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380064

LEGISLATIVE ACTION

.

Senate Floor: 1/AE/2R 03/12/2020 05:26 PM

Floor: C 03/12/2020 06:39 PM

House

Senator Albritton moved the following:

Senate Amendment (with title amendment)

Delete lines 234 - 2565

and insert:

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Section 2. Present subsection (4) of section 322.57, Florida Statutes, is redesignated as subsection (5), and a new subsection (4) is added to that section, to read:

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

10 (4) (a) As used in this subsection, the term "servicemember" 11 means a member of any branch of the United States military or

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12	military reserves, the United States Coast Guard or its
13	reserves, the Florida National Guard, or the Florida Air
14	National Guard.
15	(b) The department shall waive the requirement to pass the
16	Commercial Driver License Skills Tests for servicemembers and
17	veterans if:
18	1. The applicant has been honorably discharged from
19	military service within 1 year of the application, if the
20	applicant is a veteran;
21	2. The applicant is trained as an MOS 88M Army Motor
22	Transport Operator or similar military job specialty;
23	3. The applicant has received training to operate large
24	trucks in compliance with the Federal Motor Carrier Safety
25	Administration; and
26	4. The applicant has at least 2 years of experience in the
27	military driving vehicles that would require a commercial driver
28	license to operate.
29	(c) An applicant must complete every other requirement for
30	a commercial driver license within 1 year of receiving a waiver
31	under paragraph (b) or the waiver is invalid.
32	(d) The department shall adopt rules to administer this
33	subsection.
34	Section 3. Subsection (13) of section 326.004, Florida
35	Statutes, is amended to read:
36	326.004 Licensing
37	(13) Each broker must maintain a principal place of
38	business in this state and may establish branch offices in the
39	state. A separate license must be maintained for each branch
40	office. The division shall establish by rule a fee not to exceed

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41	\$100 for each branch office license.
42	Section 4. Subsection (3) of section 447.02, Florida
43	Statutes, is amended to read:
44	447.02 DefinitionsThe following terms, when used in this
45	chapter, shall have the meanings ascribed to them in this
46	section:
47	(3) The term "department" means the Department of Business
48	and Professional Regulation.
49	Section 5. Section 447.04, Florida Statutes, is repealed.
50	Section 6. Section 447.041, Florida Statutes, is repealed.
51	Section 7. Section 447.045, Florida Statutes, is repealed.
52	Section 8. Section 447.06, Florida Statutes, is repealed.
53	Section 9. Subsections (6) and (8) of section 447.09,
54	Florida Statutes, are amended to read:
55	447.09 Right of franchise preserved; penaltiesIt shall be
56	unlawful for any person:
57	(6) To act as a business agent without having obtained and
58	possessing a valid and subsisting license or permit.
59	(8) To make any false statement in an application for a
60	license.
61	Section 10. Section 447.12, Florida Statutes, is repealed.
62	Section 11. Section 447.16, Florida Statutes, is repealed.
63	Section 12. Subsection (4) of section 447.305, Florida
64	Statutes, is amended to read:
65	447.305 Registration of employee organization
66	(4) Notification of registrations and renewals of
67	registration shall be furnished at regular intervals by the
68	commission to the Department of Business and Professional
69	Regulation.

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70	Section 13. Subsection (14) is added to section 455.213,
71	Florida Statutes, to read:
72	455.213 General licensing provisions
73	(14) The department or a board must enter into a reciprocal
74	licensing agreement with other states if the practice act within
75	the purview of this chapter permits such agreement. If a
76	reciprocal licensing agreement exists or if the department or
77	board has determined another state's licensing requirements or
78	examinations to be substantially equivalent or more stringent to
79	those under the practice act, the department or board must post
80	on its website which jurisdictions have such reciprocal
81	licensing agreements or substantially similar licenses.
82	Section 14. Section 455.2278, Florida Statutes, is created
83	to read:
84	455.2278 Restriction on disciplinary action for student
85	loan default
86	(1) DEFINITIONSAs used in this section, the term:
87	(a) "Default" means the failure to repay a student loan
88	according to the terms agreed to in the promissory note.
89	(b) "Delinquency" means the failure to make a student loan
90	payment when it is due.
91	(c) "Student loan" means a federal-guaranteed or state-
92	guaranteed loan for the purposes of postsecondary education.
93	(d) "Work-conditional scholarship" means an award of
94	financial aid for a student to further his or her education
95	which imposes an obligation on the student to complete certain
96	work-related requirements to receive or to continue receiving
97	the scholarship.
98	(2) STUDENT LOAN DEFAULT; DELINQUENCYThe department or a

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99 board may not suspend or revoke a license that it has issued to 100 any person who is in default on or delinquent in the payment of 101 his or her student loans solely on the basis of such default or 102 delinquency.

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

Section 15. Paragraph (k) of subsection (1) of section 456.072, Florida Statutes, is amended to read:

456.072 Grounds for discipline; penalties; enforcement.-

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

(k) Failing to perform any statutory or legal obligation 114 placed upon a licensee. For purposes of this section, failing to 115 repay a student loan issued or guaranteed by the state or the 116 117 Federal Government in accordance with the terms of the loan is 118 not or failing to comply with service scholarship obligations 119 shall be considered a failure to perform a statutory or legal 120 obligation, and the minimum disciplinary action imposed shall be 121 a suspension of the license until new payment terms are agreed 122 upon or the scholarship obligation is resumed, followed by 123 probation for the duration of the student loan or remaining 124 scholarship obligation period, and a fine equal to 10 percent of 125 the defaulted loan amount. Fines collected shall be deposited 126 into the Medical Quality Assurance Trust Fund. 127 Section 16. Section 456.0721, Florida Statutes, is

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128	repealed.
129	Section 17. Subsection (4) of section 456.074, Florida
130	Statutes, is amended to read:
131	456.074 Certain health care practitioners; immediate
132	suspension of license
133	(4) Upon receipt of information that a Florida-licensed
134	health care practitioner has defaulted on a student loan issued
135	or guaranteed by the state or the Federal Government, the
136	department shall notify the licensee by certified mail that he
137	or she shall be subject to immediate suspension of license
138	unless, within 45 days after the date of mailing, the licensee
139	provides proof that new payment terms have been agreed upon by
140	all parties to the loan. The department shall issue an emergency
141	order suspending the license of any licensee who, after 45 days
142	following the date of mailing from the department, has failed to
143	provide such proof. Production of such proof shall not prohibit
144	the department from proceeding with disciplinary action against
145	the licensee pursuant to s. 456.073.
146	Section 18. Paragraph (n) is added to subsection (1) of
147	section 468.505, Florida Statutes, to read:
148	468.505 Exemptions; exceptions
149	(1) Nothing in this part may be construed as prohibiting or
150	restricting the practice, services, or activities of:
151	(n) Any person who provides information, wellness
152	recommendations, or advice concerning nutrition, or who markets
153	food, food materials, or dietary supplements for remuneration,
154	if such person does not provide such services to a person under
155	the direct care and supervision of a medical doctor for a
156	disease or medical condition requiring nutrition intervention,

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157	not including obesity or weight loss, and does not represent
158	himself or herself as a dietitian, licensed dietitian,
159	registered dietitian, nutritionist, licensed nutritionist,
160	nutrition counselor, or licensed nutrition counselor, or use any
161	word, letter, symbol, or insignia indicating or implying that he
162	or she is a dietitian, nutritionist, or nutrition counselor.
163	Section 19. Paragraph (f) of subsection (5) of section
164	468.603, Florida Statutes, is amended to read:
165	468.603 Definitions.—As used in this part:
166	(5) "Categories of building code inspectors" include the
167	following:
168	(f) " <u>Residential</u> <del>One and two family dwelling</del> inspector"
169	means a person who is qualified to inspect and determine that
170	one-family, two-family, or three-family residences not exceeding
171	two habitable stories above no more than one uninhabitable story
172	and accessory use structures in connection therewith one and two
173	family dwellings and accessory structures are constructed in
174	accordance with the provisions of the governing building,
175	plumbing, mechanical, accessibility, and electrical codes.
176	Section 20. Paragraph (c) of subsection (2) and paragraph
177	(a) of subsection (7) of section 468.609, Florida Statutes, are
178	amended to read:
179	468.609 Administration of this part; standards for
180	certification; additional categories of certification
181	(2) A person may take the examination for certification as
182	a building code inspector or plans examiner pursuant to this
183	part if the person:
184	(c) Meets eligibility requirements according to one of the
185	following criteria:

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186 1. Demonstrates <u>4</u> <del>5</del> years' combined experience in the field 187 of construction or a related field, building code inspection, or 188 plans review corresponding to the certification category sought;

189 2. Demonstrates a combination of postsecondary education in 190 the field of construction or a related field and experience 191 which totals <u>3</u> 4 years, with at least 1 year of such total being 192 experience in construction, building code inspection, or plans 193 review;

194 3. Demonstrates a combination of technical education in the 195 field of construction or a related field and experience which 196 totals <u>3</u> 4 years, with at least 1 year of such total being 197 experience in construction, building code inspection, or plans 198 review;

4. Currently holds a standard certificate issued by the 199 200 board or a firesafety inspector license issued pursuant to 201 chapter 633, with has a minimum of 3 years' verifiable full-time 202 experience in firesafety inspection or firesafety plan review, and has satisfactorily completed a building code inspector or 203 204 plans examiner training program that provides at least 100 hours but not more than 200 hours of cross-training in the 205 206 certification category sought. The board shall establish by rule 207 criteria for the development and implementation of the training 208 programs. The board shall accept all classroom training offered 209 by an approved provider if the content substantially meets the 210 intent of the classroom component of the training program;

5. Demonstrates a combination of the completion of an approved training program in the field of building code inspection or plan review and a minimum of 2 years' experience in the field of building code inspection, plan review, fire code

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215 inspections and fire plans review of new buildings as a 216 firesafety inspector certified under s. 633.216, or 217 construction. The approved training portion of this requirement 218 shall include proof of satisfactory completion of a training 219 program that provides at least 200 hours but not more than 300 220 hours of cross-training that is approved by the board in the chosen category of building code inspection or plan review in 221 222 the certification category sought with at least 20 hours but not 223 more than 30 hours of instruction in state laws, rules, and 224 ethics relating to professional standards of practice, duties, 225 and responsibilities of a certificateholder. The board shall 226 coordinate with the Building Officials Association of Florida, 227 Inc., to establish by rule the development and implementation of the training program. However, the board shall accept all 228 229 classroom training offered by an approved provider if the 230 content substantially meets the intent of the classroom 231 component of the training program;

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

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

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

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

249 7.a. Has completed a 4-year internship certification 250 program as a building code inspector or plans examiner while 251 employed full-time by a municipality, county, or other 252 governmental jurisdiction, under the direct supervision of a 253 certified building official. Proof of graduation with a related 254 vocational degree or college degree or of verifiable work 255 experience may be exchanged for the internship experience 256 requirement year-for-year, but may reduce the requirement to no 257 less than 1 year.

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

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

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

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

(7) (a) The board shall provide for the issuance of
provisional certificates valid for <u>2 years</u> <del>1 year</del>, as specified
by board rule, to any building code inspector or plans examiner

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273 who meets the eligibility requirements described in subsection 274 (2) and any newly employed or promoted building code 275 administrator who meets the eligibility requirements described 276 in subsection (3). The provisional license may be renewed by the 277 board for just cause; however, a provisional license is not 278 valid for longer than 3 years.

279 Section 21. Section 468.613, Florida Statutes, is amended 280 to read:

281 468.613 Certification by endorsement.-The board shall 282 examine other certification or training programs, as applicable, 283 upon submission to the board for its consideration of an 284 application for certification by endorsement. The board shall 285 waive its examination, qualification, education, or training requirements, to the extent that such examination, 286 287 qualification, education, or training requirements of the 288 applicant are determined by the board to be comparable with 289 those established by the board. The board shall waive its examination, qualification, education, or training requirements 290 291 if an applicant for certification by endorsement is at least 18 years of age; is of good moral character; has held a valid 292 293 building administrator, inspector, plans examiner, or the 294 equivalent, certification issued by another state or territory 295 of the United States for at least 10 years before the date of 296 application; and has successfully passed an applicable 297 examination administered by the International Code Council. Such 298 application must be made either when the license in another 299 state or territory is active or within 2 years after such 300 license was last active. 301 Section 22. Subsection (3) of section 468.8314, Florida

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302	Statutes, is amended to read:
303	468.8314 Licensure
304	(3) The department shall certify as qualified for a license
305	by endorsement an applicant who is of good moral character as
306	determined in s. 468.8313, who maintains an insurance policy as
307	required by s. 468.8322, and who:+
308	(a) Holds a valid license to practice home inspection
309	services in another state or territory of the United States,
310	whose educational requirements are substantially equivalent to
311	those required by this part; and has passed a national,
312	regional, state, or territorial licensing examination that is
313	substantially equivalent to the examination required by this
314	part <u>; or</u>
315	(b) Has held a valid license to practice home inspection
316	services issued by another state or territory of the United
317	States for at least 10 years before the date of application.
318	Such application must be made either when the license in another
319	state or territory is active or within 2 years after such
320	license was last active.
321	Section 23. Subsection (5) of section 471.015, Florida
322	Statutes, is amended to read:
323	471.015 Licensure
324	(5)(a) The board shall deem that an applicant who seeks
325	licensure by endorsement has passed an examination substantially
326	equivalent to the fundamentals examination when such applicant
327	has held a valid professional engineer's license in another
328	state for <u>10</u> <del>15</del> years <del>and has had 20 years of continuous</del>
329	professional-level engineering experience.
330	(b) The board shall deem that an applicant who seeks

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331	licensure by endorsement has passed an examination substantially
332	equivalent to the fundamentals examination and the principles
333	and practices examination when such applicant has held a valid
334	professional engineer's license in another state for $\underline{15}$ $\underline{25}$ years
335	and has had 30 years of continuous professional-level
336	engineering experience.
337	Section 24. Subsection (7) of section 473.308, Florida
338	Statutes, is amended to read:
339	473.308 Licensure
340	(7) The board shall certify as qualified for a license by
341	endorsement an applicant who:
342	(a) $\frac{1}{2}$ . Is not licensed and has not been licensed in another
343	state or territory and who has met the requirements of this
344	section for education, work experience, and good moral character
345	and has passed a national, regional, state, or territorial
346	licensing examination that is substantially equivalent to the
347	examination required by s. 473.306; or and
348	2. Has completed such continuing education courses as the
349	board deems appropriate, within the limits for each applicable
350	2-year period as set forth in s. 473.312, but at least such
351	courses as are equivalent to the continuing education
352	requirements for a Florida certified public accountant licensed
353	in this state during the 2 years immediately preceding her or
354	his application for licensure by endorsement; or
355	(b)1. <del>a.</del> Holds a valid license to practice public accounting
356	issued by another state or territory of the United States, if
357	the criteria for issuance of such license were substantially
358	equivalent to the licensure criteria that existed in this state
359	at the time the license was issued;

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360 2.b. Holds a valid license to practice public accounting 361 issued by another state or territory of the United States but the criteria for issuance of such license did not meet the 362 363 requirements of subparagraph 1. sub-subparagraph a.; has met the 364 requirements of this section for education, work experience, and 365 good moral character; and has passed a national, regional, state, or territorial licensing examination that is 366 367 substantially equivalent to the examination required by s. 368 473.306; or

369 <u>3.e.</u> Holds a valid license to practice public accounting 370 issued by another state or territory of the United States for at 371 least 10 years before the date of application; has passed a 372 national, regional, state, or territorial licensing examination 373 that is substantially equivalent to the examination required by 374 s. 473.306; and has met the requirements of this section for 375 good moral character<del>; and</del>

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

381 Section 25. Subsection (6) of section 474.202, Florida 382 Statutes, is amended to read:

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474.202 Definitions.-As used in this chapter:

(6) "Limited-service veterinary medical practice" means offering or providing veterinary services at any location that has a primary purpose other than that of providing veterinary medical service at a permanent or mobile establishment permitted by the board; provides veterinary medical services for privately

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389	owned animals that do not reside at that location; operates for
390	a limited time; and provides limited types of veterinary medical
391	services, including vaccinations or immunizations against
392	disease, preventative procedures for parasitic control, and
393	microchipping.
394	Section 26. Subsection (9) is added to section 474.203,
395	Florida Statutes, to read:
396	474.203 ExemptionsThis chapter does not apply to:
397	(9) An employee, an agent, or a contractor of a public or
398	private animal shelter, humane organization, or animal control
399	agency operated by a humane organization or by a county, a
400	municipality, or another incorporated political subdivision
401	whose work is confined solely to the implantation of a radio
402	frequency identification device microchip for dogs and cats in
403	accordance with s. 823.15.
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405	For the purposes of chapters 465 and 893, persons exempt
406	pursuant to subsection (1), subsection (2), or subsection (4)
407	are deemed to be duly licensed practitioners authorized by the
408	laws of this state to prescribe drugs or medicinal supplies.
409	Section 27. Paragraph (b) of subsection (2) of section
410	474.207, Florida Statutes, is amended to read:
411	474.207 Licensure by examination
412	(2) The department shall license each applicant who the
413	board certifies has:
414	(b)1. Graduated from a college of veterinary medicine
415	accredited by the American Veterinary Medical Association
416	Council on Education; or
417	2. Graduated from a college of veterinary medicine listed

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418 in the American Veterinary Medical Association Roster of 419 Veterinary Colleges of the World and obtained a certificate from 420 the Education Commission for Foreign Veterinary Graduates or the 421 Program for the Assessment of Veterinary Education Equivalence. 422 423 The department shall not issue a license to any applicant who is 424 under investigation in any state or territory of the United States or in the District of Columbia for an act which would 425 426 constitute a violation of this chapter until the investigation 427 is complete and disciplinary proceedings have been terminated, 428 at which time the provisions of s. 474.214 shall apply. 429 Section 28. Subsection (1) of section 474.217, Florida 430 Statutes, is amended to read: 431 474.217 Licensure by endorsement.-

(1) The department shall issue a license by endorsement to any applicant who, upon applying to the department and remitting 433 a fee set by the board, demonstrates to the board that she or 435 he:

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

(b)1. Either Holds, and has held for the 3 years 439 440 immediately preceding the application for licensure, a valid, 441 active license to practice veterinary medicine in another state 442 of the United States, the District of Columbia, or a territory 443 of the United States, provided that the applicant has 444 successfully completed a state, regional, national, or other 445 examination that is equivalent to or more stringent than the 446 examination required by the board requirements for licensure

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447	the issuing state, district, or territory are equivalent to or
448	more stringent than the requirements of this chapter; or
449	2. Meets the qualifications of s. 474.207(2)(b) and has
450	successfully completed a state, regional, national, or other
451	examination which is equivalent to or more stringent than the
452	examination given by the department and has passed the board's
453	clinical competency examination or another clinical competency
454	examination specified by rule of the board.
455	Section 29. Effective January 1, 2021, subsection (2) of
456	section 476.114, Florida Statutes, is amended to read:
457	476.114 Examination; prerequisites
458	(2) An applicant shall be eligible for licensure by
459	examination to practice barbering if the applicant:
460	(a) Is at least 16 years of age;
461	(b) Pays the required application fee; and
462	(c)1. Holds an active valid license to practice barbering
463	in another state, has held the license for at least 1 year, and
464	does not qualify for licensure by endorsement as provided for in
465	s. 476.144(5); or
466	2. Has received a minimum of 900 $\frac{1,200}{1,200}$ hours of training in
467	sanitation, safety, and laws and rules, as established by the
468	board, which shall include, but shall not be limited to, the
469	equivalent of completion of services directly related to the
470	practice of barbering at one of the following:
471	a. A school of barbering licensed pursuant to chapter 1005;
472	b. A barbering program within the public school system; or
473	c. A government-operated barbering program in this state.
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475	The board shall establish by rule procedures whereby the school

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476 or program may certify that a person is qualified to take the 477 required examination after the completion of a minimum of <u>600</u> 478 <del>1,000</del> actual school hours. If the person passes the examination, 479 she or he shall have satisfied this requirement; but if the 480 person fails the examination, she or he shall not be qualified 481 to take the examination again until the completion of the full 482 requirements provided by this section.

483 Section 30. Subsection (5) of section 476.144, Florida 484 Statutes, is amended to read:

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495 496 476.144 Licensure.-

(5) The board shall <u>certify as qualified for licensure by</u> <u>endorsement as a barber in this state an applicant who holds a</u> <u>current active license to practice barbering in another state.</u> <u>The board shall</u> adopt rules specifying procedures for the licensure by endorsement of practitioners desiring to be licensed in this state who hold a current active license in another <del>state or</del> country and who have met qualifications substantially similar to, equivalent to, or greater than the qualifications required of applicants from this state.

Section 31. Subsection (9) of section 477.013, Florida Statutes, is amended to read:

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477.013 Definitions.-As used in this chapter:

(9) "Hair braiding" means the weaving or interweaving of natural human hair <u>or commercial hair</u>, <u>including the use of hair</u> <u>extensions or wefts</u>, for compensation without cutting, coloring, permanent waving, relaxing, removing, or chemical treatment <del>and</del> <del>does not include the use of hair extensions or wefts</del>.

503Section 32. Section 477.0132, Florida Statutes, is504repealed.

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505	Section 33. Subsections (7) through (11) are added to
506	section 477.0135, Florida Statutes, to read:
507	477.0135 Exemptions
508	(7) A license or registration is not required for a person
509	whose occupation or practice is confined solely to hair braiding
510	as defined in s. 477.013(9).
511	(8) A license or registration is not required for a person
512	whose occupation or practice is confined solely to hair wrapping
513	as defined in s. 477.013(10).
514	(9) A license or registration is not required for a person
515	whose occupation or practice is confined solely to body wrapping
516	<u>as defined in s. 477.013(12).</u>
517	(10) A license or registration is not required for a person
518	whose occupation or practice is confined solely to applying
519	polish to fingernails and toenails.
520	(11) A license or registration is not required for a person
521	whose occupation or practice is confined solely to makeup
522	application, which includes, but is not limited to, application
523	of makeup primer, face paint, lipstick, eyeliner, eye shadow,
524	foundation, rouge or cheek color, mascara, strip lashes,
525	individual lashes, face powder, corrective stick, and makeup
526	remover; but does not include manual or chemical exfoliation,
527	semipermanent lash application, lash or brow tinting, permanent
528	makeup application, microblading, or hair removal.
529	Section 34. Subsections (6) and (7) of section 477.019,
530	Florida Statutes, are amended to read:
531	477.019 Cosmetologists; qualifications; licensure;
532	supervised practice; license renewal; endorsement; continuing
533	education

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534 (6) The board shall certify as qualified for licensure by 535 endorsement as a cosmetologist in this state an applicant who 536 holds a current active license to practice cosmetology in 537 another state. The board may not require proof of educational hours if the license was issued in a state that requires 1,200 538 539 or more hours of prelicensure education and passage of a written examination. This subsection does not apply to applicants who 540 541 received their license in another state through an 542 apprenticeship program.

(7) (a) The board shall prescribe by rule continuing 543 544 education requirements intended to ensure protection of the 545 public through updated training of licensees and registered 546 specialists, not to exceed 10  $\frac{16}{16}$  hours biennially, as a condition for renewal of a license or registration as a 547 548 specialist under this chapter. Continuing education courses 549 shall include, but not be limited to, the following subjects as 550 they relate to the practice of cosmetology: human 551 immunodeficiency virus and acquired immune deficiency syndrome; 552 Occupational Safety and Health Administration regulations; 553 workers' compensation issues; state and federal laws and rules 554 as they pertain to cosmetologists, cosmetology, salons, specialists, specialty salons, and booth renters; chemical 555 556 makeup as it pertains to hair, skin, and nails; and 557 environmental issues. Courses given at cosmetology conferences 558 may be counted toward the number of continuing education hours 559 required if approved by the board.

(b) Any person whose occupation or practice is confined
solely to hair braiding, hair wrapping, or body wrapping is
exempt from the continuing education requirements of this

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563	subsection.
564	<del>(c)</del> The board may, by rule, require any licensee in
565	violation of a continuing education requirement to take a
566	refresher course or refresher course and examination in addition
567	to any other penalty. The number of hours for the refresher
568	course may not exceed 48 hours.
569	Section 35. Effective January 1, 2021, subsection (1) of
570	section 477.0201, Florida Statutes, is amended to read:
571	477.0201 Specialty registration; qualifications;
572	registration renewal; endorsement
573	(1) Any person is qualified for registration as a
574	specialist in any <del>one or more of the</del> specialty practice
575	practices within the practice of cosmetology under this chapter
576	who:
577	(a) Is at least 16 years of age or has received a high
578	school diploma.
579	(b) Has received a certificate of completion for: in a
580	1. One hundred and eighty hours of training, as established
581	by the board, which shall focus primarily on sanitation and
582	safety, to practice specialties as defined in s. 477.013(6)(a)
583	and (b); specialty pursuant to s. 477.013(6)
584	2. Two hundred and twenty hours of training, as established
585	by the board, which shall focus primarily on sanitation and
586	safety, to practice the specialty as defined in s.
587	477.013(6)(c); or
588	3. Four hundred hours of training or the number of hours of
589	training required to maintain minimum Pell Grant requirements,
590	as established by the board, which shall focus primarily on

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592	s. 477.013(6)(a)-(c).
593	(c) The certificate of completion specified in paragraph
594	(b) must be from one of the following:
595	1. A school licensed pursuant to s. 477.023.
596	2. A school licensed pursuant to chapter 1005 or the
597	equivalent licensing authority of another state.
598	3. A specialty program within the public school system.
599	4. A specialty division within the Cosmetology Division of
600	the Florida School for the Deaf and the Blind, provided the
601	training programs comply with minimum curriculum requirements
602	established by the board.
603	Section 36. Paragraph (f) of subsection (1) of section
604	477.026, Florida Statutes, is amended to read:
605	477.026 Fees; disposition
606	(1) The board shall set fees according to the following
607	schedule:
608	(f) For hair braiders, hair wrappers, and body wrappers,
609	fees for registration shall not exceed \$25.
610	Section 37. Subsection (4) of section 477.0263, Florida
611	Statutes, is amended, and subsection (5) is added to that
612	section, to read:
613	477.0263 Cosmetology services to be performed in licensed
614	salon; exceptions
615	(4) Pursuant to rules adopted by the board, any cosmetology
616	or specialty service may be performed in a location other than a
617	licensed salon when the service is performed in connection with
618	a special event and is performed by a person who is employed by
619	a licensed salon and who holds the proper license or specialty
620	registration. An appointment for the performance of any such

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621	service in a location other than a licensed salon must be made
622	through a licensed salon.
623	(5) Hair shampooing, hair cutting, hair arranging, nail
624	polish removal, nail filing, nail buffing, and nail cleansing
625	may be performed in a location other than a licensed salon when
626	the service is performed by a person who holds the proper
627	license.
628	Section 38. Paragraph (f) of subsection (1) of section
629	477.0265, Florida Statutes, is amended to read:
630	477.0265 Prohibited acts
631	(1) It is unlawful for any person to:
632	(f) Advertise or imply that skin care services <del>or body</del>
633	wrapping, as performed under this chapter, have any relationship
634	to the practice of massage therapy as defined in s. 480.033(3),
635	except those practices or activities defined in s. 477.013.
636	Section 39. Paragraph (a) of subsection (1) of section
637	477.029, Florida Statutes, is amended to read:
638	477.029 Penalty
639	(1) It is unlawful for any person to:
640	(a) Hold himself or herself out as a cosmetologist $\overline{\mathrm{or}_{ au}}$
641	specialist, hair wrapper, hair braider, or body wrapper unless
642	duly licensed or registered, or otherwise authorized, as
643	provided in this chapter.
644	Section 40. Section 481.201, Florida Statutes, is amended
645	to read:
646	481.201 PurposeThe primary legislative purpose for
647	enacting this part is to ensure that every architect practicing
648	in this state meets minimum requirements for safe practice. It
649	is the legislative intent that architects who fall below minimum

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650	competency or who otherwise present a danger to the public shall
651	be prohibited from practicing in this state. The Legislature
652	further finds that it is in the interest of the public to limit
653	the practice of interior design to interior designers or
654	architects who have the design education and training required
655	by this part or to persons who are exempted from the provisions
656	of this part.
657	Section 41. Section 481.203, Florida Statutes, is reordered
658	and amended to read:
659	481.203 DefinitionsAs used in this part, the term:
660	(3) (1) "Board" means the Board of Architecture and Interior
661	Design.
662	(7) (2) "Department" means the Department of Business and
663	Professional Regulation.
664	(1) (3) "Architect" or "registered architect" means a
665	natural person who is licensed under this part to engage in the
666	practice of architecture.
667	(5)(4) "Certificate of registration" means a license or
668	registration issued by the department to a natural person to
669	engage in the practice of architecture or interior design.
670	(4) (5) "Business organization" means a partnership, a
671	limited liability company, a corporation, or an individual
672	operating under a fictitious name "Certificate of authorization"
673	means a certificate issued by the department to a corporation or
674	partnership to practice architecture or interior design.
675	(2) (6) "Architecture" means the rendering or offering to
676	render services in connection with the design and construction

676 render services in connection with the design and construction 677 of a structure or group of structures which have as their 678 principal purpose human habitation or use, and the utilization

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679 of space within and surrounding such structures. These services 680 include planning, providing preliminary study designs, drawings 681 and specifications, job-site inspection, and administration of 682 construction contracts.

(16) (7) "Townhouse" is a single-family dwelling unit not 683 exceeding three stories in height which is constructed in a 684 685 series or group of attached units with property lines separating 686 such units. Each townhouse shall be considered a separate 687 building and shall be separated from adjoining townhouses by the 688 use of separate exterior walls meeting the requirements for zero 689 clearance from property lines as required by the type of 690 construction and fire protection requirements; or shall be 691 separated by a party wall; or may be separated by a single wall 692 meeting the following requirements:

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

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

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

(10) (8) "Interior design" means designs, consultations, studies, drawings, specifications, and administration of design construction contracts relating to nonstructural interior

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708 elements of a building or structure. "Interior design" includes, but is not limited to, reflected ceiling plans, space planning, 709 710 furnishings, and the fabrication of nonstructural elements 711 within and surrounding interior spaces of buildings. "Interior 712 design" specifically excludes the design of or the 713 responsibility for architectural and engineering work, except 714 for specification of fixtures and their location within interior 715 spaces. As used in this subsection, "architectural and 716 engineering interior construction relating to the building 717 systems" includes, but is not limited to, construction of 718 structural, mechanical, plumbing, heating, air-conditioning, 719 ventilating, electrical, or vertical transportation systems, or 720 construction which materially affects lifesafety systems pertaining to firesafety protection such as fire-rated 721 722 separations between interior spaces, fire-rated vertical shafts 723 in multistory structures, fire-rated protection of structural 724 elements, smoke evacuation and compartmentalization, emergency 725 ingress or eqress systems, and emergency alarm systems.

<u>(13)</u> (9) "Registered interior designer" or "interior designer" means a natural person who holds a valid certificate of registration to practice interior design is licensed under this part.

730 <u>(11)(10)</u> "Nonstructural element" means an element which 731 does not require structural bracing and which is something other 732 than a load-bearing wall, load-bearing column, or other load-733 bearing element of a building or structure which is essential to 734 the structural integrity of the building.

735 (12)(11) "Reflected ceiling plan" means a ceiling design 736 plan which is laid out as if it were projected downward and

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737 which may include lighting and other elements.

738 <u>(15)</u> (12) "Space planning" means the analysis, programming, 739 or design of spatial requirements, including preliminary space 740 layouts and final planning.

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

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

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

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

Section 42. Paragraph (a) of subsection (3) of section 481.205, Florida Statutes, is amended to read:

481.205 Board of Architecture and Interior Design.-

(3) (a) Notwithstanding the provisions of ss. 455.225,455.228, and 455.32, the duties and authority of the department to receive complaints and investigate and discipline persons

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766 licensed or registered under this part, including the ability to 767 determine legal sufficiency and probable cause; to initiate 768 proceedings and issue final orders for summary suspension or 769 restriction of a license or certificate of registration pursuant 770 to s. 120.60(6); to issue notices of noncompliance, notices to 771 cease and desist, subpoenas, and citations; to retain legal 772 counsel, investigators, or prosecutorial staff in connection 773 with the licensed practice of architecture or registered and 774 interior design; and to investigate and deter the unlicensed 775 practice of architecture and interior design as provided in s. 776 455.228 are delegated to the board. All complaints and any 777 information obtained pursuant to an investigation authorized by 778 the board are confidential and exempt from s. 119.07(1) as 779 provided in s. 455.225(2) and (10).

Section 43. Section 481.207, Florida Statutes, is amended to read:

481.207 Fees.-The board, by rule, may establish separate 782 fees for architects and registered interior designers, to be 783 784 paid for applications, examination, reexamination, licensing and 785 renewal, delinquency, reinstatement, and recordmaking and 786 recordkeeping. The examination fee shall be in an amount that 787 covers the cost of obtaining and administering the examination 788 and shall be refunded if the applicant is found ineligible to 789 sit for the examination. The application fee is nonrefundable. 790 The fee for initial application and examination for architects 791 and interior designers may not exceed \$775 plus the actual per 792 applicant cost to the department for purchase of the examination 793 from the National Council of Architectural Registration Boards 794 or the National Council of Interior Design Qualifications,

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795 respectively, or similar national organizations. The initial 796 nonrefundable fee for registered interior designers may not 797 exceed \$75. The biennial renewal fee for architects may not 798 exceed \$200. The biennial renewal fee for registered interior 799 designers may not exceed \$75 <del>\$500</del>. The delinquency fee may not 800 exceed the biennial renewal fee established by the board for an 801 active license. The board shall establish fees that are adequate 802 to ensure the continued operation of the board and to fund the 803 proportionate expenses incurred by the department which are 804 allocated to the regulation of architects and registered 805 interior designers. Fees shall be based on department estimates 806 of the revenue required to implement this part and the 807 provisions of law with respect to the regulation of architects 808 and interior designers.

809 Section 44. Section 481.209, Florida Statutes, is amended 810 to read:

481.209 Examinations.-

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

817 (a) has passed the licensure examination prescribed by 818 board rule; and

819 (b) is a graduate of a school or college of architecture 820 with a program accredited by the National Architectural 821 Accreditation Board.

822 (2) <u>A person seeking to obtain a certificate of</u>
823 registration as a registered interior designer and a seal

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824	pursuant to s. 481.221 must provide the department with his or
825	her name and address and written proof that he or she has
826	successfully passed the qualification examination prescribed by
827	the Council for Interior Design Qualification or its successor
828	entity or has successfully passed an equivalent exam as
829	determined by the department. Any person who is licensed as an
830	interior designer by the department and who was in good standing
831	as of July 1, 2020, is eligible to obtain a certificate of
832	registration as a registered interior designer A person desiring
833	to be licensed as a registered interior designer shall apply to
834	the department for licensure. The department shall administer
835	the licensure examination for interior designers to each
836	applicant who has completed the application form and remitted
837	the application and examination fees specified in s. 481.207 and
838	who the board certifies:
839	(a) Is a graduate from an interior design program of 5
840	years or more and has completed 1 year of diversified interior
841	design experience;
842	(b) Is a graduate from an interior design program of 4
843	years or more and has completed 2 years of diversified interior
844	design experience;
845	(c) Has completed at least 3 years in an interior design
846	curriculum and has completed 3 years of diversified interior
847	design experience; or
848	(d) Is a graduate from an interior design program of at
849	least 2 years and has completed 4 years of diversified interior
850	design experience.
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852	Subsequent to October 1, 2000, for the purpose of having the

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853 educational qualification required under this subsection 854 accepted by the board, the applicant must complete his or her education at a program, school, or college of interior design 855 856 whose curriculum has been approved by the board as of the time 857 of completion. Subsequent to October 1, 2003, all of the required amount of educational credits shall have been obtained 858 in a program, school, or college of interior design whose 859 860 curriculum has been approved by the board, as of the time each 861 educational credit is gained. The board shall adopt rules 862 providing for the review and approval of programs, schools, and 863 colleges of interior design and courses of interior design study 864 based on a review and inspection by the board of the curriculum 865 of programs, schools, and colleges of interior design in the 866 United States, including those programs, schools, and colleges 867 accredited by the Foundation for Interior Design Education 868 Research. The board shall adopt rules providing for the review 869 and approval of diversified interior design experience required 870 by this subsection.

871 Section 45. Section 481.213, Florida Statutes, is amended 872 to read:

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481.213 Licensure and registration.-

(1) The department shall license <u>or register</u> any applicant
who the board certifies is qualified for licensure <u>or</u>
<u>registration</u> and who has paid the initial licensure <u>or</u>
<u>registration</u> fee. Licensure as an architect under this section
shall be deemed to include all the rights and privileges of
<u>registration</u> <del>licensure</del> as an interior designer under this
section.

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(2) The board shall certify for licensure or registration

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by examination any applicant who passes the prescribed licensure or registration examination and satisfies the requirements of ss. 481.209 and 481.211, for architects, or the requirements of s. 481.209, for interior designers.

886 (3) The board shall certify as qualified for a license by 887 endorsement as an architect or <u>registration</u> as <u>a registered</u> <del>an</del> 888 interior designer an applicant who:

(a) Qualifies to take the prescribed licensure or registration examination, and has passed the prescribed licensure or registration examination or a substantially equivalent examination in another jurisdiction, as set forth in s. 481.209 for architects or <u>registered</u> interior designers, as applicable, and has satisfied the internship requirements set forth in s. 481.211 for architects;

896 (b) Holds a valid license to practice architecture or a 897 license, registration, or certification to practice interior design issued by another jurisdiction of the United States, if 898 the criteria for issuance of such license were substantially 899 900 equivalent to the licensure criteria that existed in this state 901 at the time the license was issued; provided, however, that an 902 applicant who has been licensed for use of the title "interior 903 design" rather than licensed to practice interior design shall 904 not qualify hereunder; or

905 (c) Has passed the prescribed licensure examination and 906 holds a valid certificate issued by the National Council of 907 Architectural Registration Boards, and holds a valid license to 908 practice architecture issued by another state or jurisdiction of 909 the United States.

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911 An architect who is licensed in another state who seeks 912 qualification for license by endorsement under this subsection 913 must complete a 2-hour class approved by the board on wind 914 mitigation techniques. 915 (4) The board may refuse to certify any applicant who has 916 violated any of the provisions of s. 481.223, s. 481.225, or s. 917 481.2251, as applicable. 918 (5) The board may refuse to certify any applicant who is 919 under investigation in any jurisdiction for any act which would 920 constitute a violation of this part or of chapter 455 until such 921 time as the investigation is complete and disciplinary 922 proceedings have been terminated. (6) The board shall adopt rules to implement the provisions 923 924 of this part relating to the examination, internship, and 925 licensure of applicants. 926 (7) For persons whose licensure requires satisfaction of 927 the requirements of ss. 481.209 and 481.211, the board shall, by 928 rule, establish qualifications for certification of such persons 929 as special inspectors of threshold buildings, as defined in ss. 930 553.71 and 553.79, and shall compile a list of persons who are 931 certified. A special inspector is not required to meet standards 932 for certification other than those established by the board, and 933 the fee owner of a threshold building may not be prohibited from 934 selecting any person certified by the board to be a special 935 inspector. The board shall develop minimum qualifications for 936 the qualified representative of the special inspector who is 937 authorized under s. 553.79 to perform inspections of threshold 938 buildings on behalf of the special inspector.

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(8) A certificate of registration is not required for a

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940 person whose occupation or practice is confined to interior 941 decorator services or for a person whose occupation or practice 942 is confined to interior design as provided in this part.

943 Section 46. Subsection (1) of section 481.2131, Florida 944 Statutes, is amended to read:

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

947 (1) An A registered interior designer may is authorized to 948 perform "interior design" as defined in s. 481.203. Interior 949 design documents prepared by a registered interior designer 950 shall contain a statement that the document is not an 951 architectural or engineering study, drawing, specification, or 952 design and is not to be used for construction of any load-953 bearing columns, load-bearing framing or walls of structures, or 954 issuance of any building permit, except as otherwise provided by 955 law. Interior design documents that are prepared and sealed by a registered interior designer must may, if required by a 956 permitting body, be accepted by the permitting body be submitted 957 958 for the issuance of a building permit for interior construction 959 excluding design of any structural, mechanical, plumbing, 960 heating, air-conditioning, ventilating, electrical, or vertical 961 transportation systems or that materially affect lifesafety 962 systems pertaining to firesafety protection such as fire-rated 963 separations between interior spaces, fire-rated vertical shafts 964 in multistory structures, fire-rated protection of structural 965 elements, smoke evacuation and compartmentalization, emergency 966 ingress or egress systems, and emergency alarm systems. If a 967 permitting body requires sealed interior design documents for 968 the issuance of a permit, an individual performing interior

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969 design services who is not a licensed architect must include a 970 seal issued by the department and in conformance with the 971 requirements of s. 481.221.

Section 47. Section 481.215, Florida Statutes, is amended to read:

481.215 Renewal of license or certificate of registration.-

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

(2) The department shall adopt rules establishing a procedure for the biennial renewal of licenses <u>and certificates</u> of registration.

(3) A No license or certificate of registration renewal may 981 982 not shall be issued to an architect or a registered an interior 983 designer by the department until the licensee or registrant 984 submits proof satisfactory to the department that, during the 2 985 years before prior to application for renewal, the licensee or registrant participated per biennium in not less than 20 hours 986 987 of at least 50 minutes each per biennium of continuing education 988 approved by the board. The board shall approve only continuing 989 education that builds upon the basic knowledge of architecture 990 or interior design. The board may make exception from the 991 requirements of continuing education in emergency or hardship 992 cases.

993 (4) The board shall by rule establish criteria for the 994 approval of continuing education courses and providers and shall 995 by rule establish criteria for accepting alternative 996 nonclassroom continuing education on an hour-for-hour basis.

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(5) For a license or certificate of registration, the board

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998 shall require, by rule adopted pursuant to ss. 120.536(1) and 120.54, 2 a specified number of hours in specialized or advanced 999 1000 courses, approved by the Florida Building Commission, on any 1001 portion of the Florida Building Code, adopted pursuant to part 1002 IV of chapter 553, relating to the licensee's respective area of 1003 practice. Such hours count toward the continuing education hours 1004 required under subsection (3). A licensee may complete the 1005 courses required under this subsection online.

Section 48. Section 481.217, Florida Statutes, is amended to read:

481.217 Inactive status.-

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

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

Section 49. Section 481.219, Florida Statutes, is amended 1019 1020 to read:

481.219 Qualification of business organizations certification of partnerships, limited liability companies, and 1023 corporations.-

1024 (1) A licensee may The practice of or the offer to practice architecture or interior design by licensees through a qualified 1025 1026 business organization that offers corporation, limited liability

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1027 company, or partnership offering architectural or interior design services to the public, or by a corporation, limited 1028 1029 liability company, or partnership offering architectural or 1030 interior design services to the public through licensees under 1031 this part as agents, employees, officers, or partners, is 1032 permitted, subject to the provisions of this section. 1033 (2) If a licensee or an applicant proposes to engage in the 1034 practice of architecture as a business organization, the 1035 licensee or applicant shall qualify the business organization 1036 upon approval of the board For the purposes of this section, a 10.37 certificate of authorization shall be required for a 1038 corporation, limited liability company, partnership, or person practicing under a fictitious name, offering architectural 1039 1040 services to the public jointly or separately. However, when an 1041 individual is practicing architecture in her or his own name, 1042 she or he shall not be required to be certified under this section. Certification under this subsection to offer 1043 1044 architectural services shall include all the rights and 1045 privileges of certification under subsection (3) to offer 1046 interior design services. 1047 (3) (a) A business organization may not engage in the 1048 practice of architecture unless its qualifying agent is a registered architect under this part. A gualifying agent who 1049 1050 terminates an affiliation with a qualified business organization 1051 shall immediately notify the department of such termination. If 1052 such qualifying agent is the only qualifying agent for that 1053 business organization, the business organization must be 1054 qualified by another qualifying agent within 60 days after the 1055 termination. Except as provided in paragraph (b), the business

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1056 organization may not engage in the practice of architecture
1057 until it is qualified by another qualifying agent.

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

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

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

1079 (4) All final construction documents and instruments of
1080 service which include drawings, specifications, plans, reports,
1081 or other papers or documents <u>that involve</u> involving the practice
1082 of architecture which are prepared or approved for the use of
1083 the <u>business organization</u> corporation, limited liability
1084 company, or partnership and filed for public record within the

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1085 state <u>must shall</u> bear the signature and seal of the licensee who 1086 prepared or approved them and the date on which they were 1087 sealed.

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

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

(7) The board shall <u>allow a licensee or certify</u> an applicant <u>to qualify one or more business organizations</u> as <del>qualified for a certificate of authorization</del> to offer architectural <del>or interior design</del> services, <u>or to use a</u> <u>fictitious name to offer such services, if</u> <del>provided that:</del>

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

(b) One or more of the principal officers of the
 corporation or one or more partners of the partnership, and all
 personnel of the corporation, limited liability company, or
 partnership who act in its behalf in this state as interior

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1114 designers, are registered as provided by this part.
1115 (8) The department shall adopt rules establishing a
1116 procedure for the biennial renewal of certificates of
1117 authorization.

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

1121 (6) (10) Each qualifying agent who qualifies a business 1122 organization, partnership, limited liability company, or and 1123 corporation certified under this section shall notify the 1124 department within 30 days after of any change in the information 1125 contained in the application upon which the qualification 1126 certification is based. Any registered architect or interior 1127 designer who qualifies the business organization shall ensure 1128 corporation, limited liability company, or partnership as 1129 provided in subsection (7) shall be responsible for ensuring responsible supervising control of projects of the business 1130 organization entity and shall notify the department of the upon 1131 1132 termination of her or his employment with a business 1133 organization qualified partnership, limited liability company, 1134 or corporation certified under this section shall notify the 1135 department of the termination within 30 days after such 1136 termination.

1137 <u>(7) (11) A business organization is not No corporation,</u> 1138 limited liability company, or partnership shall be relieved of 1139 responsibility for the conduct or acts of its agents, employees, 1140 or officers by reason of its compliance with this section. 1141 However, except as provided in s. 558.0035, the architect who 1142 signs and seals the construction documents and instruments of

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1143 service <u>is shall be</u> liable for the professional services 1144 performed, and the interior designer who signs and seals the 1145 interior design drawings, plans, or specifications shall be 1146 liable for the professional services performed.

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

(8) (13) Nothing in This section may not shall be construed to mean that a certificate of registration to practice architecture must or interior design shall be held by a <u>business</u> organization corporation, limited liability company, or partnership. Nothing in This section <u>does not prohibit a</u> <u>business organization from offering prohibits corporations,</u> limited liability companies, and partnerships from joining together to offer architectural, engineering, interior design, surveying and mapping, and landscape architectural services, or any combination of such services, to the public <u>if the business</u> <u>organization</u>, provided that each corporation, limited liability company, or partnership otherwise meets the requirements of law.

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

Section 50. Subsections (5) and (10) of section 481.221, Florida Statutes, are amended to read:

481.221 Seals; display of certificate number.-

(5) No registered interior designer shall affix, or permit

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1172 to be affixed, her or his seal or signature to any plan, 1173 specification, drawing, or other document which depicts work 1174 which she or he is not competent or <u>registered licensed</u> to 1175 perform.

1176 (10) Each registered architect must or interior designer, and each corporation, limited liability company, or partnership 1177 holding a certificate of authorization, shall include her or his 1178 1179 license its certificate number in any newspaper, telephone 1180 directory, or other advertising medium used by the registered 1181 licensee. Each business organization must include the license 1182 number of the registered architect who serves as the qualifying 1183 agent for that business organization in any newspaper, telephone 1184 directory, or other advertising medium used by the business 1185 organization architect, interior designer, corporation, limited 1186 liability company, or partnership. A corporation, limited 1187 liability company, or partnership is not required to display the certificate number of individual registered architects or 1188 1189 interior designers employed by or working within the 1190 corporation, limited liability company, or partnership. Section 51. Section 481.223, Florida Statutes, is amended 1191 1192 to read: 1193 481.223 Prohibitions; penalties; injunctive relief.-1194 (1) A person may not knowingly: 1195 (a) Practice architecture unless the person is an architect 1196 or a registered architect; however, a licensed architect who has 1197 been licensed by the board and who chooses to relinquish or not 1198 to renew his or her license may use the title "Architect, 1199 Retired" but may not otherwise render any architectural

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services.

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1201 (b) Practice interior design unless the person is a 1202 registered interior designer unless otherwise exempted herein; 1203 however, an interior designer who has been licensed by the board 1204 and who chooses to relinquish or not to renew his or her license may use the title "Interior Designer, Retired" but may not 1205 1206 otherwise render any interior design services. 1207 (b) (c) Use the name or title "architect," or "registered 1208 architect, " or "interior designer" or "registered interior 1209 designer  $\tau''$  or words to that effect, when the person is not then 1210 the holder of a valid license or certificate of registration 1211 issued pursuant to this part. This paragraph does not restrict 1212 the use of the name or title "interior designer" or "interior 1213 design firm." 1214 (c) (d) Present as his or her own the license of another. 1215 (d) (e) Give false or forged evidence to the board or a 1216 member thereof. 1217 (e) (f) Use or attempt to use an architect or interior 1218 designer license or interior design certificate of registration 1219 that has been suspended, revoked, or placed on inactive or 1220 delinquent status. 1221 (f) (g) Employ unlicensed persons to practice architecture 1222 or interior design. (g) (h) Conceal information relative to violations of this 1223 1224 part. 1225 (2) Any person who violates any provision of subsection (1) 1226 commits a misdemeanor of the first degree, punishable as 1227 provided in s. 775.082 or s. 775.083. 1228 (3) (a) Notwithstanding chapter 455 or any other law to the

1229 contrary, an affected person may maintain an action for

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1230 injunctive relief to restrain or prevent a person from violating 1231 paragraph (1)(a) or, paragraph (1)(b), or paragraph (1)(c). The 1232 prevailing party is entitled to actual costs and attorney's 1233 fees.

1234 (b) For purposes of this subsection, the term "affected 1235 person" means a person directly affected by the actions of a 1236 person suspected of violating paragraph (1)(a) or  $\tau$  paragraph 1237 (1) (b), or paragraph (1) (c) and includes, but is not limited to, 1238 the department, any person who received services from the 1239 alleged violator, or any private association composed primarily 1240 of members of the profession the alleged violator is practicing 1241 or offering to practice or holding himself or herself out as 1242 qualified to practice.

Section 52. Section 481.2251, Florida Statutes, is amended to read:

481.2251 Disciplinary proceedings against registered interior designers.-

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

(a) Attempting to <u>register</u> obtain, obtaining, or renewing <u>registration</u>, by bribery, by fraudulent misrepresentation, or through an error of the board, a license to practice interior <u>design</u>;

(b) Having <u>an interior design license, certification, or</u> registration <u>a license to practice interior design</u> revoked, suspended, or otherwise acted against, including the denial of licensure, <u>registration, or certification</u> by the licensing authority of another jurisdiction for any act which would constitute a violation of this part or of chapter 455;

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1259 (c) Being convicted or found guilty, regardless of 1260 adjudication, of a crime in any jurisdiction which directly 1261 relates to the provision of interior design services or to the 1262 ability to provide interior design services. A plea of nolo 1263 contendere shall create a rebuttable presumption of guilt to the 1264 underlying criminal charges. However, the board shall allow the person being disciplined to present any evidence relevant to the 1265 1266 underlying charges and the circumstances surrounding her or his 1267 plea;

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(d) False, deceptive, or misleading advertising;

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

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

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

(h) Making or filing a report which the <u>registrant</u> <del>licensee</del> knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, or willfully impeding or obstructing such filing or inducing another person to do so. Such reports or records shall include only those which are signed in the capacity as a registered interior designer;

<u>(f)</u> Making deceptive, untrue, or fraudulent representations in the provision of interior design services;

1286 (g) (j) Accepting and performing professional
1287 responsibilities which the registrant licensee knows or has

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1288 reason to know that she or he is not competent or licensed to
1289 perform;
1290 (k) Violating any provision of this part, any rule of the

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

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

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

(h) (n) Rendering or offering to render architectural services; or

(i) (o) Committing an act of fraud or deceit, or of negligence, incompetency, or misconduct, in the practice of interior design, including, but not limited to, allowing the preparation of any interior design studies, plans, or other instruments of service in an office that does not have a fulltime Florida-registered interior designer assigned to such office or failing to exercise responsible supervisory control over services or projects, as required by board rule.

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

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(a) Refusal to register the applicant approve an

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1317	application for licensure;
1318	(b) Refusal to renew an existing registration license;
1319	(c) Removal from the state registry Revocation or
1320	suspension of a license; or
1321	(d) Imposition of an administrative fine not to exceed $\frac{\$500}{100}$
1322	\$1,000 for each violation or separate offense and a fine of up
1323	to $\frac{$2,500}{$5,000}$ for matters pertaining to a material violation
1324	of the Florida Building Code as reported by a local
1325	jurisdiction <del>; or</del>
1326	(e) Issuance of a reprimand.
1327	Section 53. Paragraph (b) of subsection (5) and subsections
1328	(6) and (8) of section 481.229, Florida Statutes, are amended to
1329	read:
1330	481.229 Exceptions; exemptions from licensure
1331	(5)
1332	(b) Notwithstanding any other provision of this part, all
1333	persons licensed as architects under this part shall be
1334	qualified for interior design registration licensure upon
1335	submission of a completed application for such license and a fee
1336	not to exceed \$30. Such persons shall be exempt from the
1337	requirements of s. 481.209(2). For architects licensed as
1338	interior designers, satisfaction of the requirements for renewal
1339	of licensure as an architect under s. 481.215 shall be deemed to
1340	satisfy the requirements for renewal of registration licensure
1341	as an interior designer under that section. Complaint
1342	processing, investigation, or other discipline-related legal
1343	costs related to persons licensed as interior designers under
1344	this paragraph shall be assessed against the architects' account
1345	of the Regulatory Trust Fund.

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(6) This part shall not apply to:

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

(b) An employee of a retail establishment providing "interior decorator services" on the premises of the retail establishment or in the furtherance of a retail sale or prospective retail sale, provided that such employee does not advertise as, or represent himself or herself as, <u>a registered</u> an interior designer.

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

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

(b) The designs, specifications, or layouts do not materially affect lifesafety systems pertaining to firesafety

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1375 protection, smoke evacuation and compartmentalization, and 1376 emergency ingress or egress systems.

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

Section 54. Subsection (1) of section 481.231, Florida Statutes, is amended to read:

481.231 Effect of part locally.-

1.387 (1) Nothing in This part does not shall be construed to 1388 repeal, amend, limit, or otherwise affect any specific provision 1389 of any local building code or zoning law or ordinance that has 1390 been duly adopted, now or hereafter enacted, which is more 1391 restrictive, with respect to the services of registered 1392 architects or registered interior designers, than the provisions 1393 of this part; provided, however, that a licensed architect shall 1394 be deemed registered licensed as an interior designer for 1395 purposes of offering or rendering interior design services to a 1396 county, municipality, or other local government or political 1397 subdivision.

1398 Section 55. Section 481.303, Florida Statutes, is amended 1399 to read:

1400 481. 1401 (1)

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

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

1402 (3) (2) "Department" means the Department of Business and 1403 Professional Regulation.

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1404 (6) (3) "Registered landscape architect" means a person who 1405 holds a license to practice landscape architecture in this state 1406 under the authority of this act.

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

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

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

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

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

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

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necessary to the purpose outlined herein.



(5) (7) "Landscape design" means consultation for and

specifications and installation details for plant materials,

soil amendments, mulches, edging, gravel, and other similar

materials. Such plans may include only recommendations for the conceptual placement of tangible objects for landscape design

projects. Construction documents, details, and specifications

approved by licensed professionals as required by law.

for tangible objects and irrigation systems shall be designed or

1, 1990, every applicant for licensure as a registered landscape

architect shall demonstrate, prior to licensure, 1 year of

applicant who holds a master of landscape architecture degree

and a bachelor's degree in a related field is not required to

architectural work to obtain licensure. The board shall adopt

completing the required professional degree. Experience used to

qualify for examination pursuant to s. 481.309(1)(b)2. may not

be used to satisfy the practical experience requirement under

practical experience in landscape architectural work. An

demonstrate 1 year of practical experience in landscape

rules providing standards for the required experience. An

481.309(1)(b)1. may obtain the practical experience after

applicant who qualifies for examination pursuant to s.

Section 56. Section 481.310, Florida Statutes, is amended

481.310 Practical experience requirement.-Beginning October

preparation of planting plans drawn for compensation, including

(d) The design of such tangible objects and features as are

to read:

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Section 57. Subsections (3) and (4) of s. 481.311, Florida

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this section.

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Statutes, are amended to read:

481.311 Licensure.-

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

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

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

(c) Has held a valid license to practice landscape architecture in another state or territory of the United States for at least 10 years before the date of application and has successfully completed a state, regional, national, or other examination that is equivalent to or more stringent than the examination required by the board, subject to subsection (5). An applicant who has met the requirements to be qualified for a license by endorsement, except for successful completion of an examination that is equivalent to or more stringent than the examination that is equivalent to or more stringent than the examination required by the board, may take the examination required by the board without completing additional education requirements. Such application must be submitted to the board while the applicant holds a valid license in another state or territory or within 2 years after the expiration of such license.

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(4) The board shall certify as qualified for a certificate

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1491	of authorization any applicant corporation or partnership who
1492	satisfies the requirements of s. 481.319.
1493	Section 58. Subsection (4) of section 481.313, Florida
1494	Statutes, is amended to read:
1495	481.313 Renewal of license
1496	(4) The board, by rule adopted pursuant to ss. 120.536(1)
1497	and 120.54, shall establish criteria for the approval of
1498	continuing education courses and providers, and shall by rule
1499	establish criteria for accepting alternative nonclassroom
1500	continuing education on an hour-for-hour basis. <u>A landscape</u>
1501	architect shall receive hour-for-hour credit for attending
1502	continuing education courses approved by the Landscape
1503	Architecture Continuing Education System or another nationally
1504	recognized clearinghouse for continuing education that relate to
1505	and increase his or her basic knowledge of landscape
1506	architecture, as determined by the board, if the landscape
1507	architect submits proof satisfactory to the board that such
1508	course was approved by the Landscape Architecture Continuing
1509	Education System or another nationally recognized clearinghouse
1510	for continuing education, along with the syllabus or outline for
1511	such course and proof of course attendance.
1512	Section 59. Subsection (2) of section 481.317, Florida
1513	Statutes, is amended to read:
1514	481.317 Temporary certificates
1515	(2) Upon approval by the board and payment of the fee set
1516	in s. 481.307, the department shall grant a temporary
1517	certificate of authorization for work on one specified project
1518	in this state for a period not to exceed 1 year to an out-of-
1519	state corporation, partnership, or firm, provided one of the

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1520 principal officers of the corporation, one of the partners of 1521 the partnership, or one of the principals in the fictitiously 1522 named firm has obtained a temporary certificate of registration 1523 in accordance with subsection (1).

Section 60. Section 481.319, Florida Statutes, is amended to read:

481.319 Corporate and partnership practice of landscape architecture; certificate of authorization.-

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

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

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

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

(2) All documents involving the practice of landscape architecture which are prepared for the use of the corporation

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1549 or partnership shall bear the signature and seal of a registered 1550 landscape architect.

1551 (3) A landscape architect applying to practice in the name 1552 of a An applicant corporation must shall file with the 1553 department the names and addresses of all officers and board 1554 members of the corporation, including the principal officer or 1555 officers, duly registered to practice landscape architecture in 1556 this state and, also, of all individuals duly registered to practice landscape architecture in this state who shall be in 1557 1558 responsible charge of the practice of landscape architecture by 1559 the corporation in this state. A landscape architect applying to 1560 practice in the name of a An applicant partnership must shall 1561 file with the department the names and addresses of all partners 1562 of the partnership, including the partner or partners duly 1563 registered to practice landscape architecture in this state and, 1564 also, of an individual or individuals duly registered to 1565 practice landscape architecture in this state who shall be in 1566 responsible charge of the practice of landscape architecture by 1567 said partnership in this state.

(4) Each landscape architect qualifying a partnership or 1568 1569 and corporation licensed under this part must shall notify the 1570 department within 1 month after of any change in the information 1571 contained in the application upon which the license is based. Any landscape architect who terminates her or his or her 1572 1573 employment with a partnership or corporation licensed under this 1574 part shall notify the department of the termination within 1 1575 month after such termination.

1576 (5) Disciplinary action against a corporation or
 1577 partnership shall be administered in the same manner and on the

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1578	same grounds as disciplinary action against a registered
1579	landscape architect.
1580	<del>(6)</del> Except as provided in s. 558.0035, the fact that a
1581	registered landscape architect practices landscape architecture
1582	through a corporation or partnership as provided in this section
1583	does not relieve the landscape architect from personal liability
1584	for <u>her or</u> his <del>or her</del> professional acts.
1585	Section 61. Subsection (5) of section 481.321, Florida
1586	Statutes, is amended to read:
1587	481.321 Seals; display of certificate number
1588	(5) Each registered landscape architect must and each
1589	corporation or partnership holding a certificate of
1590	authorization shall include her or his its certificate number in
1591	any newspaper, telephone directory, or other advertising medium
1592	used by the registered landscape architect, corporation, or
1593	partnership. A corporation or partnership <u>must</u> is not required
1594	to display the certificate number numbers of at least one
1595	officer, director, owner, or partner who is a individual
1596	registered landscape architect architects employed by or
1597	practicing with the corporation or partnership.
1598	Section 62. Subsection (5) of section 481.329, Florida
1599	Statutes, is amended to read:
1600	481.329 Exceptions; exemptions from licensure
1601	(5) This part does not prohibit any person from engaging in
1602	the practice of landscape design, as defined in <u>s. 481.303</u> <del>s.</del>
1603	481.303(7), or from submitting for approval to a governmental
1604	agency planting plans that are independent of, or a component
1605	of, construction documents that are prepared by a Florida-

1606 registered professional. Persons providing landscape design

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1607	services shall not use the title, term, or designation
1608	"landscape architect," "landscape architectural," "landscape
1609	architecture," "L.A.," "landscape engineering," or any
1610	description tending to convey the impression that she or he is a
1611	landscape architect unless she or he is registered as provided
1612	in this part.
1613	Section 63. Subsection (9) of section 489.103, Florida
1614	Statutes, is amended to read:
1615	489.103 ExemptionsThis part does not apply to:
1616	(9) Any work or operation of a casual, minor, or
1617	inconsequential nature in which the aggregate contract price for
1618	labor, materials, and all other items is less than $\frac{$2,500}{}$
1619	\$1,000, but this exemption does not apply:
1620	(a) If the construction, repair, remodeling, or improvement
1621	is a part of a larger or major operation, whether undertaken by
1622	the same or a different contractor, or in which a division of
1623	the operation is made in contracts of amounts less than $\frac{$2,500}{}$
1624	\$1,000 for the purpose of evading this part or otherwise.
1625	(b) To a person who advertises that he or she is a
1626	contractor or otherwise represents that he or she is qualified
1627	to engage in contracting.
1628	Section 64. Subsection (2) of section 489.111, Florida
1629	Statutes, is amended to read:
1630	489.111 Licensure by examination
1631	(2) A person shall be eligible for licensure by examination
1632	if the person:
1633	(a) Is 18 years of age;
1634	(b) Is of good moral character; and
1635	(c) Meets eligibility requirements according to one of the
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1636 following criteria:

1637 1. Has received a baccalaureate degree from an accredited 1638 4-year college in the appropriate field of engineering, 1639 architecture, or building construction and has 1 year of proven 1640 experience in the category in which the person seeks to qualify. 1641 For the purpose of this part, a minimum of 2,000 person-hours 1642 shall be used in determining full-time equivalency. An applicant 1643 who is exempt from passing an examination under s. 489.113(1) is 1644 eligible for a license under this section.

2. Has a total of at least 4 years of active experience as 1646 a worker who has learned the trade by serving an apprenticeship 1647 as a skilled worker who is able to command the rate of a mechanic in the particular trade or as a foreman who is in 1649 charge of a group of workers and usually is responsible to a superintendent or a contractor or his or her equivalent, provided, however, that at least 1 year of active experience shall be as a foreman. 1652

1653 3. Has a combination of not less than 1 year of experience 1654 as a foreman and not less than 3 years of credits for any 1655 accredited college-level courses; has a combination of not less 1656 than 1 year of experience as a skilled worker, 1 year of 1657 experience as a foreman, and not less than 2 years of credits 1658 for any accredited college-level courses; or has a combination 1659 of not less than 2 years of experience as a skilled worker, 1 1660 year of experience as a foreman, and not less than 1 year of credits for any accredited college-level courses. All junior 1661 1662 college or community college-level courses shall be considered 1663 accredited college-level courses.

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4.a. An active certified residential contractor is eligible

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1665 to receive a certified building contractor license after passing 1666 or having previously passed take the building contractors' 1667 examination if he or she possesses a minimum of 3 years of 1668 proven experience in the classification in which he or she is 1669 certified.

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

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

1682 5.a. An active certified air-conditioning Class C contractor is eligible to receive a certified air-conditioning 1683 Class B contractor license after passing or having previously passed take the air-conditioning Class B contractors' 1686 examination if he or she possesses a minimum of 3 years of proven experience in the classification in which he or she is 1688 certified.

1689 b. An active certified air-conditioning Class C contractor 1690 is eligible to receive a certified air-conditioning Class A 1691 contractor license after passing or having previously passed 1692 take the air-conditioning Class A contractors' examination if he 1693 or she possesses a minimum of 4 years of proven experience in

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the classification in which he or she is certified.

c. An active certified air-conditioning Class B contractor is eligible to <u>receive a certified air-conditioning Class A</u> <u>contractor license after passing or having previously passed</u> <del>take</del> the air-conditioning Class A contractors' examination if he or she possesses a minimum of 1 year of proven experience in the classification in which he or she is certified.

6.a. An active certified swimming pool servicing contractor is eligible to <u>receive a certified residential swimming pool</u> <u>contractor license after passing or having previously passed</u> <del>take</del> the residential swimming pool contractors' examination if he or she possesses a minimum of 3 years of proven experience in the classification in which he or she is certified.

b. An active certified swimming pool servicing contractor is eligible to <u>receive a certified commercial swimming pool</u> <u>contractor license after passing or having previously passed</u> <del>take</del> the swimming pool commercial contractors' examination if he or she possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.

c. An active certified residential swimming pool contractor is eligible to <u>receive a certified commercial swimming pool</u> <u>contractor license after passing or having previously passed</u> <del>take</del> the commercial swimming pool contractors' examination if he or she possesses a minimum of 1 year of proven experience in the classification in which he or she is certified.

d. An applicant is eligible to <u>receive a certified swimming</u>
 <u>pool/spa servicing contractor license after passing or having</u>
 <u>previously passed take</u> the swimming pool/spa servicing
 contractors' examination if he or she has satisfactorily

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1723 completed 60 hours of instruction in courses related to the 1724 scope of work covered by that license and approved by the 1725 Construction Industry Licensing Board by rule and has at least 1 1726 year of proven experience related to the scope of work of such a 1727 contractor.

Section 65. Subsection (1) of section 489.113, Florida Statutes, is amended to read:

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489.113 Qualifications for practice; restrictions.-

1731 (1) Any person who desires to engage in contracting on a 1732 statewide basis shall, as a prerequisite thereto, establish his 1733 or her competency and qualifications to be certified pursuant to 1734 this part. To establish competency, a person shall pass the 1735 appropriate examination approved by the board and certified by 1736 the department. If an applicant has received a baccalaureate 1737 degree in building construction from an accredited 4-year 1738 college, or a related degree as approved by the board by rule, 1739 and has a grade point average of 3.0 or higher, such applicant 1740 is only required to take and pass the business and finance 1741 portion of the examination. Any person who desires to engage in 1742 contracting on other than a statewide basis shall, as a 1743 prerequisite thereto, be registered pursuant to this part, 1744 unless exempted by this part.

1745 Section 66. Subsection (3) of section 489.115, Florida 1746 Statutes, is amended to read:

1747 489.115 Certification and registration; endorsement; 1748 reciprocity; renewals; continuing education.-

1749 (3) The board shall certify as qualified for certification1750 by endorsement any applicant who:

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(a) Meets the requirements for certification as set forth

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1752 in this section; has passed a national, regional, state, or 1753 United States territorial licensing examination that is 1754 substantially equivalent to the examination required by this 1755 part; and has satisfied the requirements set forth in s. 1756 489.111;

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

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

(d) Has held a valid, current license to practice contracting issued by another state or territory of the United States for at least 10 years before the date of application and is applying for the same or similar license in this state, subject to subsections (5)-(9). The board may consider an applicant's technical competence to ensure the applicant is able to meet the requirements of this state's codes and standards for wind mitigation and water intrusion. The board may also consider whether such applicant has had a license to practice contracting revoked, suspended, or otherwise acted against by the licensing authority of another state, territory, or country. Such application must be made either when the license in another state or territory is active or within 2 years after such

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license was last active. Division I contractors and roofing

1782 contractors must complete a 2-hour course on the Florida 1783 Building Code which includes information on wind mitigation 1784 techniques. The required courses may be completed online. 1785 Section 67. Subsection (5) of section 489.511, Florida 1786 Statutes, is amended to read: 1787 489.511 Certification; application; examinations; 1788 endorsement.-1789 (5) The board shall certify as qualified for certification 1790 by endorsement any individual applying for certification who: 1791 (a) Meets the requirements for certification as set forth 1792 in this section; has passed a national, regional, state, or 1793 United States territorial licensing examination that is 1794 substantially equivalent to the examination required by this 1795 part; and has satisfied the requirements set forth in s. 1796 489.521; or 1797 (b) Holds a valid license to practice electrical or alarm 1798 system contracting issued by another state or territory of the 1799 United States, if the criteria for issuance of such license was 1800 substantially equivalent to the certification criteria that 1801 existed in this state at the time the certificate was issued; or 1802 (c) Has held a valid, current license to practice 1803 electrical or alarm system contracting issued by another state 1804 or territory of the United States for at least 10 years before 1805 the date of application and is applying for the same or similar 1806 license in this state, subject to ss. 489.510 and 489.521(3)(a) 1807 and subparagraph (1) (b)1. Such application must be made either 1808 when the license in another state or territory is active or 1809 within 2 years after such license was last active. Electrical

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1810 contractors and alarm system contractors must complete a 2-hour course on the Florida Building Code. The required courses may be 1811 1812 completed online.

Section 68. Subsection (3) and paragraph (b) of subsection (4) of section 489.517, Florida Statutes, are amended to read: 489.517 Renewal of certificate or registration; continuing education.-

1817 (3) (a) Each certificateholder or registrant licensed as a specialty contractor or an alarm system contractor shall provide 1818 1819 proof, in a form established by rule of the board, that the 1820 certificateholder or registrant has completed at least 7 14 1821 classroom hours of at least 50 minutes each of continuing 1822 education courses during each biennium since the issuance or 1823 renewal of the certificate or registration. The board shall by 1824 rule establish criteria for the approval of continuing education 1825 courses and providers and may by rule establish criteria for 1826 accepting alternative nonclassroom continuing education on an 1827 hour-for-hour basis.

1828 (b) Each certificateholder or registrant licensed as an 1829 electrical contractor shall provide proof, in a form established 1830 by rule of the board, that the certificateholder or registrant 1831 has completed at least 11 classroom hours of at least 50 minutes 1832 each of continuing education courses during each biennium since 1833 the issuance or renewal of the certificate or registration. The 1834 board shall by rule establish criteria for the approval of 1835 continuing education courses and providers and may by rule 1836 establish criteria for accepting alternative nonclassroom 1837 continuing education on an hour-for-hour basis. 1838 (4)

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1839	(b)1. For licensed specialty contractors or alarm system
1840	contractors, of the $\frac{7}{14}$ classroom hours of continuing education
1841	required, at least <u>1 hour</u> <del>7 hours</del> must be on technical subjects,
1842	1 hour on workers' compensation, 1 hour on workplace safety, 1
1843	hour on business practices, and for alarm system contractors and
1844	electrical contractors engaged in alarm system contracting, 2
1845	hours on false alarm prevention.
1846	2. For licensed electrical contractors, of the minimum 11
1847	classroom hours of continuing education required, at least 7
1848	hours must be on technical subjects, 1 hour on workers'
1849	compensation, 1 hour on workplace safety, and 1 hour on business
1850	practices. Electrical contractors engaged in alarm system
1851	contracting must also complete 2 hours on false alarm
1852	prevention.
1853	Section 69. Paragraph (b) of subsection (1) of section
1854	489.518, Florida Statutes, is amended to read:
1855	489.518 Alarm system agents
1856	(1) A licensed electrical or alarm system contractor may
1857	not employ a person to perform the duties of a burglar alarm
1858	system agent unless the person:
1859	(b) Has successfully completed a minimum of 14 hours of
1860	training within 90 days after employment, to include basic alarm
1861	system electronics in addition to related training including
1862	CCTV and access control training, with at least 2 hours of
1863	training in the prevention of false alarms. Such training shall
1864	be from a board-approved provider, and the employee or applicant
1865	for employment shall provide proof of successful completion to
1866	the licensed employer. The board shall by rule establish
1867	criteria for the approval of training courses and providers and

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1868 may by rule establish criteria for accepting alternative 1869 nonclassroom education on an hour-for-hour basis. The board 1870 shall approve providers that conduct training in other than the 1871 English language. The board shall establish a fee for the 1872 approval of training providers or courses, not to exceed \$60. 1873 Qualified employers may conduct training classes for their 1874 employees, with board approval.

1875 Section 70. Section 492.104, Florida Statutes, is amended 1876 to read:

1877 492.104 Rulemaking authority.-The Board of Professional 1878 Geologists has authority to adopt rules pursuant to ss. 1879 120.536(1) and 120.54 to implement this chapter. Every licensee 1880 shall be governed and controlled by this chapter and the rules 1881 adopted by the board. The board is authorized to set, by rule, 1882 fees for application, examination, certificate of authorization, late renewal, initial licensure, and license renewal. These fees 1883 1884 may should not exceed the cost of implementing the application, 1885 examination, initial licensure, and license renewal or other 1886 administrative process and shall be established as follows:

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

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

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

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

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

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1897	exceed \$350 and the fee for renewal of the certificate shall not
1898	exceed \$350.
1899	(5) (6) The fee for reactivation of an inactive license may
1900	shall not exceed \$50.
1901	<u>(6)</u> <del>(7)</del> The fee for a provisional license <u>may</u> <del>shall</del> not
1902	exceed \$400.
1903	(7) <del>(8)</del> The fee for application, examination, and licensure
1904	for a license by endorsement is shall be as provided in this
1905	section for licenses in general.
1906	Section 71. Subsection (1) of section 492.108, Florida
1907	Statutes, is amended to read:
1908	492.108 Licensure by endorsement; requirements; fees
1909	(1) The department shall issue a license by endorsement to
1910	any applicant who, upon applying to the department and remitting
1911	an application fee, has been certified by the board that he or
1912	she:
1913	(a) Has met the qualifications for licensure in s.
1914	492.105(1)(b)-(e) <u>and:</u> -
1915	1.(b) Is the holder of an active license in good standing
1916	in a state, trust, territory, or possession of the United
1917	States.
1918	2.(c) Was licensed through written examination in at least
1919	one state, trust, territory, or possession of the United States,
1920	the examination requirements of which have been approved by the
1921	board as substantially equivalent to or more stringent than
1922	those of this state, and has received a score on such
1923	examination which is equal to or greater than the score required
1924	by this state for licensure by examination.
1925	3.(d) Has taken and successfully passed the laws and rules

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1926 portion of the examination required for licensure as a 1927 professional geologist in this state.

1928 (b) Has held a valid license to practice geology in another 1929 state, trust, territory, or possession of the United States for 1930 at least 10 years before the date of application and has 1931 successfully completed a state, regional, national, or other 1932 examination that is equivalent to or more stringent than the examination required by the department. If such applicant has 1933 1934 met the requirements for a license by endorsement except 1935 successful completion of an examination that is equivalent to or 1936 more stringent than the examination required by the board, such 1937 applicant may take the examination required by the board. Such 1938 application must be submitted to the board while the applicant 1939 holds a valid license in another state or territory or within 2 years after the expiration of such license. 1940

1941 Section 72. Section 492.111, Florida Statutes, is amended 1942 to read:

1943 492.111 Practice of professional geology by a firm, 1944 corporation, or partnership; certificate of authorization.-The 1945 practice of, or offer to practice, professional geology by 1946 individual professional geologists licensed under the provisions 1947 of this chapter through a firm, corporation, or partnership 1948 offering geological services to the public through individually licensed professional geologists as agents, employees, officers, 1949 1950 or partners thereof is permitted subject to the provisions of this chapter, if provided that: 1951

(1) At all times that it offers geological services to the
public, the firm, corporation, or partnership <u>is qualified by</u>
has on file with the department the name and license number of

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1955 one or more individuals who hold a current, active license as a 1956 professional geologist in the state and are serving as a 1957 geologist of record for the firm, corporation, or partnership. A 1958 geologist of record may be any principal officer or employee of 1959 such firm or corporation, or any partner or employee of such 1960 partnership, who holds a current, active license as a 1961 professional geologist in this state, or any other Florida-1962 licensed professional geologist with whom the firm, corporation, 1963 or partnership has entered into a long-term, ongoing 1964 relationship, as defined by rule of the board, to serve as one 1965 of its geologists of record. It shall be the responsibility of 1966 the firm, corporation, or partnership and The geologist of 1967 record shall to notify the department of any changes in the 1968 relationship or identity of that geologist of record within 30 1969 days after such change.

(2) The firm, corporation, or partnership has been issued a 1970 certificate of authorization by the department as provided in 1971 this chapter. For purposes of this section, a certificate of 1972 1973 authorization shall be required of any firm, corporation, 1974 partnership, association, or person practicing under a 1975 fictitious name and offering geological services to the public; 1976 except that, when an individual is practicing professional 1977 geology in her or his own name, she or he shall not be required 1978 to obtain a certificate of authorization under this section. 1979 Such certificate of authorization shall be renewed every 2 1980 <del>years.</del>

1981 (2) (3) All final geological papers or documents involving 1982 the practice of the profession of geology which have been 1983 prepared or approved for the use of such firm, corporation, or

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1984 partnership, for delivery to any person for public record with 1985 the state, shall be dated and bear the signature and seal of the 1986 professional geologist or professional geologists who prepared 1987 or approved them.

1988 (3) (4) Except as provided in s. 558.0035, the fact that a 1989 licensed professional geologist practices through a corporation 1990 or partnership does not relieve the registrant from personal liability for negligence, misconduct, or wrongful acts committed 1991 by her or him. The partnership and all partners are jointly and 1992 1993 severally liable for the negligence, misconduct, or wrongful 1994 acts committed by their agents, employees, or partners while 1995 acting in a professional capacity. Any officer, agent, or 1996 employee of a corporation is personally liable and accountable 1997 only for negligent acts, wrongful acts, or misconduct committed 1998 by her or him or committed by any person under her or his direct 1999 supervision and control, while rendering professional services 2000 on behalf of the corporation. The personal liability of a 2001 shareholder of a corporation, in her or his capacity as 2002 shareholder, may be no greater than that of a shareholder-2003 employee of a corporation incorporated under chapter 607. The 2004 corporation is liable up to the full value of its property for 2005 any negligent acts, wrongful acts, or misconduct committed by 2006 any of its officers, agents, or employees while they are engaged 2007 on behalf of the corporation in the rendering of professional 2008 services.

2009 (5) The firm, corporation, or partnership desiring a
2010 certificate of authorization shall file with the department an
2011 application therefor, upon a form to be prescribed by the
2012 department, accompanied by the required application fee.

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2013 (6) The department may refuse to issue a certificate of 2014 authorization if any facts exist which would entitle the 2015 department to suspend or revoke an existing certificate of 2016 authorization or if the department, after giving persons 2017 involved a full and fair hearing, determines that any of the 2018 officers or directors of said firm or corporation, or partners of said partnership, have violated the provisions of s. 492.113. 2019 2020 Section 73. Subsection (4) of section 492.113, Florida 2021 Statutes, is amended to read: 2022 492.113 Disciplinary proceedings.-2023 (4) The department shall reissue the license of a 2024 disciplined professional geologist or business upon 2025 certification by the board that the disciplined person has 2026 complied with all of the terms and conditions set forth in the 2027 final order. 2028 Section 74. Section 492.115, Florida Statutes, is amended 2029 to read: 492.115 Roster of licensed professional geologists.-A 2030 2031 roster showing the names and places of business or residence of 2032 all licensed professional geologists and all properly qualified firms, corporations, or partnerships practicing holding 2033 2034 certificates of authorization to practice professional geology 2035 in the state shall be prepared annually by the department. A 2036 copy of this roster must be made available to shall be 2037 obtainable by each licensed professional geologist and each 2038 firm, corporation, or partnership qualified by a professional 2039 geologist holding a certificate of authorization, and copies 2040 thereof shall be placed on file with the department. 2041 Section 75. Section 509.102, Florida Statutes, is created

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to read: <u>509.102 Mobile food dispensing vehicles; preemption.-</u> (1) As used in this section, the term "mobile food dispensing vehicle" means any vehicle that is a public food service establishment and that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal.

(2) Regulation of mobile food dispensing vehicles involving licenses, registrations, permits, and fees is preempted to the state. A municipality, county, or other local governmental entity may not require a separate license, registration, or permit other than the license required under s. 509.241, or require the payment of any license, registration, or permit fee other than the fee required under s. 509.251, as a condition for the operation of a mobile food dispensing vehicle within the entity's jurisdiction. A municipality, county, or other local governmental entity may not prohibit mobile food dispensing vehicles from operating within the entirety of the entity's jurisdiction.

(3) This section may not be construed to affect a municipality, county, or other local governmental entity's authority to regulate the operation of mobile food dispensing vehicles other than the regulations described in subsection (2).

(4) This section does not apply to any port authority, aviation authority, airport, or seaport.

Section 76. Paragraph (i) of subsection (2) of section 548.003, Florida Statutes, is amended to read: 548.003 Florida State Boxing Commission.-

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2071 (2) The Florida State Boxing Commission, as created by 2072 subsection (1), shall administer the provisions of this chapter. 2073 The commission has authority to adopt rules pursuant to ss. 2074 120.536(1) and 120.54 to implement the provisions of this 2075 chapter and to implement each of the duties and responsibilities 2076 conferred upon the commission, including, but not limited to: 2077 (i) Designation and duties of a knockdown timekeeper. 2078 Section 77. Subsection (1) of section 548.017, Florida 2079 Statutes, is amended to read: 2080 548.017 Participants, managers, and other persons required 2081 to have licenses.-2082 (1) A participant, manager, trainer, second, timekeeper, 2083 referee, judge, announcer, physician, matchmaker, or promoter 2084 must be licensed before directly or indirectly acting in such 2085 capacity in connection with any match involving a participant. A 2086 physician approved by the commission must be licensed pursuant 2087 to chapter 458 or chapter 459, must maintain an unencumbered 2088 license in good standing, and must demonstrate satisfactory 2089 medical training or experience in boxing, or a combination of 2090 both, to the executive director before working as the ringside 2091 physician. 2092 Section 78. Paragraph (d) of subsection (1) of section 2093 553.5141, Florida Statutes, is amended to read: 2094 553.5141 Certifications of conformity and remediation 2095 plans.-2096 (1) For purposes of this section: 2097 (d) "Qualified expert" means: 1. An engineer licensed pursuant to chapter 471. 2098 2099 2. A certified general contractor licensed pursuant to

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2100 chapter 489. 3. A certified building contractor licensed pursuant to 2101 2102 chapter 489. 2103 4. A building code administrator licensed pursuant to 2104 chapter 468. 2105 5. A building inspector licensed pursuant to chapter 468. 2106 6. A plans examiner licensed pursuant to chapter 468. 7. An interior designer registered licensed pursuant to 2107 2108 chapter 481. 2109 8. An architect licensed pursuant to chapter 481. 2110 9. A landscape architect licensed pursuant to chapter 481. 2111 10. Any person who has prepared a remediation plan related 2112 to a claim under Title III of the Americans with Disabilities 2113 Act, 42 U.S.C. s. 12182, that has been accepted by a federal 2114 court in a settlement agreement or court proceeding, or who has 2115 been qualified as an expert in Title III of the Americans with Disabilities Act, 42 U.S.C. s. 12182, by a federal court. 2116 Section 79. Effective January 1, 2021, subsection (1) of 2117 2118 section 553.74, Florida Statutes, is amended to read: 2119 553.74 Florida Building Commission.-2120 (1) The Florida Building Commission is created and located 2121 within the Department of Business and Professional Regulation 2122 for administrative purposes. Members are appointed by the 2123 Governor subject to confirmation by the Senate. The commission 2124 is composed of 19 27 members, consisting of the following 2125 members: 2126 (a) One architect licensed pursuant to chapter 481 with at 2127 least 5 years of experience in the design and construction of 2128 buildings designated for Group E or Group I occupancies by the

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2129 <u>Florida Building Code</u> registered to practice in this state and 2130 actively engaged in the profession. The American Institute of 2131 Architects, Florida Section, is encouraged to recommend a list 2132 of candidates for consideration.

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

2137 (c) One air-conditioning contractor, or mechanical 2138 contractor, or mechanical engineer certified to do business in 2139 this state and actively engaged in the profession. The Florida 2140 Air Conditioning Contractors Association, the Florida 2141 Refrigeration and Air Conditioning Contractors Association, and 2142 the Mechanical Contractors Association of Florida, and the 2143 Florida Engineering Society are encouraged to recommend a list 2144 of candidates for consideration.

(d) One electrical contractor <u>or electrical engineer</u> certified to do business in this state and actively engaged in the profession. The Florida Association of Electrical Contractors<u>, and</u> the National Electrical Contractors Association, Florida Chapter, <u>and the Florida Engineering</u> <u>Society</u> are encouraged to recommend a list of candidates for consideration.

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2158 <u>building contractor</u> certified to do business in this state and 2159 actively engaged in the profession. The Associated Builders and 2160 Contractors of Florida, the Florida Associated General 2161 Contractors Council, <u>the Florida Home Builders Association</u>, and 2162 the Union Contractors Association are encouraged to recommend a 2163 list of candidates for consideration.

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

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

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

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

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

2185 (1) One member who is a county codes enforcement official.
 2186 The Building Officials Association of Florida is encouraged to

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2187 recommend a list of candidates for consideration. (j) (m) One member of a Florida-based organization of 2188 2189 persons with disabilities or a nationally chartered organization 2190 of persons with disabilities with chapters in this state which 2191 complies with or is certified to be compliant with the 2192 requirements of the Americans with Disabilities Act of 1990, as 2193 amended. (k) (n) One member of the manufactured buildings industry 2194 2195 who is licensed to do business in this state and is actively 2196 engaged in the industry. The Florida Manufactured Housing 2197 Association is encouraged to recommend a list of candidates for 2198 consideration. 2199 (o) One mechanical or electrical engineer registered to 2200 practice in this state and actively engaged in the profession. 2201 The Florida Engineering Society is encouraged to recommend a 2202 list of candidates for consideration. 2203 (p) One member who is a representative of a municipality or 2204 a charter county. The Florida League of Cities and the Florida 2205 Association of Counties are encouraged to recommend a list of 2206 candidates for consideration. 2207 (1) (q) One member of the building products manufacturing 2208 industry who is authorized to do business in this state and is 2209 actively engaged in the industry. The Florida Building Material 2210 Association, the Florida Concrete and Products Association, and 2211 the Fenestration Manufacturers Association are encouraged to 2212 recommend a list of candidates for consideration. 2213 (m) (r) One member who is a representative of the building

2213 owners and managers industry who is actively engaged in 2215 commercial building ownership or management. The Building Owners

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2216 and Managers Association is encouraged to recommend a list of 2217 candidates for consideration.

<u>(n)</u> (s) One member who is a representative of the insurance industry. The Florida Insurance Council is encouraged to recommend a list of candidates for consideration.

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

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

(p) The Chief Resilience Officer or his or her designee. (q) (v) One member who is a representative of the green building industry and who is a third-party commission agent, a Florida board member of the United States Green Building Council or Green Building Initiative, a professional who is accredited under the International Green Construction Code (IGCC), or a professional who is accredited under Leadership in Energy and Environmental Design (LEED).

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

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

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(y) One member who shall be the chair.

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2245 Section 80. Subsections (5) and (6) are added to section 2246 823.15, Florida Statutes, to read: 2247 823.15 Dogs and cats released from animal shelters or 2248 animal control agencies; sterilization requirement.-2249 (5) Employees, agents, or contractors of a public or 2250 private animal shelter, a humane organization, or an animal 2251 control agency operated by a humane organization or by a county, 2252 municipality, or other incorporated political subdivision may 2253 implant dogs and cats with radio frequency identification 2254 microchips as part of their work with such public or private 2255 animal shelter, humane organization, or animal control agency. 2256 (6) Notwithstanding s. 474.2165, employees, agents, or 2257 contractors of a public or private animal shelter, a humane 2258 organization, or an animal control agency operated by a humane 2259 organization or by a county, municipality, or other incorporated 2260 political subdivision may contact the owner of record listed on 2261 a radio frequency identification microchip to verify pet 2262 ownership. 2263 Section 81. Paragraphs (h) and (k) of subsection (2) of 2264 section 287.055, Florida Statutes, are amended to read: 2265 287.055 Acquisition of professional architectural, 2266 engineering, landscape architectural, or surveying and mapping 2267 services; definitions; procedures; contingent fees prohibited; penalties.-2268 2269 (2) DEFINITIONS.-For purposes of this section:

2270 (h) A "design-build firm" means a partnership, corporation, 2271 or other legal entity that:

1. Is certified under s. 489.119 to engage in contractingthrough a certified or registered general contractor or a

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2274 certified or registered building contractor as the qualifying 2275 agent; or

2276 2. Is <u>qualified</u> <del>certified</del> under s. 471.023 to practice or 2277 to offer to practice engineering; <u>qualified</u> <del>certified</del> under s. 2278 481.219 to practice or to offer to practice architecture; or 2279 <u>qualified</u> <del>certified</del> under s. 481.319 to practice or to offer to 2280 practice landscape architecture.

(k) A "design criteria professional" means a firm <u>that is</u> <u>qualified</u> who holds a current certificate of registration under chapter 481 to practice architecture or landscape architecture or a firm who holds a current certificate as a registered engineer under chapter 471 to practice engineering and who is employed by or under contract to the agency for the providing of professional architect services, landscape architect services, or engineering services in connection with the preparation of the design criteria package.

Section 82. Subsection (7) of section 558.002, Florida Statutes, is amended to read:

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

(7) "Design professional" means a person, as defined in s. 1.01, <u>who is</u> licensed in this state as an architect, <u>interior</u> designer, <u>a</u> landscape architect, <u>an</u> engineer, <u>a</u> surveyor, or <u>a</u> geologist <u>or who is a registered interior designer, as defined</u> <u>in s. 481.203</u>.

Section 83. Subsection (4) of section 725.08, Florida Statutes, is amended to read:

2300 725.08 Design professional contracts; limitation in 2301 indemnification.-

(4) "Design professional" means an individual or entity

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2303	licensed by the state who holds a current certificate of
2304	registration or is qualified under chapter 481 to practice
2305	architecture or landscape architecture, under chapter 472 to
2306	practice land surveying and mapping, or under chapter 471 to
2307	practice engineering, and who enters into a professional
2308	services contract.
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2310	========== T I T L E A M E N D M E N T =================================
2311	And the title is amended as follows:
2312	Delete lines 4 - 227
2313	and insert:
2314	322.57, F.S.; defining the term "servicemember";
2315	requiring the Department of Highway Safety and Motor
2316	Vehicles to waive the requirement to pass the
2317	Commercial Driver License Skills Tests for certain
2318	servicemembers and veterans; requiring an applicant
2319	who receives such waiver to complete certain
2320	requirements within a specified time; requiring the
2321	department to adopt rules; amending s. 326.004, F.S.;
2322	deleting the requirement that a yacht broker maintain
2323	a separate license for each branch office; deleting
2324	the requirement that the Division of Florida
2325	Condominiums, Timeshares, and Mobile Homes establish a
2326	fee; amending s. 447.02, F.S.; conforming provisions
2327	to changes made by the act; repealing s. 447.04, F.S.,
2328	relating to licensure and permit requirements for
2329	business agents; repealing s. 447.041, F.S., relating
2330	to hearings for persons or labor organizations denied
2331	licensure as a business agent; repealing s. 447.045,

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2332 F.S., relating to confidential information obtained 2333 during the application process; repealing s. 447.06, 2334 F.S., relating to required registration of labor 2335 organizations; amending s. 447.09, F.S.; deleting 2336 certain prohibited actions relating to the right of franchise of a member of a labor organization; 2337 repealing s. 447.12, F.S., relating to registration 2338 fees; repealing s. 447.16, F.S., relating to 2339 2340 applicability; amending s. 447.305, F.S.; deleting a 2341 provision that requires notification of registrations 2342 and renewals to the Department of Business and 2343 Professional Regulation; amending s. 455.213, F.S.; 2344 requiring the department or a board to enter into 2345 reciprocal licensing agreements with other states 2346 under certain circumstances; providing requirements; 2347 creating s. 455.2278, F.S.; defining terms; 2348 prohibiting the department or a board from suspending 2349 or revoking a person's license solely on the basis of 2350 a delinguency or default in the payment of his or her 2351 student loan; prohibiting the department or a board 2352 from suspending or revoking a person's license solely 2353 on the basis of a default in satisfying the 2354 requirements of his or her work-conditional 2355 scholarship; amending s. 456.072, F.S.; specifying 2356 that the failure to repay certain student loans is not 2357 considered a failure to perform a statutory or legal 2358 obligation for which certain disciplinary action can 2359 be taken; conforming provisions to changes made by the 2360 act; repealing s. 456.0721, F.S., relating to health

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2361 care practitioners who are in default on student loan 2362 or scholarship obligations; amending s. 456.074, F.S.; 2363 deleting a provision relating to the suspension of a 2364 license issued by the Department of Health for 2365 defaulting on certain student loans; amending s. 2366 468.505, F.S.; providing that certain unlicensed 2367 persons are not prohibited or restricted from their 2368 practice, services, or activities in dietetics and 2369 nutrition under certain circumstances; amending s. 2370 468.603, F.S.; revising which inspectors are included 2371 in the definition of the term "categories of building 2372 code inspectors"; amending s. 468.609, F.S.; revising 2373 certain experience requirements for a person to take 2374 the examination for certification; revising the time 2375 period a provisional certificate is valid; amending s. 2376 468.613, F.S.; providing for waiver of specified 2377 requirements for certification under certain 2378 circumstances; amending s. 468.8314, F.S.; requiring 2379 an applicant for a license by endorsement to maintain 2380 a specified insurance policy; requiring the department 2381 to certify an applicant who holds a specified license 2382 issued by another state or territory of the United 2383 States under certain circumstances; amending s. 2384 471.015, F.S.; revising licensure requirements for 2385 engineers who hold specified licenses in another 2386 state; amending s. 473.308, F.S.; deleting continuing 2387 education requirements for license by endorsement for 2388 certified public accountants; amending s. 474.202, 2389 F.S.; revising the definition of the term "limited-

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2390 service veterinary medical practice" to include 2391 certain procedures; amending s. 474.203, F.S.; 2392 providing an exemption for certain persons whose work 2393 is solely confined to microchip implantation in dogs 2394 and cats; amending s. 474.207, F.S.; revising education requirements for licensure by examination; 2395 amending s. 474.217, F.S.; requiring the department to 2396 2397 issue a license by endorsement to certain applicants 2398 who successfully complete a specified examination; 2399 amending s. 476.114, F.S.; revising training 2400 requirements for licensure as a barber; amending s. 2401 476.144, F.S.; requiring the department to certify as 2402 qualified for licensure by endorsement an applicant 2403 who is licensed to practice barbering in another 2404 state; amending s. 477.013, F.S.; revising the 2405 definition of the term "hair braiding"; repealing s. 477.0132, F.S., relating to registration for hair 2406 braiding, hair wrapping, and body wrapping; amending 2407 2408 s. 477.0135, F.S.; providing additional exemptions 2409 from license or registration requirements for 2410 specified occupations or practices; amending s. 2411 477.019, F.S.; deleting a provision prohibiting the 2412 Board of Cosmetology from asking for proof of certain educational hours under certain circumstances; 2413 2414 conforming provisions to changes made by the act; 2415 amending s. 477.0201, F.S.; providing requirements for 2416 registration as a specialist; amending s. 477.026, F.S.; conforming provisions to changes made by the 2417 2418 act; amending s. 477.0263, F.S.; providing that

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2419 certain cosmetology services may be performed in a location other than a licensed salon under certain 2420 2421 circumstances; amending ss. 477.0265 and 477.029, 2422 F.S.; conforming provisions to changes made by the 2423 act; amending s. 481.201, F.S.; deleting legislative 2424 findings relating to the practice of interior design; 2425 amending s. 481.203, F.S.; revising and deleting 2426 definitions; amending s. 481.205, F.S.; conforming 2427 provisions to changes made by the act; amending s. 2428 481.207, F.S.; revising certain fees for interior 2429 designers; conforming provisions to changes made by 2430 the act; amending s. 481.209, F.S.; providing 2431 requirements for a certificate of registration and a 2432 seal for interior designers; specifying that certain 2433 persons who are already licensed as interior designers 2434 are eligible to obtain a certificate of registration; 2435 conforming provisions to changes made by the act; 2436 amending s. 481.213, F.S.; revising requirements for 2437 certification of licensure by endorsement for a 2438 certain licensee to engage in the practice of 2439 architecture; providing that a certificate of 2440 registration is not required for specified persons to 2441 practice; conforming provisions to changes made by the 2442 act; amending s. 481.2131, F.S.; revising who may 2443 perform interior design; requiring certain interior 2444 designers to include a specified seal when submitting 2445 documents for the issuance of a building permit under certain circumstances; amending s. 481.215, F.S.; 2446 2447 conforming provisions to changes made by the act;

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2448 revising the number of hours of specified courses the 2449 board must require for the renewal of a license or 2450 certificate of registration; authorizing licensees to 2451 complete certain courses online; amending s. 481.217, 2452 F.S.; conforming provisions to changes made by the 2453 act; amending s. 481.219, F.S.; deleting provisions 2454 permitting the practice of or offer to practice 2455 interior design through certain business 2456 organizations; deleting provisions requiring certificates of authorization for certain business 2457 2458 organizations offering interior design services to the 2459 public; requiring a licensee or applicant in the 2460 practice of architecture to qualify as a business 2461 organization; providing requirements; amending s. 2462 481.221, F.S.; conforming provisions to changes made 2463 by the act; requiring registered architects and 2464 certain business organizations to display certain 2465 license numbers in specified advertisements; amending 2466 s. 481.223, F.S.; providing construction; conforming 2467 provisions to changes made by the act; amending s. 2468 481.2251, F.S.; revising the acts that constitute 2469 grounds for disciplinary actions relating to interior 2470 designers; conforming provisions to changes made by 2471 the act; amending ss. 481.229 and 481.231, F.S.; 2472 conforming provisions to changes made by the act; 2473 amending s. 481.303, F.S.; deleting the definition of 2474 the term "certificate of authorization"; amending s. 2475 481.310, F.S.; providing that an applicant who holds 2476 certain degrees is not required to demonstrate 1 year

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2477 of practical experience for licensure; amending s. 2478 481.311, F.S.; revising requirements for certification 2479 of licensure by endorsement for a certain applicant to 2480 engage in the practice of landscape architecture; 2481 amending s. 481.313, F.S.; authorizing a landscape 2482 architect to receive hour-for-hour credit for certain 2483 approved continuing education courses under certain 2484 circumstances; amending s. 481.317, F.S.; conforming 2485 provisions to changes made by the act; amending s. 2486 481.319, F.S.; deleting the requirement for a 2487 certificate of authorization; authorizing landscape 2488 architects to practice in the name of a corporation or 2489 partnership; amending s. 481.321, F.S.; requiring a 2490 landscape architect to display a certain certificate 2491 number in specified advertisements; amending s. 2492 481.329, F.S.; conforming a cross-reference; amending s. 489.103, F.S.; revising certain contract prices for 2493 exemption; amending s. 489.111, F.S.; revising 2494 2495 provisions relating to eligibility for licensure; 2496 amending s. 489.113, F.S.; providing that applicants 2497 who meet certain requirements are not required to pass 2498 a specified examination; amending s. 489.115, F.S.; 2499 requiring the Construction Industry Licensing Board to 2500 certify any applicant who holds a specified license to 2501 practice contracting issued by another state or 2502 territory of the United States under certain 2503 circumstances; requiring certain applicants to 2504 complete certain training; amending s. 489.511, F.S.; 2505 requiring the board to certify as qualified for

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2506 certification by endorsement any applicant who holds a 2507 specified license to practice electrical or alarm 2508 system contracting issued by another state or 2509 territory of the United States under certain 2510 circumstances; requiring certain applicants to 2511 complete certain training; amending s. 489.517, F.S.; 2512 providing a reduction in certain continuing education 2513 hours required for certain contractors; amending s. 2514 489.518, F.S.; requiring a person to have completed a 2515 specified amount of training within a certain time 2516 period to perform the duties of an alarm system agent; 2517 amending s. 492.104, F.S.; conforming provisions to 2518 changes made by the act; amending 492.108, F.S.; 2519 requiring the department to issue a license by 2520 endorsement to any applicant who has held a specified 2521 license to practice geology in another state, trust, 2522 territory, or possession of the United States for a 2523 certain period of time; providing that an applicant 2524 may take the examination required by the board if they 2525 have not met the specified examination requirement; 2526 amending s. 492.111, F.S.; deleting the requirements 2527 for a certificate of authorization for a professional 2528 geologist; amending ss. 492.113 and 492.115, F.S.; 2529 conforming provisions to changes made by the act; 2530 creating s. 509.102, F.S.; defining the term "mobile 2531 food dispensing vehicle"; preempting certain 2532 regulation of mobile food dispensing vehicles to the 2533 state; prohibiting certain entities from prohibiting 2534 mobile food dispensing vehicles from operating within

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2535	the entirety of such entities' jurisdictions;
2536	providing construction and applicability; amending s.
2537	548.003, F.S.; deleting the requirement that the
2538	Florida State Boxing Commission adopt rules relating
2539	to a knockdown timekeeper; amending s. 548.017, F.S.;
2540	deleting the licensure requirement for a timekeeper or
2541	an announcer; amending s. 553.5141, F.S.; conforming
2542	provisions to changes made by the act; amending s.
2543	553.74, F.S.; revising the membership and
2544	qualifications of the Florida Building Commission;
2545	amending s. 823.15, F.S.; authorizing certain persons
2546	to implant dogs and cats with specified microchips
2547	under certain circumstances; authorizing certain
2548	persons to contact the owner of record listed on radio
2549	frequency identification microchips under certain
2550	circumstances; amending ss. 287.055, 558.002, and
2551	725.08, F.S.; conforming provisions to changes made by
2552	the act; providing

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