A bill to be entitled
An act relating to the deregulation of professions and
occupations; providing a short title; amending s.
20.165, F.S.; renaming the Board of Architecture and
Interior Design as the Board of Architecture within
the Department of Business and Professional
Regulation; amending s. 322.57, F.S.; defining the
term “servicemember”; requiring the Department of
Highway Safety and Motor Vehicles to waive the
requirement to pass the Commercial Driver License
Skills Tests for certain servicemembers and veterans;
requiring an applicant who receives such waiver to
complete certain requirements within a specified time;
requiring the department to adopt rules; amending s.
326.004, F.S.; deleting the requirement that a yacht
broker maintain a separate license for each branch
office; deleting the requirement that the Division of
Florida Condominiums, Timeshares, and Mobile Homes
establish a fee; amending s. 447.02, F.S.; conforming
provisions to changes made by the act; repealing s.
447.04, F.S., relating to licensure and permit
requirements for business agents; repealing s.
447.041, F.S., relating to hearings for persons or
labor organizations denied licensure as a business
agent; repealing s. 447.045, F.S., relating to
confidential information obtained during the
application process; repealing s. 447.06, F.S.,
relating to required registration of labor
organizations; amending s. 447.09, F.S.; deleting
certain prohibited actions relating to the right of 
franchise of a member of a labor organization;
repealing s. 447.12, F.S., relating to registration 
fees; repealing s. 447.16, F.S., relating to 
applicability; amending s. 447.305, F.S.; deleting a 
provision that requires notification of registrations 
and renewals to the Department of Business and 
Professional Regulation; amending s. 455.213, F.S.; 
requiring the department or a board to enter into 
reciprocal licensing agreements with other states 
under certain circumstances; providing requirements; 
amending s. 456.072, F.S.; specifying that the failure 
to repay certain student loans is not considered a 
failure to perform a statutory or legal obligation for 
which certain disciplinary action can be taken; 
conforming provisions to changes made by the act; 
repealing s. 456.0721, F.S., relating to health care 
practitioners who are in default on student loan or 
scholarship obligations; amending s. 456.074, F.S.; 
deleting a provision relating to the suspension of a 
license issued by the Department of Health for 
defaulting on certain student loans; amending s. 
468.385, F.S.; revising requirements relating to 
businesses auctioning or offering to auction property 
in this state; amending s. 468.603, F.S.; revising 
which inspectors are included in the definition of the 
term “categories of building code inspectors”; 
amending s. 468.613, F.S.; providing for waiver of 
specified requirements for certification under certain
circumstances; amending s. 468.8314, F.S.; requiring
an applicant for a license by endorsement to maintain
a specified insurance policy; requiring the department
to certify an applicant who holds a specified license
issued by another state or territory of the United
States under certain circumstances; amending s.
471.015, F.S.; revising licensure requirements for
engineers who hold specified licenses in another
state; amending s. 473.308, F.S.; deleting continuing
education requirements for license by endorsement for
certified public accountants; amending s. 474.202,
F.S.; revising the definition of the term “limited-
service veterinary medical practice” to include
certain procedures; amending s. 474.207, F.S.;
revising education requirements for licensure by
examination; amending s. 474.217, F.S.; requiring the
department to issue a license by endorsement to
certain applicants who successfully complete a
specified examination; amending s. 476.114, F.S.;
revising training requirements for licensure as a
barber; amending s. 476.144, F.S.; requiring the
department to certify as qualified for licensure by
endorsement an applicant who is licensed to practice
barbering in another state; amending s. 477.013, F.S.;
revising the definition of the term “hair braiding”;
repealing s. 477.0132, F.S., relating to registration
for hair braiding, hair wrapping, and body wrapping;
amending s. 477.0135, F.S.; providing additional
exemptions from license or registration requirements
for specified occupations or practices; amending s. 477.019, F.S.; deleting a provision prohibiting the Board of Cosmetology from asking for proof of certain educational hours under certain circumstances; revising requirements for certification of licensure by endorsement for a certain applicant to engage in the practice of cosmetology; conforming provisions to changes made by the act; amending s. 477.0201, F.S.; providing requirements for registration as a specialist; amending s. 477.026, F.S.; conforming provisions to changes made by the act; amending s. 477.0263, F.S.; providing that certain cosmetology services may be performed in a location other than a licensed salon under certain circumstances; amending ss. 477.0265 and 477.029, F.S.; conforming provisions to changes made by the act; amending s. 481.201, F.S.; deleting legislative findings relating to the practice of interior design; amending s. 481.203, F.S.; revising and deleting definitions; amending s. 481.205, F.S.; conforming provisions to changes made by the act; amending s. 481.207, F.S.; authorizing the board to establish certain fees for certificates of registration for interior designers; specifying that such registration is valid for a specified period of time; authorizing registered interior designers to renew such registration; conforming provisions to changes made by the act; amending s. 481.209, F.S.; providing requirements for a certificate of registration and a seal for interior designers;
conforming provisions to changes made by the act;
amending s. 481.213, F.S.; revising requirements for
certification of licensure by endorsement for a
certain licensee to engage in the practice of
architecture; providing that a registration is not
required for specified persons to practice; conforming
provisions to changes made by the act; amending s.
481.2131, F.S.; requiring certain interior designers
to include a specified seal when submitting documents
for the issuance of a building permit; amending s.
481.215, F.S.; conforming provisions to changes made
by the act; deleting a provision requiring a specified
number of hours in certain courses for the renewal of
a license; amending s. 481.217, F.S.; conforming
provisions to changes made by the act; amending s.
481.219, F.S.; deleting provisions permitting the
practice of or offer to practice interior design
through certain business organizations; deleting
provisions requiring certificates of authorization for
certain business organizations offering interior
design services to the public; requiring a licensee or
applicant in the practice of architecture to qualify
as a business organization; providing requirements;
amending s. 481.221, F.S.; conforming provisions to
changes made by the act; requiring registered
architects and certain business organizations to
display certain license numbers in specified
advertisements; amending s. 481.223, F.S.; providing
construction; conforming provisions to changes made by
the act; amending s. 481.2251, F.S.; revising the acts that constitute grounds for disciplinary actions relating to changes made by the act; amending ss. 481.229 and 481.231, F.S.; conforming provisions to changes made by the act; amending s. 481.303, F.S.; deleting the definition of the term “certificate of authorization”; amending s. 481.310, F.S.; providing that an applicant who holds certain degrees is not required to demonstrate 1 year of practical experience for licensure; amending s. 481.311, F.S.; revising requirements for certification of licensure by endorsement for a certain applicant to engage in the practice of landscape architecture; amending s. 481.317, F.S.; conforming provisions to changes made by the act; amending s. 481.319, F.S.; deleting the requirement for a certificate of authorization; authorizing landscape architects to practice in the name of a corporation or partnership; amending s. 481.321, F.S.; requiring a landscape architect to display a certain certificate number in specified advertisements; amending s. 481.329, F.S.; conforming a cross-reference; amending s. 489.103, F.S.; revising certain contract prices for exemption; amending s. 489.111, F.S.; revising provisions relating to eligibility for licensure; amending s. 489.115, F.S.; requiring the Construction Industry Licensing Board to certify any applicant who holds a specified license to practice contracting issued by another state or
territory of the United States under certain circumstances; amending s. 489.511, F.S.; requiring the board to certify as qualified for certification by endorsement any applicant who holds a specified license to practice electrical or alarm system contracting issued by another state or territory of the United States under certain circumstances; amending s. 489.517, F.S.; providing a reduction in certain continuing education hours required for registered contractors; amending s. 489.518, F.S.; requiring a person to have completed a specified amount of training within a certain time period to perform the duties of an alarm system agent; creating s. 509.102; preempting the regulation of mobile food dispensing vehicles to the state; defining the term mobile food dispensing vehicle; amending s. 548.003, F.S.; deleting the requirement that the Florida State Boxing Commission adopt rules relating to a knockdown timekeeper; amending s. 548.017, F.S.; deleting the licensure requirement for a timekeeper or an announcer; amending s. 553.5141, F.S.; conforming provisions to changes made by the act; amending s. 553.74, F.S.; revising the membership and qualifications of the Florida Building Commission; amending ss. 558.002, 559.25, and 287.055, F.S.; conforming provisions to changes made by the act; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:
Section 1. This act may be cited as the “Occupational Freedom and Opportunity Act.”

Section 2. Paragraph (a) of subsection (4) of section 20.165, Florida Statutes, is amended to read:

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

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

1. Board of Architecture and Interior Design, created under part I of chapter 481.
2. Florida Board of Auctioneers, created under part VI of chapter 468.
3. Barbers’ Board, created under chapter 476.
4. Florida Building Code Administrators and Inspectors Board, created under part XII of chapter 468.
5. Construction Industry Licensing Board, created under part I of chapter 489.
6. Board of Cosmetology, created under chapter 477.
7. Electrical Contractors’ Licensing Board, created under part II of chapter 489.
8. Board of Employee Leasing Companies, created under part XI of chapter 468.
9. Board of Landscape Architecture, created under part II of chapter 481.
10. Board of Pilot Commissioners, created under chapter 310.
11. Board of Professional Engineers, created under chapter
12. Board of Professional Geologists, created under chapter 492.
13. Board of Veterinary Medicine, created under chapter 474.
14. Home inspection services licensing program, created under part XV of chapter 468.
15. Mold-related services licensing program, created under part XVI of chapter 468.

Section 3. 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.—

(4)(a) As used in this subsection, the term “servicemember” means a member of any branch of the United States military or military reserves, the United States Coast Guard or its reserves, the Florida National Guard, or the Florida Air National Guard.

(b) The department shall waive the requirement to pass the Commercial Driver License Skills Tests for servicemembers and veterans if:

1. The applicant has been honorably discharged from military service within 1 year of the application, if the applicant is a veteran;
2. The applicant is trained as an MOS 88M Army Motor Transport Operator or similar military job specialty;
3. The applicant has received training to operate large trucks in compliance with the Federal Motor Carrier Safety
4. The applicant has at least 2 years of experience in the military driving vehicles that would require a commercial driver license to operate.

   (c) An applicant must complete every other requirement for a commercial driver license within 1 year of receiving a waiver under paragraph (b) or the waiver is invalid.

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

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

326.004 Licensing.—

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

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

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

(3) The term “department” means the Department of Business and Professional Regulation.

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

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

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

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

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

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

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

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

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

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

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

447.305 Registration of employee organization.—

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

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

455.213 General licensing provisions.—

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

Section 15. Paragraph (k) of subsection (1) of section
580-02430-20

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

Section 16. Section 456.0721, Florida Statutes, is repealed.

Section 17. Subsection (4) of section 456.074, Florida Statutes, is amended to read:

456.074 Certain health care practitioners; immediate suspension of license.—

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

Section 18. Paragraph (b) of subsection (7) of section 468.385, Florida Statutes, is amended to read:

468.385 Licenses required; qualifications; examination.—

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

Section 19. Paragraph (f) of subsection (5) of section 468.603, Florida Statutes, is amended to read:

468.603 Definitions.—As used in this part:

(5) “Categories of building code inspectors” include the following:

(f) “Residential One and two family dwelling inspector” means a person who is qualified to inspect and determine that one-family, two-family, or three-family residences not exceeding
two habitable stories above no more than one uninhabitable story
and accessory use structures in connection therewith one and two
family dwellings and accessory structures are constructed in
accordance with the provisions of the governing building,
plumbing, mechanical, accessibility, and electrical codes.

Section 20. Section 468.613, Florida Statutes, is amended
to read:

468.613 Certification by endorsement.—The board shall
examine other certification or training programs, as applicable,
upon submission to the board for its consideration of an
application for certification by endorsement. The board shall
waive its examination, qualification, education, or training
requirements, to the extent that such examination,
qualification, education, or training requirements of the
applicant are determined by the board to be comparable with
those established by the board. The board shall waive its
examination, qualification, education, or training requirements
if an applicant for certification by endorsement is at least 18
years of age; is of good moral character; has held a valid
building administrator, inspector, plans examiner, or the
equivalent, certification issued by another state or territory
of the United States for at least 10 years before the date of
application; and has successfully passed an applicable
examination administered by the International Code Council. Such
application must be made either when the license in another
state or territory is active or within 2 years after such
license was last active.

Section 21. Subsection (3) of section 468.8314, Florida
Statutes, is amended to read:
468.8314 Licensure.—

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

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

(b) Has held a valid license to practice home inspection services issued by another state or territory of the United States for at least 10 years before the date of application. Such application must be made either when the license in another state or territory is active or within 2 years after such license was last active.

Section 22. Subsection (5) of section 471.015, Florida Statutes, is amended to read:

471.015 Licensure.—

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

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

Section 23. Subsection (7) of section 473.308, Florida
Statutes, is amended to read:

473.308 Licensure.—
(7) The board shall certify as qualified for a license by
endorsement an applicant who:

(a) 1. Is not licensed and has not been licensed in another
state or territory and who has met the requirements of this
section for education, work experience, and good moral character
and has passed a national, regional, state, or territorial
licensing examination that is substantially equivalent to the
examination required by s. 473.306; or
2. Has completed such continuing education courses as the
board deems appropriate, within the limits for each applicable
2-year period as set forth in s. 473.312, but at least such
courses as 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; or
(b) 1. a. Holds a valid license to practice public accounting
issued by another state or territory of the United States, if
the criteria for issuance of such license were substantially
equivalent to the licensure criteria that existed in this state
at the time the license was issued;
2. b. Holds a valid license to practice public accounting
issued by another state or territory of the United States but
the criteria for issuance of such license did not meet the
requirements of sub-subparagraph a.; has met the requirements of
this section for education, work experience, and good moral
character; and has passed a national, regional, state, or
territorial licensing examination that is substantially
equivalent to the examination required by s. 473.306; or

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

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.

Section 24. Subsection (6) of section 474.202, Florida
Statutes, is amended to read:

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
owned animals that do not reside at that location; operates for
a limited time; and provides limited types of veterinary medical
services, including vaccinations or immunizations against
disease, preventative procedures for parasitic control, and
microchipping.

Section 25. Paragraph (b) of subsection (2) of section 474.207, Florida Statutes, is amended to read:

474.207 Licensure by examination.—
(2) The department shall license each applicant who the board certifies has:

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

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

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

Section 26. Subsection (1) of section 474.217, Florida Statutes, is amended to read:

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 a fee set by the board, demonstrates to the board that she or
(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 immediately preceding the application for licensure, a valid, active license to practice veterinary medicine in another state of the United States, the District of Columbia, or a territory of the United States, provided that the applicant has successfully completed a state, regional, national, or other examination that is equivalent to or more stringent than the examination required by the board requirements for licensure in the issuing state, district, or territory are equivalent to or more stringent than the requirements of this chapter; or

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

Section 27. Subsection (2) of section 476.114, Florida Statutes, is amended to read:

476.114 Examination; prerequisites.—

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

(a) Is at least 16 years of age;

(b) Pays the required application fee; and

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

2. Has received a minimum of 900 1,200 hours of training in
sanitation, safety, and laws and rules, as established by the
board, which shall include, but shall not be limited to, the
equivalent of completion of services directly related to the
practice of barbering at one of the following:
   a. A school of barbering licensed pursuant to chapter 1005;
   b. A barbering program within the public school system; or
   c. A government-operated barbering program in this state.

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

Section 28. Subsection (5) of section 476.144, Florida
Statutes, is amended to read:
476.144 Licensure.—
(5) The board shall certify as qualified for licensure by
endorsement as a barber in this state an applicant who holds a
current active license to practice barbering in another state.
The board shall 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 state or country and who have met qualifications
substantially similar to, equivalent to, or greater than the qualifications required of applicants from this state.

Section 29. Subsection (9) of section 477.013, Florida Statutes, is amended to read:

477.013 Definitions.—As used in this chapter:

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

Section 30. Section 477.0132, Florida Statutes, is repealed.

Section 31. Subsections (7) through (10) are added to section 477.0135, Florida Statutes, to read:

477.0135 Exemptions.—

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

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

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

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

Section 32. Subsections (6) and (7) of section 477.019, Florida Statutes, are amended to read:

CODING: Words stricken are deletions; words underlined are additions.
477.019 Cosmetologists; qualifications; licensure; supervised practice; license renewal; endorsement; continuing education.—

(6) The board shall certify as qualified for licensure by endorsement as a cosmetologist in this state an applicant who holds a current active license to practice cosmetology in another state and who has completed a 2-hour course approved by the board on human immunodeficiency virus and acquired immune deficiency syndrome. The board may not require proof of educational hours if the license was issued in a state that requires 1,200 or more hours of prelicensure education and passage of a written examination. This subsection does not apply to applicants who received their license in another state through an apprenticeship program.

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

c) The board may, by rule, require any licensee in violation of a continuing education requirement to take a refresher course or refresher course and examination in addition to any other penalty. The number of hours for the refresher course may not exceed 48 hours.

Section 33. Subsection (1) of section 477.0201, Florida Statutes, is amended to read:

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

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

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

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

1. One hundred and eighty hours of training, as established by the board, which shall focus primarily on sanitation and safety, to practice specialties as defined in s. 477.013(6)(a) and (b); specialty pursuant to s. 477.013(6)

2. Two hundred and twenty hours of training, as established by the board, which shall focus primarily on sanitation and safety, to practice the specialty as defined in s.
3. Four hundred hours of training or the number of hours of training required to maintain minimum Pell Grant requirements, as established by the board, which shall focus primarily on sanitation and safety, to practice the specialties as defined in s. 477.013(6)(a)-(c).

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

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

Section 34. Paragraph (f) of subsection (1) of section 477.026, Florida Statutes, is amended to read:

477.026 Fees; disposition.—

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

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

Section 35. Subsection (4) of section 477.0263, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

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

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

(5) Hair shampooing, hair cutting, hair arranging, nail polish removal, nail filing, nail buffing, and nail cleansing may be performed in a location other than a licensed salon when the service is performed by a person who holds the proper license.

Section 36. Paragraph (f) of subsection (1) of section 477.0265, Florida Statutes, is amended to read:

477.0265 Prohibited acts.—
(1) It is unlawful for any person to:
(f) Advertise or imply that skin care services or body wrapping, as performed under this chapter, have any relationship to the practice of massage therapy as defined in s. 480.033(3), except those practices or activities defined in s. 477.013.

Section 37. Paragraph (a) of subsection (1) of section 477.029, Florida Statutes, is amended to read:

477.029 Penalty.—
(1) It is unlawful for any person to:
(a) Hold himself or herself out as a cosmetologist or stylist, hair wrapper, hair braider, or body wrapper, unless duly licensed or registered, or otherwise authorized, as provided in this chapter.

Section 38. Section 481.201, Florida Statutes, is amended
to read:

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

Section 39. Section 481.203, Florida Statutes, is amended to read:

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

(3)(1) “Board” means the Board of Architecture and Interior Design.

(7)(2) “Department” means the Department of Business and Professional Regulation.

(1)(3) “Architect” or “registered architect” means a natural person who is licensed under this part to engage in the practice of architecture.

(5)(4) “Certificate of registration” means a license or registration issued by the department to a natural person to engage in the practice of architecture or interior design.

(4)(5) “Business organization” means a partnership, a limited liability company, a corporation, or an individual operating under a fictitious name “Certificate of authorization” means a certificate issued by the department to a corporation or
partnership to practice architecture or interior design.

(2) "Architecture" means the rendering or offering to render services in connection with the design and construction of a structure or group of structures which have as their principal purpose human habitation or use, and the utilization of space within and surrounding such structures. These services include planning, providing preliminary study designs, drawings and specifications, job-site inspection, and administration of construction contracts.

(16) "Townhouse" is a single-family dwelling unit not exceeding three stories in height which is constructed in a series or group of attached units with property lines separating such units. Each townhouse shall be considered a separate building and shall be separated from adjoining townhouses by the use of separate exterior walls meeting the requirements for zero clearance from property lines as required by the type of construction and fire protection requirements; or shall be separated by a party wall; or may be separated by a single wall 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) "Interior design" means designs, consultations, studies, drawings, specifications, and administration of design construction contracts relating to nonstructural interior elements of a building or structure. "Interior design" includes, but is not limited to, reflected ceiling plans, space planning, furnishings, and the fabrication of nonstructural elements within and surrounding interior spaces of buildings. "Interior design" specifically excludes the design of or the responsibility for architectural and engineering work, except for specification of fixtures and their location within interior spaces. As used in this subsection, "architectural and engineering interior construction relating to the building systems" includes, but is not limited to, construction of structural, mechanical, plumbing, heating, air-conditioning, ventilating, electrical, or vertical transportation systems, or construction which materially affects lifesafety systems pertaining to firesafety protection such as fire-rated separations between interior spaces, fire-rated vertical shafts in multistory structures, fire-rated protection of structural elements, smoke evacuation and compartmentalization, emergency ingress or egress systems, and emergency alarm systems.

(11) "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.

(12) "Nonstructural element" means an element which does not require structural bracing and which is something other
than a load-bearing wall, load-bearing column, or other load-bearing element of a building or structure which is essential to the structural integrity of the building.

(13) "Reflected ceiling plan" means a ceiling design plan which is laid out as if it were projected downward and which may include lighting and other elements.

(15) "Space planning" means the analysis, programming, or design of spatial requirements, including preliminary space layouts and final planning.

(6) "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) "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).

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

Section 41. Section 481.207, Florida Statutes, is amended to read:

481.207 Fees.—

(1) The board, by rule, may establish separate fees for architects and interior designers, to be paid for applications, examination, reexamination, licensing and renewal, delinquency, reinstatement, and recordmaking and recordkeeping. The examination fee shall be in an amount that covers the cost of obtaining and administering the examination and shall be refunded if the applicant is found ineligible to sit for the
examination. The application fee is nonrefundable. The fee for initial application and examination for architects and interior designers may not exceed $775 plus the actual per applicant cost to the department for purchase of the examination from the National Council of Architectural Registration Boards or the National Council of Interior Design Qualifications, respectively, or similar national organizations. The biennial renewal fee for architects may not exceed $200. The biennial renewal fee for interior designers may not exceed $500. The delinquency fee may not exceed the biennial renewal fee established by the board for an active license. The board shall establish fees that are adequate to ensure the continued operation of the board and to fund the proportionate expenses incurred by the department which are allocated to the regulation of architects and registered interior designers. Fees shall be based on department estimates of the revenue required to implement this part and the provisions of law with respect to the regulation of architects and interior designers.

(2) The board may establish a fee for certificates of registration for interior designers. Such fee, if established, is not refundable and may not exceed $75. A certificate of registration is valid for 2 years and a registered interior designer may renew the registration. The biennial renewal fee may not exceed $75.

Section 42. Section 481.209, Florida Statutes, is amended to read:

481.209 Examinations.—

(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:
  (a) has passed the licensure examination prescribed by
board rule; and
  (b) is a graduate of a school or college of architecture
with a program accredited by the National Architectural
Accreditation Board.

(2) A person seeking to obtain a certificate of
registration as a registered interior designer and a seal
pursuant to s. 481.221 must provide the department with his or
her name and address and written proof that he or she has
successfully passed the qualification examination prescribed by
the Council for Interior Design Qualification or its successor
entity or the California Council for Interior Design
Certification or its successor entity, or has successfully
passed an equivalent exam as determined by the department A
person desiring to be licensed as a registered interior designer
shall apply to the department for licensure. The department
shall administer the licensure examination for interior
designers to each applicant who has completed the application
form and remitted the application and examination fees specified
in s. 481.207 and who the board certifies:
  (a) Is a graduate from an interior design program of 5
years or more and has completed 1 year of diversified interior
design experience;
  (b) Is a graduate from an interior design program of 4
years or more and has completed 2 years of diversified interior
design experience.
(c) Has completed at least 3 years in an interior design curriculum and has completed 3 years of diversified interior design experience, or
(d) Is a graduate from an interior design program of at least 2 years and has completed 4 years of diversified interior design experience.

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

Section 43. Section 481.213, Florida Statutes, is amended to read:

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

(2) The board shall certify for licensure or registration 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.

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

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

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

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

An architect who is licensed in another state who seeks qualification for license by endorsement under this subsection must complete a class approved by the board on the Florida Building Code.

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

(5) The board may refuse to certify any applicant who is under investigation in any jurisdiction for any act which would constitute a violation of this part or of chapter 455 until such time as the investigation is complete and disciplinary proceedings have been terminated.

(6) The board shall adopt rules to implement the provisions of this part relating to the examination, internship, and licensure of applicants.

(7) For persons whose licensure requires satisfaction of the requirements of ss. 481.209 and 481.211, the board shall, by rule, establish qualifications for certification of such persons as special inspectors of threshold buildings, as defined in ss. 553.71 and 553.79, and shall compile a list of persons who are certified. A special inspector is not required to meet standards
for certification other than those established by the board, and the fee owner of a threshold building may not be prohibited from selecting any person certified by the board to be a special inspector. The board shall develop minimum qualifications for the qualified representative of the special inspector who is authorized under s. 553.79 to perform inspections of threshold buildings on behalf of the special inspector.

(8) A certificate of registration is not required for a person whose occupation or practice is confined to interior decorator services or for a person whose occupation or practice is confined to interior design except as required in this part.

Section 44. Subsection (1) of section 481.2131, Florida Statutes, is amended to read:

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

(1) A registered interior designer is authorized to perform “interior design” as defined in s. 481.203. Interior design documents prepared by a registered interior designer shall contain a statement that the document is not an architectural or engineering study, drawing, specification, or design and is not to be used for construction of any load-bearing columns, load-bearing framing or walls of structures, or issuance of any building permit, except as otherwise provided by law. Interior design documents that are prepared and sealed by a registered interior designer must may, if required by a permitting body, be accepted by the permitting body be submitted for the issuance of a building permit for interior construction excluding design of any structural, mechanical, plumbing, heating, air-conditioning, ventilating, electrical, or vertical transportation systems or
that materially affect lifesafety systems pertaining to firesafety protection such as fire-rated separations between interior spaces, fire-rated vertical shafts in multistory structures, fire-rated protection of structural elements, smoke evacuation and compartmentalization, emergency ingress or egress systems, and emergency alarm systems. Interior design documents submitted for the issuance of a building permit by an individual performing interior design services who is not a licensed architect must include a seal issued by the department and in conformance with the requirements of s. 481.221.

Section 45. 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 and certificate of registrations.

(3) A license or certificate of registration renewal may not be issued to an architect or a registered interior designer by the department until the licensee or registrant submits proof satisfactory to the department that, during the 2 years prior to application for renewal, the licensee or registrant participated per biennium in not less than 20 hours of at least 50 minutes each per biennium of continuing education approved by the board. The board shall approve only continuing education that builds upon the basic knowledge of architecture or interior design. The board may make exception from the
requirements of continuing education in emergency or hardship cases.

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

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

Section 46. Section 481.217, Florida Statutes, is amended to read:

481.217 Inactive status.—

(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 47. Section 481.219, Florida Statutes, is amended to read:

481.219 Qualification of business organizations certification of partnerships, limited liability companies, and
A licensee may The practice of or the offer to practice architecture or interior design by licensees through a qualified business organization that offers corporation, limited liability company, or partnership offering architectural or interior design services to the public, or by a corporation, limited liability company, or partnership offering architectural or interior design services to the public through licensees under this part as agents, employees, officers, or partners, is permitted, subject to the provisions of this section.

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

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

(4) All final construction documents and instruments of
service which include drawings, specifications, plans, reports,
or other papers or documents that involve the practice of architecture which are prepared or approved for the use of the business organization, limited liability company, or partnership and filed for public record within the state must bear the signature and seal of the licensee who prepared or approved them and the date on which they were 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 allow a licensee or certify an applicant to qualify one or more business organizations as qualified for a certificate of authorization to offer architectural or interior design services, or to use a fictitious name to offer such services, if provided that:

(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 designers, are registered as provided by this part.

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

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

(6)(10) Each qualifying agent who qualifies a business organization, partnership, limited liability company, or corporation certified under this section shall notify the department within 30 days after any change in the information contained in the application upon which the qualification certification is based. Any registered architect or interior designer who qualifies the business organization shall ensure responsible supervising control of projects of the business organization entity and shall notify the department of the upon termination of her or his employment with a business organization qualified partnership, limited liability company, or corporation certified under this section shall notify the department of the termination within 30 days after such termination.

(7)(11) A business organization is not relieved of
580-02430-20

responsibility for the conduct or acts of its agents, employees,
or officers by reason of its compliance with this section.
However, except as provided in s. 558.0035, the architect who
signs and seals the construction documents and instruments of
service is liable for the professional services
performed, and the interior designer who signs and seals the
interior design drawings, plans, or specifications shall be
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 be construed
to mean that a certificate of registration to practice
architecture or interior design shall be held by a business
organization corporation, limited liability company, or
partnership. Nothing in This section does not prohibit a
business organization from offering prohibits corporations,
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 if the business
organization, 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 48. Subsections (1), (3), (5), (7), (10), (11), and (12) of section 481.221, Florida Statutes, are amended to read:

481.221 Seals; display of certificate number.—

(1) The department board shall prescribe, by rule, one or more forms of seals to be used by registered architects holding valid certificates of registration.

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

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

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

(10) Each registered architect must or interior designer,
and each corporation, limited liability company, or partnership
holding a certificate of authorization, shall include her or his
license its certificate number in any newspaper, telephone
directory, or other advertising medium used by the registered
licensee. Each business organization must include the license
number of the registered architect who serves as the qualifying
agent for that business organization in any newspaper, telephone
directory, or other advertising medium used by the business
organization architect, interior designer, corporation, limited
liability company, or partnership. A corporation, limited
liability company, or partnership is not required to display the
certificate number of individual registered architects or
interior designers employed by or working within the
corporation, limited liability company, or partnership.

(11) When the certificate of registration of a registered
architect or interior designer has been revoked or suspended by
the board, the registered architect or interior designer shall
surrender her or his seal to the secretary of the board within a
period of 30 days after the revocation or suspension has become
effective. If the certificate of the registered architect or
interior designer has been suspended for a period of time, her
or his seal shall be returned to her or him upon expiration of
the suspension period.
A person may not sign and seal by any means any final plan, specification, or report after her or his certificate of registration has expired or is suspended or revoked. A registered architect or interior designer whose certificate of registration is suspended or revoked shall, within 30 days after the effective date of the suspension or revocation, surrender her or his seal to the executive director of the board and confirm in writing to the executive director the cancellation of the registered architect’s or interior designer’s electronic signature in accordance with ss. 668.001-668.006. When a registered architect’s or interior designer’s certificate of registration is suspended for a period of time, her or his seal shall be returned upon expiration of the period of suspension.

Section 49. Section 481.223, Florida Statutes, is amended to read:

481.223 Prohibitions; penalties; injunctive relief.—

(1) A person may not knowingly:

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

(b) Practice interior design unless the person is a registered interior designer unless otherwise exempted herein; however, an interior designer who has been licensed by the board and who chooses to relinquish or not to renew his or her license may use the title “Interior Designer, Retired” but may not otherwise render any interior design services.
(b) Use the name or title "architect," or "registered architect," or "interior designer," or "registered interior designer," or words to that effect, when the person is not then the holder of a valid license or certificate of registration issued pursuant to this part. This paragraph does not restrict the use of the name or title "interior designer" or "interior design firm."

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

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

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

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

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

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

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

(b) For purposes of this subsection, the term “affected person” means a person directly affected by the actions of a
person suspected of violating paragraph (1)(a) or paragraph (1)(b), or paragraph (1)(c) and includes, but is not limited to, the department, any person who received services from the alleged violator, or any private association composed primarily of members of the profession the alleged violator is practicing or offering to practice or holding himself or herself out as qualified to practice.

Section 50. 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 register, obtaining, or renewing registration by bribery, by fraudulent misrepresentation, or through an error of the board, a license to practice interior design;

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

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

(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 registrant licensee 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;

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

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

(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;

(l) 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)(m) 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 full-
time 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:

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

(b) Refusal to renew an existing registration license;

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

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

(e) Issuance of a reprimand.

Section 51. Paragraph (b) of subsection (5), and subsections (6), and (8) of section 481.229, Florida Statutes, are amended to read:

481.229 Exceptions; exemptions from licensure.—

(5)

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

(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

CODING: Words stricken are deletions; words underlined are additions.
residences, including, but not limited to, residence buildings, single-family homes, multifamily homes, townhouses, apartments, condominiums, and domestic outbuildings appurtenant to one-family 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, 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 protection, smoke evacuation and compartmentalization, and 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 52. Subsection (1) of section 481.231, Florida
Statutes, is amended to read:

481.231 Effect of part locally.—

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

Section 53. Section 481.303, Florida Statutes, is amended
to read:

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

(1) “Board” means the Board of Landscape Architecture.

(3)(2) “Department” means the Department of Business and
Professional Regulation.

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

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

(5) "Landscape design" means consultation for and preparation of planting plans drawn for compensation, including 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 for tangible objects and irrigation systems shall be designed or approved by licensed professionals as required by law.

Section 54. Section 481.310, Florida Statutes, is amended to read:

481.310 Practical experience requirement.—Beginning October 1, 1990, every applicant for licensure as a registered landscape architect shall demonstrate, prior to licensure, 1 year of practical experience in landscape architectural work. An applicant who holds a master of landscape architecture degree and a bachelor’s degree in a related field is not required to demonstrate 1 year of practical experience in landscape architectural work to obtain licensure. The board shall adopt rules providing standards for the required experience. An applicant who qualifies for examination pursuant to s. 481.309(1)(b)1. may obtain the practical experience after 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 this section.

Section 55. Subsections (3) and (4) of section 481.311, Florida 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.

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

Section 56. Subsection (2) of section 481.317, Florida
Statutes, is amended to read:

481.317 Temporary certificates.—

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

Section 57. 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 or partnership shall bear the signature and seal of a registered landscape architect.

(3) A landscape architect applying to practice in the name of a corporation must file with the department the names and addresses of all officers and board members of the corporation, including the principal officer or officers, duly registered to practice landscape architecture in this state and, also, of all individuals duly registered to practice landscape architecture in this state who shall be in responsible charge of the practice of landscape architecture by the corporation in this state. A landscape architect applying to
practice in the name of a partnership must file with the department the names and addresses of all partners of the partnership, including the partner or partners duly registered to practice landscape architecture in this state and, also, of an individual or individuals duly registered to practice landscape architecture in this state who shall be in responsible charge of the practice of landscape architecture by said partnership in this state.

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

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

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

Section 58. Subsection (5) of section 481.321, Florida Statutes, is amended to read:

481.321 Seals; display of certificate number.—
(5) Each registered landscape architect must and each
corporation or partnership holding a certificate of authorization shall include her or his certificate number in any newspaper, telephone directory, or other advertising medium used by the registered landscape architect, corporation, or partnership. A corporation or partnership must not be required to display the certificate number of at least one officer, director, owner, or partner who is an individual registered landscape architect employed by or practicing with the corporation or partnership.

Section 59. Subsection (5) of section 481.329, Florida Statutes, is amended to read:

481.329 Exceptions; exemptions from licensure.—

(5) This part does not prohibit any person from engaging in the practice of landscape design, as defined in s. 481.303(7), or from submitting for approval to a governmental agency planting plans that are independent of, or a component of, construction documents that are prepared by a Florida-registered professional. Persons providing landscape design services shall not use the title, term, or designation "landscape architect," "landscape architectural," "landscape architecture," "L.A.," "landscape engineering," or any description tending to convey the impression that she or he is a landscape architect unless she or he is registered as provided in this part.

Section 60. Subsection (9) of section 489.103, Florida Statutes, is amended to read:

489.103 Exemptions.—This part does not apply to:

(9) Any work or operation of a casual, minor, or inconsequential nature in which the aggregate contract price for
labor, materials, and all other items is less than $2,500
1,000, but this exemption does not apply:
(a) If the construction, repair, remodeling, or improvement
is a part of a larger or major operation, whether undertaken by
the same or a different contractor, or in which a division of
the operation is made in contracts of amounts less than $2,500
$1,000 for the purpose of evading this part or otherwise.
(b) To a person who advertises that he or she is a
contractor or otherwise represents that he or she is qualified
to engage in contracting.
Section 61. Subsection (2) of section 489.111, Florida
Statutes, is amended to read:
489.111 Licensure by examination.—
(2) A person shall be eligible for licensure by examination
if the person:
(a) Is 18 years of age;
(b) Is of good moral character; and
(c) Meets eligibility requirements according to one of the
following criteria:
1. Has received a baccalaureate degree from an accredited
4-year college in the appropriate field of engineering,
architecture, or building construction and has 1 year of proven
experience in the category in which the person seeks to qualify.
For the purpose of this part, a minimum of 2,000 person-hours
shall be used in determining full-time equivalency.
2. Has a total of at least 4 years of active experience as
a worker who has learned the trade by serving an apprenticeship
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
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.

3. Has a combination of not less than 1 year of experience as a foreman and not less than 3 years of credits for any accredited college-level courses; has a combination of not less than 1 year of experience as a skilled worker, 1 year of experience as a foreman, and not less than 2 years of credits for any accredited college-level courses; or has a combination of not less than 2 years of experience as a skilled worker, 1 year of experience as a foreman, and not less than 1 year of credits for any accredited college-level courses. All junior college or community college-level courses shall be considered accredited college-level courses.

4.a. An active certified residential contractor is eligible to receive a certified building contractor license after passing or having previously passed take the building 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 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
580-02430-20

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.

5.a. An active certified air-conditioning Class C
certif contract is eligible to receive a certified air-conditioning

Class B contractor license after passing or having previously

passed take the air-conditioning Class B 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 air-conditioning Class C contractor

is eligible to receive a certified air-conditioning Class A

contractor license after passing or having previously passed

take the air-conditioning Class A 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 air-conditioning Class B contractor

is eligible to receive a certified air-conditioning Class A

contractor license after passing or having previously passed

take 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 receive a certified residential swimming pool

contractor license after passing or having previously passed

take 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 receive a certified commercial swimming pool contractor license after passing or having previously passed take 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 receive a certified commercial swimming pool contractor license after passing or having previously passed take 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 receive a certified swimming pool/spa servicing contractor license after passing or having previously passed take the swimming pool/spa servicing contractors’ examination if he or she has satisfactorily completed 60 hours of instruction in courses related to the scope of work covered by that license and approved by the Construction Industry Licensing Board by rule and has at least 1 year of proven experience related to the scope of work of such a contractor.

Section 62. Subsection (3) of section 489.115, Florida Statutes, is amended to read:

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

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

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

Section 63. Subsection (5) of section 489.511, Florida Statutes, is amended to read:

489.511 Certification; application; examinations;
endorsement.—

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

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

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

(c) Has held a valid, current license to practice electrical or alarm system 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 ss. 489.510 and 489.521(3)(a), and subparagraph (1)(b)1. Such application must be made either when the license in another state or territory is active or within 2 years after such license was last active.

Section 64. 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.—

(3) Each certificateholder or registrant shall provide proof, in a form established by rule of the board, that the certificateholder or registrant has completed at least 11 14
classroom hours of at least 50 minutes each of continuing education courses during each biennium since the issuance or renewal of the certificate or registration. The board shall by rule establish criteria for the approval of continuing education courses and providers and may by rule establish criteria for accepting alternative nonclassroom continuing education on an hour-for-hour basis.

(4) Of the 14 classroom hours of continuing education required, at least 6 hours must be on technical subjects, 1 hour on workers’ compensation, 1 hour on workplace safety, 1 hour on business practices, and for alarm system contractors and electrical contractors engaged in alarm system contracting, 2 hours on false alarm prevention.

Section 65. Paragraph (b) of subsection (1) of section 489.518, Florida Statutes, is amended to read:

489.518 Alarm system agents.—

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

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

Section 66. Section 509.102, Florida Statutes, is created
to read:

509.102 Mobile food dispensing vehicles; preemption.—
(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 and the regulation of
the operation of mobile food dispensing vehicles is preempted to
the state. A municipality, county, or other local government
entity may not:

(a) 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;

(b) Prohibit mobile food dispensing vehicles from operating
within the entity’s jurisdiction.
Section 67. Paragraph (i) of subsection (2) of section 548.003, Florida Statutes, is amended to read:

548.003 Florida State Boxing Commission.—

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

(i) Designation and duties of a knockdown timekeeper.

Section 68. Subsection (1) of section 548.017, Florida Statutes, is amended to read:

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

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

Section 69. Paragraph (d) of subsection (1) of section 553.5141, Florida Statutes, is amended to read:

553.5141 Certifications of conformity and remediation plans.—

(1) For purposes of this section:

CODING: Words stricken are deletions; words underlined are additions.
(d) “Qualified expert” means:

1. An engineer licensed pursuant to chapter 471.
2. A certified general contractor licensed pursuant to chapter 489.
3. A certified building contractor licensed pursuant to chapter 489.
4. A building code administrator licensed pursuant to chapter 468.
5. A building inspector licensed pursuant to chapter 468.
6. A plans examiner licensed pursuant to chapter 468.
7. An interior designer registered pursuant to chapter 481.
8. An architect licensed pursuant to chapter 481.
9. A landscape architect licensed pursuant to chapter 481.
10. Any person who has prepared a remediation plan related to a claim under Title III of the Americans with Disabilities Act, 42 U.S.C. s. 12182, that has been accepted by a federal court in a settlement agreement or court proceeding, or who has been qualified as an expert in Title III of the Americans with Disabilities Act, 42 U.S.C. s. 12182, by a federal court.

Section 70. Effective January 1, 2021, subsection (1) of section 553.74, Florida Statutes, is amended to read:

553.74 Florida Building Commission.—

(1) The Florida Building Commission is created and located within the Department of Business and Professional Regulation for administrative purposes. Members are appointed by the Governor subject to confirmation by the Senate. The commission is composed of 19 members, consisting of the following members:
(a) One architect licensed pursuant to chapter 481 with at least 5 years of experience in the design and construction of buildings designated for Group E or Group I occupancies by the Florida Building Code registered to practice in this state and actively engaged in the profession. The American Institute of Architects, Florida Section, is encouraged to recommend a list 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.

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

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

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

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

(f) 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) 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) 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) 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.

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

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

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

(o) One mechanical or electrical 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.

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

(l)(q) One member of the building products manufacturing industry who is authorized to do business in this state and is actively engaged in the industry. The Florida Building Material Association, the Florida Concrete and Products Association, and the Fenestration Manufacturers Association are encouraged to recommend a list of candidates for consideration.
(m) One member who is a representative of the building owners and managers industry who is actively engaged in commercial building ownership or management. The Building Owners and Managers Association is encouraged to recommend a list of candidates for consideration.

(n) 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.

(o) 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) 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).

(q) 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.
Section 71. Subsection (7) of section 558.002, Florida Statutes, is amended to read:

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

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

Section 72. Subsection (3) of section 559.25, Florida Statutes, is amended to read:

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

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

Section 73. Paragraphs (h) and (k) of subsection (2) of section 287.055, Florida Statutes, are amended to read:

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

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

(h) A “design-build firm” means a partnership, corporation, or other legal entity that:

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

2. Is certified under s. 471.023 to practice or
to offer to practice engineering; qualified certified under s. 481.219 to practice or to offer to practice architecture; or qualified certified under s. 481.319 to practice or to offer to practice landscape architecture.

(k) A “design criteria professional” means a firm that is qualified 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 74. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2020.