

By Senator Brandes

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1 A bill to be entitled
 2 An act relating to land surveyors and mappers;
 3 amending ss. 472.0101 and 472.013, F.S.; deleting
 4 certain education requirements for an applicant to
 5 take the licensure examination to practice as a
 6 surveyor or mapper or to be qualified as a surveyor or
 7 mapper intern; deleting provisions relating to
 8 rulemaking; amending s. 472.015, F.S.; revising
 9 licensure by endorsement requirements; amending s.
 10 472.018, F.S.; revising the required continuing
 11 education hours for licensed surveyors or mappers;
 12 providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Subsection (1) of section 472.0101, Florida
 17 Statutes, is amended to read:

18 472.0101 Foreign-trained professionals; special examination
 19 and license provisions.—

20 (1) When not otherwise provided by law, the department
 21 shall by rule provide procedures under which exiled
 22 professionals may be examined under this chapter. A person is
 23 eligible for the examination if the exiled professional:

24 (a) Immigrated to the United States after leaving the
 25 person's home country because of political reasons, provided the
 26 country is located in the Western Hemisphere and does not have
 27 diplomatic relations with the United States.†

28 (b) Applies to the department and submits a fee.†

29 (c) Was a resident of this state immediately preceding the

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30 person's application.†

31 ~~(d) Demonstrates to the department, through submission of~~
32 ~~documentation verified by the applicant's respective~~
33 ~~professional association in exile, that the applicant was~~
34 ~~graduated with an appropriate professional or occupational~~
35 ~~degree from a college or university. However,~~

36
37 The department may not require receipt of any documentation from
38 the Republic of Cuba as a condition of eligibility under this
39 section.†

40 (d)~~(e)~~ Lawfully practiced the profession for at least 3
41 years.†

42 (e)~~(f)~~ Prior to 1980, successfully completed an approved
43 course of study pursuant to chapters 74-105 and 75-177, Laws of
44 Florida.† and

45 (f)~~(g)~~ Presents a certificate demonstrating the successful
46 completion of a continuing education program which offers a
47 course of study that will prepare the applicant for the
48 examination offered under subsection (2). The department shall
49 develop rules for the approval of such programs for the board.

50 Section 2. Subsections (2), (3), and (4) of section
51 472.013, Florida Statutes, are amended to read:

52 472.013 Examinations, prerequisites.—

53 (2) An applicant shall be entitled to take the licensure
54 examination to practice in this state as a surveyor and mapper
55 if the applicant is of good moral character and has ~~satisfied~~
56 ~~one of the following requirements:~~

57 ~~(a) The applicant has received a bachelor's degree, its~~
58 ~~equivalent, or higher in surveying and mapping or a similarly~~

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59 ~~titled program, including, but not limited to, geomatics,~~
60 ~~geomatics engineering, and land surveying, from a college or~~
61 ~~university recognized by the board and has a specific experience~~
62 ~~record of 4 or more years as a subordinate to a professional~~
63 ~~surveyor and mapper in the active practice of surveying and~~
64 ~~mapping, which experience is of a nature indicating that the~~
65 ~~applicant was in responsible charge of the accuracy and~~
66 ~~correctness of the surveying and mapping work performed. Work~~
67 ~~experience acquired as a part of the education requirement may~~
68 ~~not be construed as experience in responsible charge.~~

69 ~~(b) The applicant has received a bachelor's degree, its~~
70 ~~equivalent, or higher in a course of study, other than in~~
71 ~~surveying and mapping, at an accredited college or university~~
72 ~~and has a specific experience record of 6 or more years as a~~
73 ~~subordinate to a registered surveyor and mapper in the active~~
74 ~~practice of surveying and mapping, 5 years of which shall be of~~
75 ~~a nature indicating that the applicant was in responsible charge~~
76 ~~of the accuracy and correctness of the surveying and mapping~~
77 ~~work performed. The applicant must have completed a minimum of~~
78 ~~25 semester hours from a college or university approved by the~~
79 ~~board in surveying and mapping subjects or in any combination of~~
80 ~~courses in civil engineering, surveying, mapping, mathematics,~~
81 ~~photogrammetry, forestry, or land law and the physical sciences.~~
82 ~~Any of the required 25 semester hours of study completed not as~~
83 ~~a part of the bachelor's degree, its equivalent, or higher may~~
84 ~~be approved at the discretion of the board. Work experience~~
85 ~~acquired as a part of the education requirement may not be~~
86 ~~construed as experience in responsible charge.~~

87 (3) A person shall be entitled to take an examination for

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88 the purpose of determining whether he or she is qualified as a
89 surveyor and mapper intern if:

90 ~~(a) the person is in good standing in, or is a graduate of,~~
91 ~~a bachelor degree program, its equivalent or higher, at an~~
92 ~~accredited college or university and has obtained a minimum of~~
93 ~~25 semester hours in surveying, mapping, mathematics,~~
94 ~~photogrammetry, forestry, civil engineering, or land law and the~~
95 ~~physical sciences, or any combination thereof; or~~

96 ~~(b) The person has obtained, from an accredited college or~~
97 ~~university, a minimum of 15 semester hours in surveying,~~
98 ~~mapping, mathematics, photogrammetry, forestry, civil~~
99 ~~engineering, or land law and the physical sciences, or any~~
100 ~~combination thereof, and has a specific surveying and mapping~~
101 ~~experience record of 2 or more years as a subordinate to a~~
102 ~~registered surveyor and mapper.~~

103
104 ~~This subsection may not be construed as a substitute for the~~
105 ~~degree requirement to take the exams for licensure as outlined~~
106 ~~in subsection (2).~~

107 ~~(4) The board shall adopt rules providing for the review~~
108 ~~and approval of schools and colleges and the courses of study in~~
109 ~~surveying and mapping in such schools and colleges. The rules~~
110 ~~shall be based on the educational requirements for surveying and~~
111 ~~mapping as defined in s. 472.005. The board may adopt rules~~
112 ~~providing for the acceptance of the approval and accreditation~~
113 ~~of schools and courses of study by a nationally accepted~~
114 ~~accreditation organization.~~

115 Section 3. Subsection (5) of section 472.015, Florida
116 Statutes, is amended to read:

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117 472.015 Licensure.—

118 (5) (a) The board shall certify as qualified for a license
119 by endorsement an applicant who, at the time of application:

120 1. Holds a valid license to practice surveying and mapping
121 issued before July 1, 1999, by another state or territory of the
122 United States; has passed a national, regional, state, or
123 territorial licensing examination that is substantially
124 equivalent to the examination required by s. 472.013; and has a
125 specific experience record of at least 8 years as a subordinate
126 to a registered surveyor and mapper in the active practice of
127 surveying and mapping, 6 years of which must be of a nature
128 indicating that the applicant was in responsible charge of the
129 accuracy and correctness of the surveying and mapping work
130 performed; or

131 2. Holds a valid license to practice surveying and mapping
132 issued by another state or territory of the United States ~~if the~~
133 ~~criteria for issuance of the license were substantially the same~~
134 ~~as the licensure criteria that existed in Florida at the time~~
135 ~~the license was issued.~~

136 (b) All applicants for licensure by endorsement must pass
137 the Florida law and rules portion of the examination prior to
138 licensure.

139 Section 4. Section 472.018, Florida Statutes, is amended to
140 read:

141 472.018 Continuing education.—The department may not renew
142 a license until the licensee submits proof satisfactory to the
143 board that during the 2 years before her or his application for
144 renewal the licensee has completed ~~at least 24 hours of~~
145 ~~continuing education. The board may provide by rule for~~

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146 continuing education hours ~~carryover for each renewal cycle~~ not
147 to exceed 12 hours.

148 (1) The board shall adopt rules to establish the criteria
149 for continuing education providers. The rules may provide that
150 up to a maximum of 25 percent of the required continuing
151 education hours may be fulfilled by the performance of pro bono
152 services to the indigent or to underserved populations or in
153 areas of critical need within the state where the licensee
154 practices. The board must require that any pro bono services be
155 approved in advance in order to receive credit for continuing
156 education under this section. The board shall use the standard
157 recognized by the Federal Poverty Income Guidelines produced by
158 the United States Department of Health and Human Services in
159 determining indigency. The board may adopt rules that may
160 provide that a part of the continuing education hours may be
161 fulfilled by performing research in critical need areas or for
162 training leading to advanced professional certification. The
163 board may adopt rules to define underserved and critical need
164 areas. The department shall adopt rules for the administration
165 of continuing education requirements adopted by the board.

166 (2) The board may provide by rule the method of delivery
167 and criteria that may be used to satisfy continuing education
168 requirements.

169 (3) The board may prorate the required continuing education
170 hours in the following circumstances:

171 (a) For new licensees:

172 1. By requiring half of the required continuing education
173 hours for any applicant who becomes licensed with more than half
174 the renewal period remaining and no continuing education for any

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175 applicant who becomes licensed with half or less than half of
176 the renewal period remaining; or

177 2. Requiring no continuing education hours until the first
178 full renewal cycle of the licensee.

179 (b) When the number of hours required is increased by law
180 or the board.

181 (4) Upon the request of a licensee, the provider must also
182 furnish to the department information regarding courses
183 completed by the licensee, in an electronic format required by
184 rule of the department.

185 (5) Each continuing education provider shall retain all
186 records relating to a licensee's completion of continuing
187 education courses for at least 4 years after completion of a
188 course.

189 (6) A continuing education provider may not be approved,
190 and the approval may not be renewed, unless the provider agrees
191 in writing to provide such cooperation under this section as
192 required by the department.

193 (7) For the purpose of determining which persons or
194 entities must meet the reporting, recordkeeping, and access
195 provisions of this section, the board by rule shall adopt a
196 definition of the term "continuing education provider"
197 applicable to the profession's continuing education
198 requirements. The intent of the rule is to ensure that all
199 records and information necessary to carry out the requirements
200 of this section are maintained and transmitted accordingly and
201 to minimize disputes as to what person or entity is responsible
202 for maintaining and reporting such records and information.

203 (8) The board shall approve the providers of continuing

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204 education. The approval of continuing education providers must
205 be for a specified period of time, not to exceed 4 years. An
206 approval that does not include such a time limitation may remain
207 in effect under this chapter or the rules adopted under this
208 chapter.

209 (9) The department may fine, suspend, or revoke approval of
210 any continuing education provider that fails to comply with its
211 duties under this section. The fine may not exceed \$500 per
212 violation. Investigations and prosecutions of a provider's
213 failure to comply with its duties under this section shall be
214 conducted pursuant to s. 472.033.

215 (10) The board shall issue an order requiring a person or
216 entity to cease and desist from offering any continuing
217 education programs for licensees, and fining, suspending, or
218 revoking any approval of the provider previously granted by the
219 board if the board determines that the person or entity failed
220 to provide appropriate continuing education services. The fine
221 may not exceed \$500 per violation. Investigations and
222 prosecutions of a provider's failure to comply with its duties
223 under this section shall be conducted under s. 472.033.

224 (11) The board may establish, by rule, a fee not to exceed
225 \$250 for anyone seeking approval to provide continuing education
226 courses and may establish, by rule, a biennial fee not to exceed
227 \$250 for the renewal of providership of such courses. Such
228 postlicensure education courses are subject to the reporting,
229 monitoring, and compliance provisions of this section.

230 (12) The department and the board may adopt rules under ss.
231 120.536(1) and 120.54 to administer this section.

232 (13) Each continuing education provider shall provide to

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233 the department, in an electronic format determined by the
234 department, information regarding the continuing education
235 status of licensees which the department determines is necessary
236 to carry out its duties under this chapter. After a licensee
237 completes a course, the information must be submitted
238 electronically by the continuing education provider to the
239 department within 30 calendar days after completion. However,
240 beginning on the 30th day before the renewal deadline or before
241 the renewal date, whichever occurs sooner, the continuing
242 education provider shall electronically report such information
243 to the department within 10 business days after completion.

244 (14) The department shall establish a system to monitor
245 licensee compliance with continuing education requirements and
246 to determine the continuing education status of each licensee.
247 As used in this subsection, the term "monitor" means the act of
248 determining, for each licensee, whether the licensee is in full
249 compliance with applicable continuing education requirements as
250 of the date of the licensee's application for license renewal.

251 (15) The department may refuse to renew a license until the
252 licensee has satisfied all applicable continuing education
253 requirements. This subsection does not preclude the department
254 or board from imposing additional penalties pursuant to this
255 chapter or rules adopted pursuant this chapter.

256 Section 5. This act shall take effect July 1, 2020.