates of authorization to practice~~ professional geology  
2338 in the state shall be prepared annually by the department. A  
2339 copy of this roster must be made available to ~~shall be~~  
2340 ~~obtainable by~~ each licensed professional geologist and each  
2341 firm, corporation, or partnership qualified by a professional  
2342 geologist holding a certificate of authorization, and copies  
2343 thereof shall be placed on file with the department.

2344 Section 91. Section 509.102, Florida Statutes, is created  
2345 to read:

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2346 509.102 Mobile food dispensing vehicles.-

2347 (1) As used in this section, the term:

2348 (a) "Division" means the Division of Hotels and  
2349 Restaurants of the Department of Business and Professional  
2350 Regulation.

2351 (b) "Mobile food dispensing vehicle" means any vehicle-  
2352 mounted public food service establishment which is self-  
2353 propelled or otherwise movable from place to place and includes  
2354 self-contained utilities, including, but not limited to, gas,  
2355 water, electricity, and liquid waste disposal.

2356 (2) A municipality, county, or other local government  
2357 entity may not:

2358 (a) Require a separate license, registration, or permit  
2359 beyond those established by the division under s. 509.241 as a  
2360 condition for the mobile food dispensing vehicle's operation  
2361 within the jurisdiction.

2362 (b) Require a separate license, registration, or permit  
2363 fee beyond those established by the division under s. 509.251 as  
2364 a condition for the mobile food dispensing vehicle's operation  
2365 within the jurisdiction.

2366 (c) Prohibit mobile food dispensing vehicles from  
2367 operating within the jurisdiction.

2368 (3) Nothing in this section prevents a municipality,  
2369 county, or other local government from requiring:



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2370 1. A mobile food dispensing vehicle operator to comply  
2371 with local zoning requirements.

2372 2. A one-time vendor fee associated with a special event  
2373 that the municipality, county, or local government is  
2374 coordinating.

2375 Section 92. Paragraph (i) of subsection (2) of section  
2376 548.003, Florida Statutes, is amended to read:

2377 548.003 Florida State Boxing Commission.—

2378 (2) The Florida State Boxing Commission, as created by  
2379 subsection (1), shall administer the provisions of this chapter.  
2380 The commission has authority to adopt rules pursuant to ss.  
2381 120.536(1) and 120.54 to implement the provisions of this  
2382 chapter and to implement each of the duties and responsibilities  
2383 conferred upon the commission, including, but not limited to:

2384 ~~(i) Designation and duties of a knockdown timekeeper.~~

2385 Section 93. Subsection (1) of section 548.017, Florida  
2386 Statutes, is amended to read:

2387 548.017 Participants, managers, and other persons required  
2388 to have licenses.—

2389 (1) A participant, manager, trainer, second, ~~timekeeper,~~  
2390 ~~referee, judge, announcer,~~ physician, matchmaker, or promoter  
2391 must be licensed before directly or indirectly acting in such  
2392 capacity in connection with any match involving a participant. A  
2393 physician approved by the commission must be licensed pursuant  
2394 to chapter 458 or chapter 459, must maintain an unencumbered

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2395 | license in good standing, and must demonstrate satisfactory  
2396 | medical training or experience in boxing, or a combination of  
2397 | both, to the executive director before working as the ringside  
2398 | physician.

2399 |       Section 94. Paragraph (d) of subsection (1) of section  
2400 | 553.5141, Florida Statutes, is amended to read:

2401 |       553.5141 Certifications of conformity and remediation  
2402 | plans.—

2403 |       (1) For purposes of this section:

2404 |       (d) "Qualified expert" means:

2405 |       1. An engineer licensed pursuant to chapter 471.

2406 |       2. A certified general contractor licensed pursuant to  
2407 | chapter 489.

2408 |       3. A certified building contractor licensed pursuant to  
2409 | chapter 489.

2410 |       4. A building code administrator licensed pursuant to  
2411 | chapter 468.

2412 |       5. A building inspector licensed pursuant to chapter 468.

2413 |       6. A plans examiner licensed pursuant to chapter 468.

2414 |       7. An interior designer registered ~~licensed~~ pursuant to  
2415 | chapter 481.

2416 |       8. An architect licensed pursuant to chapter 481.

2417 |       9. A landscape architect licensed pursuant to chapter 481.

2418 |       10. Any person who has prepared a remediation plan related  
2419 | to a claim under Title III of the Americans with Disabilities

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2420 Act, 42 U.S.C. s. 12182, that has been accepted by a federal  
2421 court in a settlement agreement or court proceeding, or who has  
2422 been qualified as an expert in Title III of the Americans with  
2423 Disabilities Act, 42 U.S.C. s. 12182, by a federal court.

2424 Section 95. Effective January 1, 2021, subsection (1) of  
2425 section 553.74, Florida Statutes, is amended to read:

2426 553.74 Florida Building Commission.—

2427 (1) The Florida Building Commission is created and located  
2428 within the Department of Business and Professional Regulation  
2429 for administrative purposes. Members are appointed by the  
2430 Governor subject to confirmation by the Senate. The commission  
2431 is composed of 19 ~~27~~ members, consisting of the following  
2432 members:

2433 (a) One architect licensed under chapter 481 with at least  
2434 5 years of experience in the design and construction of  
2435 buildings designated for Group E or Group I occupancies by the  
2436 Florida Building Code ~~registered to practice in this state and~~  
2437 ~~actively engaged in the profession~~. The American Institute of  
2438 Architects, Florida Section, is encouraged to recommend a list  
2439 of candidates for consideration.

2440 (b) One structural engineer registered to practice in this  
2441 state and actively engaged in the profession. The Florida  
2442 Engineering Society is encouraged to recommend a list of  
2443 candidates for consideration.

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2444 (c) One air-conditioning contractor, ~~or~~ mechanical  
2445 contractor, or mechanical engineer certified to do business in  
2446 this state and actively engaged in the profession. The Florida  
2447 Air Conditioning Contractors Association, the Florida  
2448 Refrigeration and Air Conditioning Contractors Association, ~~and~~  
2449 the Mechanical Contractors Association of Florida, and the  
2450 Florida Engineering Society are encouraged to recommend a list  
2451 of candidates for consideration.

2452 (d) One electrical contractor or electrical engineer  
2453 certified to do business in this state and actively engaged in  
2454 the profession. The Florida Association of Electrical  
2455 Contractors, ~~and~~ the National Electrical Contractors  
2456 Association, Florida Chapter, and the Florida Engineering  
2457 Society are encouraged to recommend a list of candidates for  
2458 consideration.

2459 ~~(e) One member from fire protection engineering or~~  
2460 ~~technology who is actively engaged in the profession. The~~  
2461 ~~Florida Chapter of the Society of Fire Protection Engineers and~~  
2462 ~~the Florida Fire Marshals and Inspectors Association are~~  
2463 ~~encouraged to recommend a list of candidates for consideration.~~

2464 ~~(e)-(f)~~ One certified general contractor or one certified  
2465 building contractor certified to do business in this state and  
2466 actively engaged in the profession. The Associated Builders and  
2467 Contractors of Florida, the Florida Associated General  
2468 Contractors Council, the Florida Home Builders Association, and

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2469 the Union Contractors Association are encouraged to recommend a  
2470 list of candidates for consideration.

2471 ~~(f)(g)~~ One plumbing contractor licensed to do business in  
2472 this state and actively engaged in the profession. The Florida  
2473 Association of Plumbing, Heating, and Cooling Contractors is  
2474 encouraged to recommend a list of candidates for consideration.

2475 ~~(g)(h)~~ One roofing or sheet metal contractor certified to  
2476 do business in this state and actively engaged in the  
2477 profession. The Florida Roofing, Sheet Metal, and Air  
2478 Conditioning Contractors Association and the Sheet Metal and Air  
2479 Conditioning Contractors' National Association are encouraged to  
2480 recommend a list of candidates for consideration.

2481 ~~(h)(i)~~ One certified residential contractor licensed to do  
2482 business in this state and actively engaged in the profession.  
2483 The Florida Home Builders Association is encouraged to recommend  
2484 a list of candidates for consideration.

2485 ~~(i)(j)~~ Three members who are municipal, county, or  
2486 district codes enforcement officials, one of whom is also a fire  
2487 official. The Building Officials Association of Florida and the  
2488 Florida Fire Marshals and Inspectors Association are encouraged  
2489 to recommend a list of candidates for consideration.

2490 ~~(k) One member who represents the Department of Financial~~  
2491 ~~Services.~~

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2492 ~~(l) One member who is a county codes enforcement official.~~  
2493 ~~The Building Officials Association of Florida is encouraged to~~  
2494 ~~recommend a list of candidates for consideration.~~

2495 (j) ~~(m)~~ One member of a Florida-based organization of  
2496 persons with disabilities or a nationally chartered organization  
2497 of persons with disabilities with chapters in this state which  
2498 complies with or is certified to be compliant with the  
2499 requirements of the Americans with Disability Act of 1990, as  
2500 amended.

2501 (k) ~~(n)~~ One member of the manufactured buildings industry  
2502 who is licensed to do business in this state and is actively  
2503 engaged in the industry. The Florida Manufactured Housing  
2504 Association is encouraged to recommend a list of candidates for  
2505 consideration.

2506 ~~(o) One mechanical or electrical engineer registered to~~  
2507 ~~practice in this state and actively engaged in the profession.~~  
2508 ~~The Florida Engineering Society is encouraged to recommend a~~  
2509 ~~list of candidates for consideration.~~

2510 ~~(p) One member who is a representative of a municipality~~  
2511 ~~or a charter county. The Florida League of Cities and the~~  
2512 ~~Florida Association of Counties are encouraged to recommend a~~  
2513 ~~list of candidates for consideration.~~

2514 (l) ~~(q)~~ One member of the building products manufacturing  
2515 industry who is authorized to do business in this state and is  
2516 actively engaged in the industry. The Florida Building Material

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2517 Association, the Florida Concrete and Products Association, and  
2518 the Fenestration Manufacturers Association are encouraged to  
2519 recommend a list of candidates for consideration.

2520 ~~(m)-(r)~~ One member who is a representative of the building  
2521 owners and managers industry who is actively engaged in  
2522 commercial building ownership or management. The Building Owners  
2523 and Managers Association is encouraged to recommend a list of  
2524 candidates for consideration.

2525 ~~(n)-(s)~~ One member who is a representative of the insurance  
2526 industry. The Florida Insurance Council is encouraged to  
2527 recommend a list of candidates for consideration.

2528 ~~(t)~~ One member who is a representative of public  
2529 education.

2530 ~~(o)-(u)~~ One member who is a swimming pool contractor  
2531 licensed to do business in this state and actively engaged in  
2532 the profession. The Florida Swimming Pool Association and the  
2533 United Pool and Spa Association are encouraged to recommend a  
2534 list of candidates for consideration.

2535 ~~(p)-(v)~~ One member who is a representative of the green  
2536 building industry and who is a third-party commission agent, a  
2537 Florida board member of the United States Green Building Council  
2538 or Green Building Initiative, a professional who is accredited  
2539 under the International Green Construction Code (IGCC), or a  
2540 professional who is accredited under Leadership in Energy and  
2541 Environmental Design (LEED).

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2542        ~~(q) (w)~~ One member who is a representative of a natural gas  
2543 distribution system and who is actively engaged in the  
2544 distribution of natural gas in this state. The Florida Natural  
2545 Gas Association is encouraged to recommend a list of candidates  
2546 for consideration.

2547        ~~(x) One member who is a representative of the Department  
2548 of Agriculture and Consumer Services' Office of Energy. The  
2549 Commissioner of Agriculture is encouraged to recommend a list of  
2550 candidates for consideration.~~

2551        ~~(y) One member who shall be the chair.~~

2552        Section 96. Subsection (7) of section 558.002, Florida  
2553 Statutes, is amended to read:

2554        558.002 Definitions.—As used in this chapter, the term:

2555        (7) "Design professional" means a person, as defined in s.  
2556 1.01, licensed or registered in this state as an architect,  
2557 interior designer, landscape architect, engineer, surveyor, or  
2558 geologist.

2559        Section 97. Subsection (5) is added to section 823.15,  
2560 Florida Statutes, to read:

2561        823.15 Dogs and cats released from animal shelters or  
2562 animal control agencies; sterilization requirement.—

2563        (5) (a) Employees, agents, or contractors of a public or  
2564 private animal shelter, a humane organization, or an animal  
2565 control agency operated by a humane organization or by a county,  
2566 municipality, or other incorporated political subdivision may



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2567 implant dogs and cats with a radio frequency identification  
2568 microchip device as part of their work with such public or  
2569 private animal shelter, humane organization, or animal control  
2570 agency.

2571 (b) Notwithstanding s. 474.2165, employees, agents, or  
2572 contractors of a public or private animal shelter, a humane  
2573 organization, or an animal control agency operated by a humane  
2574 organization or by a county, municipality, or other incorporated  
2575 political subdivision may contact the owner of record listed on  
2576 a radio frequency identification microchip device to verify pet  
2577 ownership.

2578 Section 98. Except as otherwise expressly provided in this  
2579 act, this act shall take effect July 1, 2020.

2580

2581

2582

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**T I T L E A M E N D M E N T**

2583

Remove everything before the enacting clause and insert:

2584

An act relating to the deregulation of professions and

2585

occupations; providing a short title; amending s.

2586

287.055, F.S.; conforming provisions to changes made

2587

by the act; amending s. 322.57, F.S.; defining the

2588

term "servicemember"; requiring the Department of

2589

Highway Safety and Motor Vehicles to waive certain

2590

commercial driver license requirements for

2591

servicemembers and veterans under certain

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2592 | circumstances; requiring rulemaking; amending s.  
2593 | 326.004, F.S.; deleting the requirement for a yacht  
2594 | broker to maintain a separate license for each branch  
2595 | office; deleting the requirement for the division to  
2596 | establish a fee; amending s. 447.02, F.S.; conforming  
2597 | provisions to changes made by the act; repealing ss.  
2598 | 447.04, 447.041, 447.045, and 447.046, F.S., relating  
2599 | to licensure and permit requirements for business  
2600 | agents, hearings for persons or labor organizations  
2601 | denied licensure as a business agent, confidential  
2602 | information obtained during the application process,  
2603 | and required registration of labor organizations,  
2604 | respectively; amending s. 447.09, F.S.; deleting  
2605 | certain prohibited actions relating to the right of  
2606 | franchise of a member of a labor organization;  
2607 | repealing ss. 447.12 and 447.16, F.S., relating to  
2608 | registration fees and applicability; amending s.  
2609 | 447.305, F.S.; deleting a provision that requires  
2610 | notification of registrations and renewals to the  
2611 | department; amending s. 455.213, F.S.; requiring the  
2612 | Department of Business and Professional Regulation or  
2613 | a board to seek reciprocal licensing agreements with  
2614 | other states under certain circumstances; providing  
2615 | requirements; creating s. 455.2278, F.S.; providing  
2616 | definitions; prohibiting the department or a board

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2617 from suspending or revoking a person's license solely  
2618 on the basis of a delinquency or default in the  
2619 payment of his or her student loan; prohibiting the  
2620 department or a board from suspending or revoking a  
2621 person's license solely on the basis of a default in  
2622 satisfying the requirements of his or her work-  
2623 conditional scholarship; amending s. 468.401, F.S.;  
2624 revising definitions; repealing ss. 468.402, 468.403,  
2625 468.404, and 468.405, F.S., relating to duties and  
2626 authority of the Department of Business and  
2627 Professional Regulation with regard to licensure of  
2628 talent agencies, licensure requirements, license fees  
2629 and renewals, and qualification for a talent agency  
2630 license, respectively; amending s. 468.406, F.S.;  
2631 requiring an owner or operator of a talent agency to  
2632 post an itemized schedule of fees, charges, and  
2633 commissions in a specified place; repealing s.  
2634 468.407, F.S., relating to the form and posting  
2635 requirements for a license; amending s. 468.408, F.S.;  
2636 conforming provisions to changes made by the act;  
2637 prohibiting certain bonds from being issued or renewed  
2638 by a bonding agency to an owner or operator of a  
2639 talent agency unless the bonding agency verifies that  
2640 each owner or operator has not been convicted of  
2641 specified crimes; amending s. 468.409, F.S.; deleting

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2642 a requirement for record inspection; amending s.  
2643 468.410, F.S.; deleting a requirement to include  
2644 specified information in a contract between a talent  
2645 agency and applicant; amending s. 468.412, F.S.;  
2646 deleting recordkeeping and posting requirements;  
2647 amending s. 468.413, F.S.; revising criminal  
2648 penalties; conforming provisions to changes made by  
2649 the act; repealing s. 468.414, F.S., relating to the  
2650 deposit of certain funds in the Professional  
2651 Regulation Trust Fund; amending s. 468.415, F.S.;  
2652 prohibiting any agent, owner, or operator who commits  
2653 sexual misconduct in the operation of a talent agency  
2654 from acting as an agent, owner, or operator of a  
2655 Florida talent agency; amending s. 468.505, F.S.;  
2656 providing that certain unlicensed persons are not  
2657 prohibited or restricted from his or her practice,  
2658 services, or activities in dietetics and nutrition  
2659 under certain circumstances; amending 468.524, F.S.;  
2660 deleting specified exemptions from the time  
2661 restriction for an employee leasing company to reapply  
2662 for licensure; amending s. 468.603, F.S.; revising a  
2663 definition; amending s. 468.609, F.S.; revising  
2664 certain experience requirements for a person to take  
2665 the examination for certification; revising the time  
2666 period a provisional certificate is valid; amending s.

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2667 468.613, F.S.; providing for waiver of specified  
2668 requirements for certification under certain  
2669 circumstances; amending s. 468.8314, F.S.; requiring  
2670 an applicant for a license by endorsement to maintain  
2671 a specified insurance policy; requiring the department  
2672 to certify an applicant who holds a specified license  
2673 issued by another state or territory of the United  
2674 States under certain circumstances; amending s.  
2675 471.015, F.S.; revising licensure requirements for  
2676 engineers who hold specified licenses in another  
2677 state; amending s. 473.308, F.S.; deleting continuing  
2678 education requirements for license by endorsement for  
2679 certified public accountants; amending s. 474.202,  
2680 F.S.; revising the definition of the term "limited-  
2681 service veterinary medical practice" to include  
2682 certain vaccinations or immunizations; amending s.  
2683 474.203, F.S.; providing an exemption for a person  
2684 whose work is solely confined to microchip  
2685 implantation in dogs and cats; amending s. 474.207,  
2686 F.S.; revising education requirements for licensure by  
2687 examination; amending s. 474.217, F.S.; requiring the  
2688 Department of Business and Professional Regulation to  
2689 issue a license by endorsement to certain applicants  
2690 who successfully complete a specified examination;  
2691 amending s. 476.114, F.S.; revising training

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2692 requirements for licensure as a barber; amending s.  
2693 476.144, F.S.; requiring the department to license an  
2694 applicant who is licensed to practice barbering in  
2695 another state; amending s. 477.013, F.S.; revising the  
2696 definition of the term "hair braiding"; repealing s.  
2697 477.0132, F.S., relating to registration for hair  
2698 braiding, hair wrapping, and body wrapping; amending  
2699 s. 477.0135, F.S.; providing additional exemptions  
2700 from license or registration requirements for  
2701 specified occupations or practices; amending s.  
2702 477.019, F.S.; conforming provisions to changes made  
2703 by the act; amending s. 477.0201, F.S.; providing  
2704 requirements for registration as a specialist;  
2705 amending s. 477.026, F.S.; conforming provisions to  
2706 changes made by the act; amending s. 477.0263, F.S.;  
2707 authorizing certain persons to perform specified  
2708 cosmetology services in a location other than a  
2709 licensed salon under certain circumstances; amending  
2710 ss. 477.0265 and 477.029, F.S.; conforming provisions  
2711 to changes made by the act; amending s. 481.201, F.S.;  
2712 deleting legislative findings relating to the practice  
2713 of interior design; amending s. 481.203, F.S.;  
2714 revising definitions; amending s. 481.205, F.S.;  
2715 conforming provisions to changes made by the act;  
2716 amending s. 481.207, F.S.; revising certain fees for

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2717 interior designers; amending s. 481.209, F.S.;

2718 providing requirements for a certificate of

2719 registration and a seal for interior designers;

2720 conforming provisions to changes made by the act;

2721 amending s. 481.213, F.S.; revising requirements for

2722 certification of licensure by endorsement for certain

2723 licensees to engage in the practice of architecture;

2724 providing that registration is not required for

2725 specified persons to practice; amending s. 481.2131,

2726 F.S.; requiring certain interior designers to include

2727 a specified seal when submitting documents for the

2728 issuance of a building permit; amending s. 481.215,

2729 F.S.; revising the number of hours of specified

2730 courses the board must require for the renewal of a

2731 license or certificate of registration; authoring

2732 licensees to complete certain courses online; amending

2733 s. 481.217, F.S.; conforming provisions to changes

2734 made by the act; amending s. 481.219, F.S.; deleting

2735 provisions permitting the practice of or offer to

2736 practice interior design through certain business

2737 organizations; deleting provisions requiring

2738 certificates of authorization for certain business

2739 organizations offering interior design services to the

2740 public; requiring a licensee or applicant in the

2741 practice of architecture to qualify a business

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2742 organization; providing requirements; amending  
2743 481.221, F.S.; requiring registered architects and  
2744 certain business organizations to display their  
2745 license number in specified advertisements; amending  
2746 s. 481.223, F.S.; providing construction; amending s.  
2747 481.2251, F.S.; revising acts that constitute grounds  
2748 for disciplinary actions relating to interior  
2749 designers; amending ss. 481.229 and 481.231, F.S.;;  
2750 conforming provisions to changes made by the act;  
2751 amending s. 481.303, F.S.; deleting the definition of  
2752 the term "certificate of authorization"; amending s.  
2753 481.310, F.S.; providing that an applicant who holds a  
2754 specified degree is not required to demonstrate 1 year  
2755 of practical experience for licensure; amending s.  
2756 481.311, F.S.; requiring the Board of Landscape  
2757 Architecture to certify an applicant who holds a  
2758 specified license issued by another state or territory  
2759 of the United States under certain circumstances;  
2760 conforming provisions; amending s. 481.313, F.S.;;  
2761 authorizing a landscape architect to receive hour-for-  
2762 hour credit for certain approved continuing education  
2763 courses under certain circumstances; 481.317, F.S.;;  
2764 conforming provisions; amending s. 481.319, F.S.;;  
2765 deleting the requirement for a certificate of  
2766 authorization; authorizing landscape architects to

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2767 practice through a corporation or partnership;  
2768 amending s. 481.321, F.S.; requiring a landscape  
2769 architect to display their certificate number in  
2770 specified advertisements; amending s. 481.329, F.S.;  
2771 conforming a cross-reference; amending s. 489.103,  
2772 F.S.; revising certain contract prices for exemption;  
2773 amending s. 489.111, F.S.; providing that an applicant  
2774 who is exempt from a specified examination is eligible  
2775 for licensure; amending s. 489.113, F.S.; providing  
2776 that an applicant holding a specified degree does not  
2777 have to pass a certain examination; amending s.  
2778 489.115, F.S.; requiring the Construction Industry  
2779 Licensing Board to certify any applicant who holds a  
2780 specified license to practice contracting issued by  
2781 another state or territory of the United States under  
2782 or certain persons licensed by endorsement or  
2783 reciprocity under certain circumstances; amending s.  
2784 489.511, F.S.; requiring the board to certify as  
2785 qualified for certification by endorsement any  
2786 applicant who holds a specified license to practice  
2787 electrical or alarm system contracting issued by  
2788 another state or territory of the United States under  
2789 certain circumstances; amending s. 489.517, F.S.;  
2790 providing a reduction in certain continuing education  
2791 hours required for certain contractors; amending s.

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2792 489.518, F.S.; requiring a person to have completed a  
2793 specified amount of training within a certain time  
2794 period to perform the duties of an alarm system agent;  
2795 amending s. 492.104, F.S.; conforming provisions to  
2796 changes made by the act; amending 492.108, F.S.;

2797 requiring the department to issue a license by  
2798 endorsement to any applicant who has held a specified  
2799 license to practice geology in another state,  
2800 territory, or possession of the United States for a  
2801 certain period of time; providing that an applicant  
2802 may take the examination required by the board if they  
2803 have not met the specified examination requirement;

2804 amending s. 492.111, F.S.; deleting the requirements  
2805 for a certificate of authorization for a professional  
2806 geologist; amending ss. 492.113 and 492.115, F.S.;

2807 conforming provisions; creating s. 509.102, F.S.;

2808 providing a definition for the term "mobile food  
2809 dispensing vehicles"; prohibiting a municipality,  
2810 county, or other local government entity from  
2811 requiring a separate license, registration, or permit  
2812 or fee or from operating within the jurisdiction;

2813 providing applicability; amending s. 548.003, F.S.;

2814 deleting the requirement that the Florida State Boxing  
2815 Commission adopt rules relating to a knockdown  
2816 timekeeper; amending s. 548.017, F.S.; deleting the

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2817 licensure requirement for a timekeeper or announcer;  
2818 amending s. 553.5141, F.S.; conforming provisions to  
2819 changes made by the act; amending s. 553.74, F.S.;  
2820 revising the membership and qualifications of the  
2821 Florida Building Commission; amending ss. 553.79 and  
2822 558.002, F.S.; conforming provisions to changes made  
2823 by the act; amending s. 823.15, F.S.; authorizing  
2824 certain persons to implant dogs and cats with  
2825 specified radio frequency identification devices under  
2826 certain circumstances; authorizing such persons to  
2827 contact the owner of record listed on such devices;  
2828 providing effective dates.