

By the Committee on Innovation, Industry, and Technology; and
Senator Albritton

580-02430-20

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1 A bill to be entitled
2 An act relating to the deregulation of professions and
3 occupations; providing a short title; amending s.
4 20.165, F.S.; renaming the Board of Architecture and
5 Interior Design as the Board of Architecture within
6 the Department of Business and Professional
7 Regulation; amending s. 322.57, F.S.; defining the
8 term "servicemember"; requiring the Department of
9 Highway Safety and Motor Vehicles to waive the
10 requirement to pass the Commercial Driver License
11 Skills Tests for certain servicemembers and veterans;
12 requiring an applicant who receives such waiver to
13 complete certain requirements within a specified time;
14 requiring the department to adopt rules; amending s.
15 326.004, F.S.; deleting the requirement that a yacht
16 broker maintain a separate license for each branch
17 office; deleting the requirement that the Division of
18 Florida Condominiums, Timeshares, and Mobile Homes
19 establish a fee; amending s. 447.02, F.S.; conforming
20 provisions to changes made by the act; repealing s.
21 447.04, F.S., relating to licensure and permit
22 requirements for business agents; repealing s.
23 447.041, F.S., relating to hearings for persons or
24 labor organizations denied licensure as a business
25 agent; repealing s. 447.045, F.S., relating to
26 confidential information obtained during the
27 application process; repealing s. 447.06, F.S.,
28 relating to required registration of labor
29 organizations; amending s. 447.09, F.S.; deleting

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30 certain prohibited actions relating to the right of
31 franchise of a member of a labor organization;
32 repealing s. 447.12, F.S., relating to registration
33 fees; repealing s. 447.16, F.S., relating to
34 applicability; amending s. 447.305, F.S.; deleting a
35 provision that requires notification of registrations
36 and renewals to the Department of Business and
37 Professional Regulation; amending s. 455.213, F.S.;
38 requiring the department or a board to enter into
39 reciprocal licensing agreements with other states
40 under certain circumstances; providing requirements;
41 amending s. 456.072, F.S.; specifying that the failure
42 to repay certain student loans is not considered a
43 failure to perform a statutory or legal obligation for
44 which certain disciplinary action can be taken;
45 conforming provisions to changes made by the act;
46 repealing s. 456.0721, F.S., relating to health care
47 practitioners who are in default on student loan or
48 scholarship obligations; amending s. 456.074, F.S.;
49 deleting a provision relating to the suspension of a
50 license issued by the Department of Health for
51 defaulting on certain student loans; amending s.
52 468.385, F.S.; revising requirements relating to
53 businesses auctioning or offering to auction property
54 in this state; amending s. 468.603, F.S.; revising
55 which inspectors are included in the definition of the
56 term "categories of building code inspectors";
57 amending s. 468.613, F.S.; providing for waiver of
58 specified requirements for certification under certain

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59 circumstances; amending s. 468.8314, F.S.; requiring
60 an applicant for a license by endorsement to maintain
61 a specified insurance policy; requiring the department
62 to certify an applicant who holds a specified license
63 issued by another state or territory of the United
64 States under certain circumstances; amending s.
65 471.015, F.S.; revising licensure requirements for
66 engineers who hold specified licenses in another
67 state; amending s. 473.308, F.S.; deleting continuing
68 education requirements for license by endorsement for
69 certified public accountants; amending s. 474.202,
70 F.S.; revising the definition of the term "limited-
71 service veterinary medical practice" to include
72 certain procedures; amending s. 474.207, F.S.;
73 revising education requirements for licensure by
74 examination; amending s. 474.217, F.S.; requiring the
75 department to issue a license by endorsement to
76 certain applicants who successfully complete a
77 specified examination; amending s. 476.114, F.S.;
78 revising training requirements for licensure as a
79 barber; amending s. 476.144, F.S.; requiring the
80 department to certify as qualified for licensure by
81 endorsement an applicant who is licensed to practice
82 barbering in another state; amending s. 477.013, F.S.;
83 revising the definition of the term "hair braiding";
84 repealing s. 477.0132, F.S., relating to registration
85 for hair braiding, hair wrapping, and body wrapping;
86 amending s. 477.0135, F.S.; providing additional
87 exemptions from license or registration requirements

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88 for specified occupations or practices; amending s.
89 477.019, F.S.; deleting a provision prohibiting the
90 Board of Cosmetology from asking for proof of certain
91 educational hours under certain circumstances;
92 revising requirements for certification of licensure
93 by endorsement for a certain applicant to engage in
94 the practice of cosmetology; conforming provisions to
95 changes made by the act; amending s. 477.0201, F.S.;
96 providing requirements for registration as a
97 specialist; amending s. 477.026, F.S.; conforming
98 provisions to changes made by the act; amending s.
99 477.0263, F.S.; providing that certain cosmetology
100 services may be performed in a location other than a
101 licensed salon under certain circumstances; amending
102 ss. 477.0265 and 477.029, F.S.; conforming provisions
103 to changes made by the act; amending s. 481.201, F.S.;
104 deleting legislative findings relating to the practice
105 of interior design; amending s. 481.203, F.S.;
106 revising and deleting definitions; amending s.
107 481.205, F.S.; conforming provisions to changes made
108 by the act; amending s. 481.207, F.S.; authorizing the
109 board to establish certain fees for certificates of
110 registration for interior designers; specifying that
111 such registration is valid for a specified period of
112 time; authorizing registered interior designers to
113 renew such registration; conforming provisions to
114 changes made by the act; amending s. 481.209, F.S.;
115 providing requirements for a certificate of
116 registration and a seal for interior designers;

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117 conforming provisions to changes made by the act;
118 amending s. 481.213, F.S.; revising requirements for
119 certification of licensure by endorsement for a
120 certain licensee to engage in the practice of
121 architecture; providing that a registration is not
122 required for specified persons to practice; conforming
123 provisions to changes made by the act; amending s.
124 481.2131, F.S.; requiring certain interior designers
125 to include a specified seal when submitting documents
126 for the issuance of a building permit; amending s.
127 481.215, F.S.; conforming provisions to changes made
128 by the act; deleting a provision requiring a specified
129 number of hours in certain courses for the renewal of
130 a license; amending s. 481.217, F.S.; conforming
131 provisions to changes made by the act; amending s.
132 481.219, F.S.; deleting provisions permitting the
133 practice of or offer to practice interior design
134 through certain business organizations; deleting
135 provisions requiring certificates of authorization for
136 certain business organizations offering interior
137 design services to the public; requiring a licensee or
138 applicant in the practice of architecture to qualify
139 as a business organization; providing requirements;
140 amending s. 481.221, F.S.; conforming provisions to
141 changes made by the act; requiring registered
142 architects and certain business organizations to
143 display certain license numbers in specified
144 advertisements; amending s. 481.223, F.S.; providing
145 construction; conforming provisions to changes made by

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146 the act; amending s. 481.2251, F.S.; revising the acts
147 that constitute grounds for disciplinary actions
148 relating to interior designers; conforming provisions
149 to changes made by the act; amending ss. 481.229 and
150 481.231, F.S.; conforming provisions to changes made
151 by the act; amending s. 481.303, F.S.; deleting the
152 definition of the term "certificate of authorization";
153 amending s. 481.310, F.S.; providing that an applicant
154 who holds certain degrees is not required to
155 demonstrate 1 year of practical experience for
156 licensure; amending s. 481.311, F.S.; revising
157 requirements for certification of licensure by
158 endorsement for a certain applicant to engage in the
159 practice of landscape architecture; amending s.
160 481.317, F.S.; conforming provisions to changes made
161 by the act; amending s. 481.319, F.S.; deleting the
162 requirement for a certificate of authorization;
163 authorizing landscape architects to practice in the
164 name of a corporation or partnership; amending s.
165 481.321, F.S.; requiring a landscape architect to
166 display a certain certificate number in specified
167 advertisements; amending s. 481.329, F.S.; conforming
168 a cross-reference; amending s. 489.103, F.S.; revising
169 certain contract prices for exemption; amending s.
170 489.111, F.S.; revising provisions relating to
171 eligibility for licensure; amending s. 489.115, F.S.;
172 requiring the Construction Industry Licensing Board to
173 certify any applicant who holds a specified license to
174 practice contracting issued by another state or

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175 territory of the United States under certain
176 circumstances; amending s. 489.511, F.S.; requiring
177 the board to certify as qualified for certification by
178 endorsement any applicant who holds a specified
179 license to practice electrical or alarm system
180 contracting issued by another state or territory of
181 the United States under certain circumstances;
182 amending s. 489.517, F.S.; providing a reduction in
183 certain continuing education hours required for
184 registered contractors; amending s. 489.518, F.S.;
185 requiring a person to have completed a specified
186 amount of training within a certain time period to
187 perform the duties of an alarm system agent; creating
188 s. 509.102; preempting the regulation of mobile food
189 dispensing vehicles to the state; defining the term
190 mobile food dispensing vehicle; amending s. 548.003,
191 F.S.; deleting the requirement that the Florida State
192 Boxing Commission adopt rules relating to a knockdown
193 timekeeper; amending s. 548.017, F.S.; deleting the
194 licensure requirement for a timekeeper or an
195 announcer; amending s. 553.5141, F.S.; conforming
196 provisions to changes made by the act; amending s.
197 553.74, F.S.; revising the membership and
198 qualifications of the Florida Building Commission;
199 amending ss. 558.002, 559.25, and 287.055, F.S.;
200 conforming provisions to changes made by the act;
201 providing effective dates.

202
203 Be It Enacted by the Legislature of the State of Florida:

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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

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233 471.

234 12. Board of Professional Geologists, created under chapter
235 492.

236 13. Board of Veterinary Medicine, created under chapter
237 474.

238 14. Home inspection services licensing program, created
239 under part XV of chapter 468.

240 15. Mold-related services licensing program, created under
241 part XVI of chapter 468.

242 Section 3. Present subsection (4) of section 322.57,
243 Florida Statutes, is redesignated as subsection (5), and a new
244 subsection (4) is added to that section, to read

245 322.57 Tests of knowledge concerning specified vehicles;
246 endorsement; nonresidents; violations.-

247 (4) (a) As used in this subsection, the term "servicemember"
248 means a member of any branch of the United States military or
249 military reserves, the United States Coast Guard or its
250 reserves, the Florida National Guard, or the Florida Air
251 National Guard.

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

255 1. The applicant has been honorably discharged from
256 military service within 1 year of the application, if the
257 applicant is a veteran;

258 2. The applicant is trained as an MOS 88M Army Motor
259 Transport Operator or similar military job specialty;

260 3. The applicant has received training to operate large
261 trucks in compliance with the Federal Motor Carrier Safety

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262 Administration; and

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

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

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

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

273 326.004 Licensing.—

274 (13) Each broker must maintain a principal place of
275 business in this state and may establish branch offices in the
276 state. ~~A separate license must be maintained for each branch~~
277 ~~office. The division shall establish by rule a fee not to exceed~~
278 ~~\$100 for each branch office license.~~

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

281 447.02 Definitions.—The following terms, when used in this
282 chapter, shall have the meanings ascribed to them in this
283 section:

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

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

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

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

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

290 Section 10. Subsections (6) and (8) of section 447.09,

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291 Florida Statutes, are amended to read:

292 447.09 Right of franchise preserved; penalties.—It shall be
293 unlawful for any person:

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

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

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

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

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

302 447.305 Registration of employee organization.—

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

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

309 455.213 General licensing provisions.—

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

319 Section 15. Paragraph (k) of subsection (1) of section

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320 456.072, Florida Statutes, is amended to read:

321 456.072 Grounds for discipline; penalties; enforcement.—

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

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

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

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

342 456.074 Certain health care practitioners; immediate
343 suspension of license.—

344 ~~(4) Upon receipt of information that a Florida-licensed~~
345 ~~health care practitioner has defaulted on a student loan issued~~
346 ~~or guaranteed by the state or the Federal Government, the~~
347 ~~department shall notify the licensee by certified mail that he~~
348 ~~or she shall be subject to immediate suspension of license~~

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349 ~~unless, within 45 days after the date of mailing, the licensee~~
350 ~~provides proof that new payment terms have been agreed upon by~~
351 ~~all parties to the loan. The department shall issue an emergency~~
352 ~~order suspending the license of any licensee who, after 45 days~~
353 ~~following the date of mailing from the department, has failed to~~
354 ~~provide such proof. Production of such proof shall not prohibit~~
355 ~~the department from proceeding with disciplinary action against~~
356 ~~the licensee pursuant to s. 456.073.~~

357 Section 18. Paragraph (b) of subsection (7) of section
358 468.385, Florida Statutes, is amended to read:

359 468.385 Licenses required; qualifications; examination.—

360 (7)

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

370 Section 19. Paragraph (f) of subsection (5) of section
371 468.603, Florida Statutes, is amended to read:

372 468.603 Definitions.—As used in this part:

373 (5) "Categories of building code inspectors" include the
374 following:

375 (f) "Residential One and two family dwelling inspector"
376 means a person who is qualified to inspect and determine that
377 one-family, two-family, or three-family residences not exceeding

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378 two habitable stories above no more than one uninhabitable story
379 and accessory use structures in connection therewith ~~one and two~~
380 ~~family dwellings and accessory structures~~ are constructed in
381 accordance with the provisions of the governing building,
382 plumbing, mechanical, accessibility, and electrical codes.

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

385 468.613 Certification by endorsement.—The board shall
386 examine other certification or training programs, as applicable,
387 upon submission to the board for its consideration of an
388 application for certification by endorsement. The board shall
389 waive its examination, qualification, education, or training
390 requirements, to the extent that such examination,
391 qualification, education, or training requirements of the
392 applicant are determined by the board to be comparable with
393 those established by the board. The board shall waive its
394 examination, qualification, education, or training requirements
395 if an applicant for certification by endorsement is at least 18
396 years of age; is of good moral character; has held a valid
397 building administrator, inspector, plans examiner, or the
398 equivalent, certification issued by another state or territory
399 of the United States for at least 10 years before the date of
400 application; and has successfully passed an applicable
401 examination administered by the International Code Council. Such
402 application must be made either when the license in another
403 state or territory is active or within 2 years after such
404 license was last active.

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

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407 468.8314 Licensure.—

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

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

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

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

427 471.015 Licensure.—

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

434 (b) The board shall deem that an applicant who seeks
435 licensure by endorsement has passed an examination substantially

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436 equivalent to the fundamentals examination and the principles
437 and practices examination when such applicant has held a valid
438 professional engineer's license in another state for 15 ~~25~~ years
439 ~~and has had 30 years of continuous professional-level~~
440 ~~engineering experience.~~

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

443 473.308 Licensure.—

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

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

452 ~~2. Has completed such continuing education courses as the~~
453 ~~board deems appropriate, within the limits for each applicable~~
454 ~~2-year period as set forth in s. 473.312, but at least such~~
455 ~~courses as are equivalent to the continuing education~~
456 ~~requirements for a Florida certified public accountant licensed~~
457 ~~in this state during the 2 years immediately preceding her or~~
458 ~~his application for licensure by endorsement; or~~

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

464 2.b. Holds a valid license to practice public accounting

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465 issued by another state or territory of the United States but
466 the criteria for issuance of such license did not meet the
467 requirements of sub-subparagraph a.; has met the requirements of
468 this section for education, work experience, and good moral
469 character; and has passed a national, regional, state, or
470 territorial licensing examination that is substantially
471 equivalent to the examination required by s. 473.306; or

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

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

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

486 474.202 Definitions.—As used in this chapter:

487 (6) "Limited-service veterinary medical practice" means
488 offering or providing veterinary services at any location that
489 has a primary purpose other than that of providing veterinary
490 medical service at a permanent or mobile establishment permitted
491 by the board; provides veterinary medical services for privately
492 owned animals that do not reside at that location; operates for
493 a limited time; and provides limited types of veterinary medical

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494 services, including vaccinations or immunizations against
495 disease, preventative procedures for parasitic control, and
496 microchipping.

497 Section 25. Paragraph (b) of subsection (2) of section
498 474.207, Florida Statutes, is amended to read:

499 474.207 Licensure by examination.—

500 (2) The department shall license each applicant who the
501 board certifies has:

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

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

510

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

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

519 474.217 Licensure by endorsement.—

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

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523 he:

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

527 (b)1. ~~Either~~ Holds, and has held for the 3 years
528 immediately preceding the application for licensure, a valid,
529 active license to practice veterinary medicine in another state
530 of the United States, the District of Columbia, or a territory
531 of the United States, provided that the applicant has
532 successfully completed a state, regional, national, or other
533 examination that is equivalent to or more stringent than the
534 examination required by the board ~~requirements for licensure in~~
535 ~~the issuing state, district, or territory are equivalent to or~~
536 ~~more stringent than the requirements of this chapter; or~~

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

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

545 476.114 Examination; prerequisites.—

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

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

549 (b) Pays the required application fee; and

550 (c)1. Holds an active valid license to practice barbering
551 in another state, has held the license for at least 1 year, and

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552 does not qualify for licensure by endorsement as provided for in
553 s. 476.144(5); or

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

- 559 a. A school of barbering licensed pursuant to chapter 1005;
560 b. A barbering program within the public school system; or
561 c. A government-operated barbering program in this state.

562

563 The board shall establish by rule procedures whereby the school
564 or program may certify that a person is qualified to take the
565 required examination after the completion of a minimum of 600
566 ~~1,000~~ actual school hours. If the person passes the examination,
567 she or he shall have satisfied this requirement; but if the
568 person fails the examination, she or he shall not be qualified
569 to take the examination again until the completion of the full
570 requirements provided by this section.

571 Section 28. Subsection (5) of section 476.144, Florida
572 Statutes, is amended to read:

573 476.144 Licensure.—

574 (5) The board shall certify as qualified for licensure by
575 endorsement as a barber in this state an applicant who holds a
576 current active license to practice barbering in another state.

577 The board shall adopt rules specifying procedures for the
578 licensure by endorsement of practitioners desiring to be
579 licensed in this state who hold a current active license in
580 another ~~state or~~ country and who have met qualifications

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581 substantially similar to, equivalent to, or greater than the
582 qualifications required of applicants from this state.

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

585 477.013 Definitions.—As used in this chapter:

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

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

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

595 477.0135 Exemptions.—

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

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

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

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

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

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610 477.019 Cosmetologists; qualifications; licensure;
611 supervised practice; license renewal; endorsement; continuing
612 education.—

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

624 (7) (a) The board shall prescribe by rule continuing
625 education requirements intended to ensure protection of the
626 public through updated training of licensees and registered
627 specialists, not to exceed 10 ~~16~~ hours biennially, as a
628 condition for renewal of a license or registration as a
629 specialist under this chapter. Continuing education courses
630 shall include, but not be limited to, the following subjects as
631 they relate to the practice of cosmetology: human
632 immunodeficiency virus and acquired immune deficiency syndrome;
633 Occupational Safety and Health Administration regulations;
634 workers' compensation issues; state and federal laws and rules
635 as they pertain to cosmetologists, cosmetology, salons,
636 specialists, specialty salons, and booth renters; chemical
637 makeup as it pertains to hair, skin, and nails; and
638 environmental issues. Courses given at cosmetology conferences

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

641 ~~(b) Any person whose occupation or practice is confined~~
642 ~~solely to hair braiding, hair wrapping, or body wrapping is~~
643 ~~exempt from the continuing education requirements of this~~
644 ~~subsection.~~

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

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

652 477.0201 Specialty registration; qualifications;
653 registration renewal; endorsement.—

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

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

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

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

665 2. Two hundred and twenty hours of training, as established
666 by the board, which shall focus primarily on sanitation and
667 safety, to practice the specialty as defined in s.

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668 477.013(6)(c); or

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

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

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

684 Section 34. Paragraph (f) of subsection (1) of section
685 477.026, Florida Statutes, is amended to read:

686 477.026 Fees; disposition.—

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

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

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

694 477.0263 Cosmetology services to be performed in licensed
695 salon; exceptions.—

696 (4) Pursuant to rules adopted by the board, any cosmetology

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697 or specialty service may be performed in a location other than a
698 licensed salon when the service is performed in connection with
699 a special event and is performed by a person ~~who is employed by~~
700 ~~a licensed salon and~~ who holds the proper license or specialty
701 registration. ~~An appointment for the performance of any such~~
702 ~~service in a location other than a licensed salon must be made~~
703 ~~through a licensed salon.~~

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

709 Section 36. Paragraph (f) of subsection (1) of section
710 477.0265, Florida Statutes, is amended to read:

711 477.0265 Prohibited acts.—

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

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

717 Section 37. Paragraph (a) of subsection (1) of section
718 477.029, Florida Statutes, is amended to read:

719 477.029 Penalty.—

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

721 (a) Hold himself or herself out as a cosmetologist or
722 ~~specialist, hair wrapper, hair braider, or body wrapper~~ unless
723 duly licensed or registered, or otherwise authorized, as
724 provided in this chapter.

725 Section 38. Section 481.201, Florida Statutes, is amended

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726 to read:

727 481.201 Purpose.—The primary legislative purpose for
728 enacting this part is to ensure that every architect practicing
729 in this state meets minimum requirements for safe practice. It
730 is the legislative intent that architects who fall below minimum
731 competency or who otherwise present a danger to the public shall
732 be prohibited from practicing in this state. ~~The Legislature~~
733 ~~further finds that it is in the interest of the public to limit~~
734 ~~the practice of interior design to interior designers or~~
735 ~~architects who have the design education and training required~~
736 ~~by this part or to persons who are exempted from the provisions~~
737 ~~of this part.~~

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

740 481.203 Definitions.—As used in this part, the term:

741 (3)~~(1)~~ "Board" means the Board of Architecture and Interior
742 Design.

743 (7)~~(2)~~ "Department" means the Department of Business and
744 Professional Regulation.

745 (1)~~(3)~~ "Architect" or "registered architect" means a
746 natural person who is licensed under this part to engage in the
747 practice of architecture.

748 (5)~~(4)~~ "Certificate of registration" means a license or
749 registration issued by the department to a natural person to
750 engage in the practice of architecture or interior design.

751 (4)~~(5)~~ "Business organization" means a partnership, a
752 limited liability company, a corporation, or an individual
753 operating under a fictitious name ~~"Certificate of authorization"~~
754 ~~means a certificate issued by the department to a corporation or~~

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755 ~~partnership to practice architecture or interior design.~~

756 (2)~~(6)~~ "Architecture" means the rendering or offering to
757 render services in connection with the design and construction
758 of a structure or group of structures which have as their
759 principal purpose human habitation or use, and the utilization
760 of space within and surrounding such structures. These services
761 include planning, providing preliminary study designs, drawings
762 and specifications, job-site inspection, and administration of
763 construction contracts.

764 (16)~~(7)~~ "Townhouse" is a single-family dwelling unit not
765 exceeding three stories in height which is constructed in a
766 series or group of attached units with property lines separating
767 such units. Each townhouse shall be considered a separate
768 building and shall be separated from adjoining townhouses by the
769 use of separate exterior walls meeting the requirements for zero
770 clearance from property lines as required by the type of
771 construction and fire protection requirements; or shall be
772 separated by a party wall; or may be separated by a single wall
773 meeting the following requirements:

774 (a) Such wall shall provide not less than 2 hours of fire
775 resistance. Plumbing, piping, ducts, or electrical or other
776 building services shall not be installed within or through the
777 2-hour wall unless such materials and methods of penetration
778 have been tested in accordance with the Standard Building Code.

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

783 (c) Each dwelling unit sharing such wall shall be designed

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784 and constructed to maintain its structural integrity independent
785 of the unit on the opposite side of the wall.

786 (10)~~(8)~~ "Interior design" means designs, consultations,
787 studies, drawings, specifications, and administration of design
788 construction contracts relating to nonstructural interior
789 elements of a building or structure. "Interior design" includes,
790 but is not limited to, reflected ceiling plans, space planning,
791 furnishings, and the fabrication of nonstructural elements
792 within and surrounding interior spaces of buildings. "Interior
793 design" specifically excludes the design of or the
794 responsibility for architectural and engineering work, except
795 for specification of fixtures and their location within interior
796 spaces. As used in this subsection, "architectural and
797 engineering interior construction relating to the building
798 systems" includes, but is not limited to, construction of
799 structural, mechanical, plumbing, heating, air-conditioning,
800 ventilating, electrical, or vertical transportation systems, or
801 construction which materially affects lifesafety systems
802 pertaining to firesafety protection such as fire-rated
803 separations between interior spaces, fire-rated vertical shafts
804 in multistory structures, fire-rated protection of structural
805 elements, smoke evacuation and compartmentalization, emergency
806 ingress or egress systems, and emergency alarm systems.

807 (11)~~(9)~~ "Registered interior designer" ~~or "interior~~
808 ~~designer"~~ means a natural person who holds a valid certificate
809 of registration to practice interior design ~~is licensed under~~
810 ~~this part.~~

811 (12)~~(10)~~ "Nonstructural element" means an element which
812 does not require structural bracing and which is something other

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813 than a load-bearing wall, load-bearing column, or other load-
814 bearing element of a building or structure which is essential to
815 the structural integrity of the building.

816 (13)~~(11)~~ "Reflected ceiling plan" means a ceiling design
817 plan which is laid out as if it were projected downward and
818 which may include lighting and other elements.

819 (15)~~(12)~~ "Space planning" means the analysis, programming,
820 or design of spatial requirements, including preliminary space
821 layouts and final planning.

822 (6)~~(13)~~ "Common area" means an area that is held out for
823 use by all tenants or owners in a multiple-unit dwelling,
824 including, but not limited to, a lobby, elevator, hallway,
825 laundry room, clubhouse, or swimming pool.

826 (8)~~(14)~~ "Diversified interior design experience" means
827 experience which substantially encompasses the various elements
828 of interior design services set forth under the definition of
829 "interior design" in subsection (10)~~(8)~~.

830 (9)~~(15)~~ "Interior decorator services" includes the
831 selection or assistance in selection of surface materials,
832 window treatments, wallcoverings, paint, floor coverings,
833 surface-mounted lighting, surface-mounted fixtures, and loose
834 furnishings not subject to regulation under applicable building
835 codes.

836 (14)~~(16)~~ "Responsible supervising control" means the
837 exercise of direct personal supervision and control throughout
838 the preparation of documents, instruments of service, or any
839 other work requiring the seal and signature of a licensee under
840 this part.

841 Section 40. Paragraph (a) of subsection (3) of section

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842 481.205, Florida Statutes, is amended to read:

843 481.205 Board of Architecture and Interior Design.—

844 (3) (a) Notwithstanding the provisions of ss. 455.225,
845 455.228, and 455.32, the duties and authority of the department
846 to receive complaints and investigate and discipline persons
847 licensed or registered under this part, including the ability to
848 determine legal sufficiency and probable cause; to initiate
849 proceedings and issue final orders for summary suspension or
850 restriction of a license or certificate of registration pursuant
851 to s. 120.60(6); to issue notices of noncompliance, notices to
852 cease and desist, subpoenas, and citations; to retain legal
853 counsel, investigators, or prosecutorial staff in connection
854 with the licensed practice of architecture or registered ~~and~~
855 interior design; and to investigate and deter the unlicensed
856 practice of architecture ~~and interior design~~ as provided in s.
857 455.228 are delegated to the board. All complaints and any
858 information obtained pursuant to an investigation authorized by
859 the board are confidential and exempt from s. 119.07(1) as
860 provided in s. 455.225(2) and (10).

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

863 481.207 Fees.—

864 (1) The board, by rule, may establish ~~separate~~ fees for
865 architects ~~and interior designers~~, to be paid for applications,
866 examination, reexamination, licensing and renewal, delinquency,
867 reinstatement, and recordmaking and recordkeeping. The
868 examination fee shall be in an amount that covers the cost of
869 obtaining and administering the examination and shall be
870 refunded if the applicant is found ineligible to sit for the

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871 examination. The application fee is nonrefundable. The fee for
872 initial application and examination for architects ~~and interior~~
873 ~~designers~~ may not exceed \$775 plus the actual per applicant cost
874 to the department for purchase of the examination from the
875 National Council of Architectural Registration Boards ~~or the~~
876 ~~National Council of Interior Design Qualifications,~~
877 ~~respectively,~~ or similar national organizations. The biennial
878 renewal fee for architects may not exceed \$200. ~~The biennial~~
879 ~~renewal fee for interior designers may not exceed \$500.~~ The
880 delinquency fee may not exceed the biennial renewal fee
881 established by the board for an active license. The board shall
882 establish fees that are adequate to ensure the continued
883 operation of the board and to fund the proportionate expenses
884 incurred by the department which are allocated to the regulation
885 of architects and registered interior designers. Fees shall be
886 based on department estimates of the revenue required to
887 implement this part and the provisions of law with respect to
888 the regulation of architects and interior designers.

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

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

897 481.209 Examinations.—

898 (1) A person desiring to be licensed as a registered
899 architect by initial examination shall apply to the department,

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900 complete the application form, and remit a nonrefundable
901 application fee. The department shall license any applicant who
902 the board certifies:

903 ~~(a)~~ has passed the licensure examination prescribed by
904 board rule; and

905 ~~(b)~~ is a graduate of a school or college of architecture
906 with a program accredited by the National Architectural
907 Accreditation Board.

908 (2) A person seeking to obtain a certificate of
909 registration as a registered interior designer and a seal
910 pursuant to s. 481.221 must provide the department with his or
911 her name and address and written proof that he or she has
912 successfully passed the qualification examination prescribed by
913 the Council for Interior Design Qualification or its successor
914 entity or the California Council for Interior Design
915 Certification or its successor entity, or has successfully
916 passed an equivalent exam as determined by the department A
917 ~~person desiring to be licensed as a registered interior designer~~
918 ~~shall apply to the department for licensure. The department~~
919 ~~shall administer the licensure examination for interior~~
920 ~~designers to each applicant who has completed the application~~
921 ~~form and remitted the application and examination fees specified~~
922 ~~in s. 481.207 and who the board certifies:~~

923 ~~(a) Is a graduate from an interior design program of 5~~
924 ~~years or more and has completed 1 year of diversified interior~~
925 ~~design experience;~~

926 ~~(b) Is a graduate from an interior design program of 4~~
927 ~~years or more and has completed 2 years of diversified interior~~
928 ~~design experience;~~

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929 ~~(c) Has completed at least 3 years in an interior design~~
930 ~~curriculum and has completed 3 years of diversified interior~~
931 ~~design experience; or~~

932 ~~(d) Is a graduate from an interior design program of at~~
933 ~~least 2 years and has completed 4 years of diversified interior~~
934 ~~design experience.~~

935

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

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

957 481.213 Licensure and registration.—

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

965 (2) The board shall certify for licensure or registration
966 by examination any applicant who passes the prescribed licensure
967 or registration examination and satisfies the requirements of
968 ss. 481.209 and 481.211, for architects, or the requirements of
969 s. 481.209, for interior designers.

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

973 (a) Qualifies to take the prescribed licensure or
974 registration examination, and has passed the prescribed
975 licensure registration examination or a substantially equivalent
976 examination in another jurisdiction, as set forth in s. 481.209
977 for architects or registered interior designers, as applicable,
978 and has satisfied the internship requirements set forth in s.
979 481.211 for architects;

980 (b) Holds a valid license to practice architecture or a
981 license, registration, or certification to practice interior
982 design issued by another jurisdiction of the United States, if
983 the criteria for issuance of such license were substantially
984 equivalent to the licensure criteria that existed in this state
985 at the time the license was issued; ~~provided, however, that an~~
986 ~~applicant who has been licensed for use of the title "interior~~

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987 ~~design" rather than licensed to practice interior design shall~~
988 ~~not qualify hereunder; or~~

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

994

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

999 (4) The board may refuse to certify any applicant who has
1000 violated any of the provisions of s. 481.223, s. 481.225, or s.
1001 481.2251, as applicable.

1002 (5) The board may refuse to certify any applicant who is
1003 under investigation in any jurisdiction for any act which would
1004 constitute a violation of this part or of chapter 455 until such
1005 time as the investigation is complete and disciplinary
1006 proceedings have been terminated.

1007 (6) The board shall adopt rules to implement the provisions
1008 of this part relating to the examination, internship, and
1009 licensure of applicants.

1010 (7) For persons whose licensure requires satisfaction of
1011 the requirements of ss. 481.209 and 481.211, the board shall, by
1012 rule, establish qualifications for certification of such persons
1013 as special inspectors of threshold buildings, as defined in ss.
1014 553.71 and 553.79, and shall compile a list of persons who are
1015 certified. A special inspector is not required to meet standards

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1016 for certification other than those established by the board, and
1017 the fee owner of a threshold building may not be prohibited from
1018 selecting any person certified by the board to be a special
1019 inspector. The board shall develop minimum qualifications for
1020 the qualified representative of the special inspector who is
1021 authorized under s. 553.79 to perform inspections of threshold
1022 buildings on behalf of the special inspector.

1023 (8) A certificate of registration is not required for a
1024 person whose occupation or practice is confined to interior
1025 decorator services or for a person whose occupation or practice
1026 is confined to interior design except as required in this part.

1027 Section 44. Subsection (1) of section 481.2131, Florida
1028 Statutes, is amended to read:

1029 481.2131 Interior design; practice requirements; disclosure
1030 of compensation for professional services.-

1031 (1) A registered interior designer is authorized to perform
1032 "interior design" as defined in s. 481.203. Interior design
1033 documents prepared by a registered interior designer shall
1034 contain a statement that the document is not an architectural or
1035 engineering study, drawing, specification, or design and is not
1036 to be used for construction of any load-bearing columns, load-
1037 bearing framing or walls of structures, or issuance of any
1038 building permit, except as otherwise provided by law. Interior
1039 design documents that are prepared and sealed by a registered
1040 interior designer must ~~may~~, if required by a permitting body, be
1041 accepted by the permitting body ~~be submitted~~ for the issuance of
1042 a building permit for interior construction excluding design of
1043 any structural, mechanical, plumbing, heating, air-conditioning,
1044 ventilating, electrical, or vertical transportation systems or

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1045 that materially affect lifesafety systems pertaining to
1046 firesafety protection such as fire-rated separations between
1047 interior spaces, fire-rated vertical shafts in multistory
1048 structures, fire-rated protection of structural elements, smoke
1049 evacuation and compartmentalization, emergency ingress or egress
1050 systems, and emergency alarm systems. Interior design documents
1051 submitted for the issuance of a building permit by an individual
1052 performing interior design services who is not a licensed
1053 architect must include a seal issued by the department and in
1054 conformance with the requirements of s. 481.221.

1055 Section 45. Section 481.215, Florida Statutes, is amended
1056 to read:

1057 481.215 Renewal of license or certificate of registration.—

1058 (1) Subject to the requirement of subsection (3), the
1059 department shall renew a license or certificate of registration
1060 upon receipt of the renewal application and renewal fee.

1061 (2) The department shall adopt rules establishing a
1062 procedure for the biennial renewal of licenses and certificate
1063 of registrations.

1064 (3) A ~~No~~ license or certificate of registration renewal may
1065 not shall be issued to an architect or a registered ~~an~~ interior
1066 designer by the department until the licensee or registrant
1067 submits proof satisfactory to the department that, during the 2
1068 years before ~~prior to~~ application for renewal, the licensee or
1069 registrant participated per biennium in not less than 20 hours
1070 of at least 50 minutes each per biennium of continuing education
1071 approved by the board. The board shall approve only continuing
1072 education that builds upon the basic knowledge of architecture
1073 or interior design. The board may make exception from the

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1074 requirements of continuing education in emergency or hardship
1075 cases.

1076 (4) The board shall by rule establish criteria for the
1077 approval of continuing education courses and providers and shall
1078 by rule establish criteria for accepting alternative
1079 nonclassroom continuing education on an hour-for-hour basis.

1080 ~~(5) The board shall require, by rule adopted pursuant to~~
1081 ~~ss. 120.536(1) and 120.54, a specified number of hours in~~
1082 ~~specialized or advanced courses, approved by the Florida~~
1083 ~~Building Commission, on any portion of the Florida Building~~
1084 ~~Code, adopted pursuant to part IV of chapter 553, relating to~~
1085 ~~the licensee's respective area of practice.~~

1086 Section 46. Section 481.217, Florida Statutes, is amended
1087 to read:

1088 481.217 Inactive status.—

1089 (1) The board may prescribe by rule continuing education
1090 requirements as a condition of reactivating a license. The rules
1091 may not require more than one renewal cycle of continuing
1092 education to reactivate a license or registration for a
1093 registered architect or registered interior designer. ~~For~~
1094 ~~interior design, the board may approve only continuing education~~
1095 ~~that builds upon the basic knowledge of interior design.~~

1096 (2) The board shall adopt rules relating to application
1097 procedures for inactive status and for the reactivation of
1098 inactive licenses and registrations.

1099 Section 47. Section 481.219, Florida Statutes, is amended
1100 to read:

1101 481.219 Qualification of business organizations
1102 ~~certification of partnerships, limited liability companies, and~~

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1103 ~~corporations.-~~

1104 (1) A licensee may ~~The practice of or the offer to practice~~
1105 ~~architecture or interior design by licensees through a~~ qualified
1106 business organization that offers ~~corporation, limited liability~~
1107 ~~company, or partnership offering architectural or interior~~
1108 ~~design services to the public, or by a corporation, limited~~
1109 ~~liability company, or partnership offering architectural or~~
1110 ~~interior design services to the public through licensees under~~
1111 ~~this part as agents, employees, officers, or partners, is~~
1112 ~~permitted,~~ subject to the provisions of this section.

1113 (2) If a licensee or an applicant proposes to engage in the
1114 practice of architecture as a business organization, the
1115 licensee or applicant shall qualify the business organization
1116 upon approval of the board ~~For the purposes of this section, a~~
1117 ~~certificate of authorization shall be required for a~~
1118 ~~corporation, limited liability company, partnership, or person~~
1119 ~~practicing under a fictitious name, offering architectural~~
1120 ~~services to the public jointly or separately. However, when an~~
1121 ~~individual is practicing architecture in her or his own name,~~
1122 ~~she or he shall not be required to be certified under this~~
1123 ~~section. Certification under this subsection to offer~~
1124 ~~architectural services shall include all the rights and~~
1125 ~~privileges of certification under subsection (3) to offer~~
1126 ~~interior design services.~~

1127 (3) (a) A business organization may not engage in the
1128 practice of architecture unless its qualifying agent is a
1129 registered architect under this part. A qualifying agent who
1130 terminates an affiliation with a qualified business organization
1131 shall immediately notify the department of such termination. If

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1132 such qualifying agent is the only qualifying agent for that
1133 business organization, the business organization must be
1134 qualified by another qualifying agent within 60 days after the
1135 termination. Except as provided in paragraph (b), the business
1136 organization may not engage in the practice of architecture
1137 until it is qualified by another qualifying agent.

1138 (b) In the event a qualifying agent ceases employment with
1139 a qualified business organization, the executive director or the
1140 chair of the board may authorize another registered architect
1141 employed by the business organization to temporarily serve as
1142 its qualifying agent for a period of no more than 60 days. The
1143 business organization is not authorized to operate beyond such
1144 period under this chapter absent replacement of the qualifying
1145 agent who has ceased employment.

1146 (c) A qualifying agent shall notify the department in
1147 writing before engaging in the practice of architecture in her
1148 or his own name or in affiliation with a different business
1149 organization, and she or he or such business organization shall
1150 supply the same information to the department as required of
1151 applicants under this part.

1152 ~~(3) For the purposes of this section, a certificate of~~
1153 ~~authorization shall be required for a corporation, limited~~
1154 ~~liability company, partnership, or person operating under a~~
1155 ~~fictitious name, offering interior design services to the public~~
1156 ~~jointly or separately. However, when an individual is practicing~~
1157 ~~interior design in her or his own name, she or he shall not be~~
1158 ~~required to be certified under this section.~~

1159 (4) All final construction documents and instruments of
1160 service which include drawings, specifications, plans, reports,

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1161 or other papers or documents that involve ~~involving~~ the practice
1162 of architecture which are prepared or approved for the use of
1163 the business organization ~~corporation, limited liability~~
1164 ~~company, or partnership~~ and filed for public record within the
1165 state must ~~shall~~ bear the signature and seal of the licensee who
1166 prepared or approved them and the date on which they were
1167 sealed.

1168 (5) ~~All drawings, specifications, plans, reports, or other~~
1169 ~~papers or documents prepared or approved for the use of the~~
1170 ~~corporation, limited liability company, or partnership by an~~
1171 ~~interior designer in her or his professional capacity and filed~~
1172 ~~for public record within the state shall bear the signature and~~
1173 ~~seal of the licensee who prepared or approved them and the date~~
1174 ~~on which they were sealed.~~

1175 (6) ~~The department shall issue a certificate of~~
1176 ~~authorization to any applicant who the board certifies as~~
1177 ~~qualified for a certificate of authorization and who has paid~~
1178 ~~the fee set in s. 481.207.~~

1179 (7) The board shall allow a licensee or ~~certify~~ an
1180 applicant to qualify one or more business organizations ~~as~~
1181 ~~qualified for a certificate of authorization to offer~~
1182 ~~architectural or interior design services, or to use a~~
1183 fictitious name to offer such services, if provided that:

1184 (a) one or more of the principal officers of the
1185 corporation or limited liability company, or one or more
1186 partners of the partnership, and all personnel of the
1187 corporation, limited liability company, or partnership who act
1188 in its behalf in this state as architects, are registered as
1189 provided by this part; ~~or~~

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1190 ~~(b) One or more of the principal officers of the~~
1191 ~~corporation or one or more partners of the partnership, and all~~
1192 ~~personnel of the corporation, limited liability company, or~~
1193 ~~partnership who act in its behalf in this state as interior~~
1194 ~~designers, are registered as provided by this part.~~

1195 ~~(8) The department shall adopt rules establishing a~~
1196 ~~procedure for the biennial renewal of certificates of~~
1197 ~~authorization.~~

1198 ~~(9) The department shall renew a certificate of~~
1199 ~~authorization upon receipt of the renewal application and~~
1200 ~~biennial renewal fee.~~

1201 ~~(6)~~ (10) Each qualifying agent who qualifies a business
1202 organization, partnership, limited liability company, or and
1203 corporation certified under this section shall notify the
1204 department within 30 days after of any change in the information
1205 contained in the application upon which the qualification
1206 certification is based. Any registered architect or interior
1207 designer who qualifies the business organization shall ensure
1208 corporation, limited liability company, or partnership as
1209 provided in subsection (7) shall be responsible for ensuring
1210 responsible supervising control of projects of the business
1211 organization entity and shall notify the department of the upon
1212 termination of her or his employment with a business
1213 organization qualified partnership, limited liability company,
1214 or corporation certified under this section shall notify the
1215 department of the termination within 30 days after such
1216 termination.

1217 ~~(7)~~ (11) A business organization is not No corporation,
1218 limited liability company, or partnership shall be relieved of

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1219 responsibility for the conduct or acts of its agents, employees,
1220 or officers by reason of its compliance with this section.
1221 However, except as provided in s. 558.0035, the architect who
1222 signs and seals the construction documents and instruments of
1223 service is ~~shall be~~ liable for the professional services
1224 performed, and the interior designer who signs and seals the
1225 interior design drawings, plans, or specifications shall be
1226 liable for the professional services performed.

1227 ~~(12) Disciplinary action against a corporation, limited~~
1228 ~~liability company, or partnership shall be administered in the~~
1229 ~~same manner and on the same grounds as disciplinary action~~
1230 ~~against a registered architect or interior designer,~~
1231 ~~respectively.~~

1232 ~~(8)(13) Nothing in This section may not shall be construed~~
1233 ~~to mean that a certificate of registration to practice~~
1234 ~~architecture must or interior design shall be held by a business~~
1235 ~~organization corporation, limited liability company, or~~
1236 ~~partnership. Nothing in This section does not prohibit a~~
1237 ~~business organization from offering prohibits corporations,~~
1238 ~~limited liability companies, and partnerships from joining~~
1239 ~~together to offer architectural, engineering, interior design,~~
1240 ~~surveying and mapping, and landscape architectural services, or~~
1241 ~~any combination of such services, to the public if the business~~
1242 ~~organization, provided that each corporation, limited liability~~
1243 ~~company, or partnership otherwise meets the requirements of law.~~

1244 ~~(14) Corporations, limited liability companies, or~~
1245 ~~partnerships holding a valid certificate of authorization to~~
1246 ~~practice architecture shall be permitted to use in their title~~
1247 ~~the term "interior designer" or "registered interior designer."~~

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1248 Section 48. Subsections (1), (3), (5), (7), (10), (11), and
1249 (12) of section 481.221, Florida Statutes, are amended to read:
1250 481.221 Seals; display of certificate number.—

1251 (1) The department ~~board~~ shall prescribe, by rule, one or
1252 more forms of seals to be used by registered architects holding
1253 valid certificates of registration.

1254 (3) The department ~~board~~ shall adopt a rule prescribing the
1255 distinctly different seals to be used by registered interior
1256 designers holding valid certificates of registration. Each
1257 registered interior designer shall obtain a seal as prescribed
1258 by the department ~~board~~, and all drawings, plans,
1259 specifications, or reports prepared or issued by the registered
1260 interior designer and being filed for public record shall bear
1261 the signature and seal of the registered interior designer who
1262 prepared or approved the document and the date on which they
1263 were sealed. The signature, date, and seal shall be evidence of
1264 the authenticity of that to which they are affixed. Final plans,
1265 specifications, or reports prepared or issued by a registered
1266 interior designer may be transmitted electronically and may be
1267 signed by the registered interior designer, dated, and sealed
1268 electronically with the seal in accordance with ss. 668.001-
1269 668.006.

1270 (5) No registered interior designer shall affix, or permit
1271 to be affixed, her or his seal or signature to any plan,
1272 specification, drawing, or other document which depicts work
1273 which she or he is not competent or registered ~~licensed~~ to
1274 perform.

1275 (7) No registered interior designer shall affix her or his
1276 signature or seal to any plans, specifications, or other

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1277 documents which were not prepared by her or him or under her or
1278 his responsible supervising control or by another registered
1279 interior designer and reviewed, approved, or modified and
1280 adopted by her or him as her or his own work according to rules
1281 adopted by the department board.

1282 (10) Each registered architect must ~~or interior designer,~~
1283 ~~and each corporation, limited liability company, or partnership~~
1284 ~~holding a certificate of authorization, shall include her or his~~
1285 license its certificate number in any newspaper, telephone
1286 directory, or other advertising medium used by the registered
1287 licensee. Each business organization must include the license
1288 number of the registered architect who serves as the qualifying
1289 agent for that business organization in any newspaper, telephone
1290 directory, or other advertising medium used by the business
1291 organization architect, interior designer, corporation, limited
1292 liability company, or partnership. A corporation, limited
1293 liability company, or partnership is not required to display the
1294 certificate number of individual registered architects or
1295 interior designers employed by or working within the
1296 corporation, limited liability company, or partnership.

1297 (11) When the certificate of registration of a registered
1298 architect ~~or interior designer~~ has been revoked or suspended by
1299 the board, the registered architect ~~or interior designer~~ shall
1300 surrender her or his seal to the secretary of the board within a
1301 period of 30 days after the revocation or suspension has become
1302 effective. If the certificate of the registered architect ~~or~~
1303 ~~interior designer~~ has been suspended for a period of time, her
1304 or his seal shall be returned to her or him upon expiration of
1305 the suspension period.

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1306 (12) A person may not sign and seal by any means any final
1307 plan, specification, or report after her or his certificate of
1308 registration has expired or is suspended or revoked. A
1309 registered architect ~~or interior designer~~ whose certificate of
1310 registration is suspended or revoked shall, within 30 days after
1311 the effective date of the suspension or revocation, surrender
1312 her or his seal to the executive director of the board and
1313 confirm in writing to the executive director the cancellation of
1314 the registered architect's ~~or interior designer's~~ electronic
1315 signature in accordance with ss. 668.001-668.006. When a
1316 registered architect's ~~or interior designer's~~ certificate of
1317 registration is suspended for a period of time, her or his seal
1318 shall be returned upon expiration of the period of suspension.

1319 Section 49. Section 481.223, Florida Statutes, is amended
1320 to read:

1321 481.223 Prohibitions; penalties; injunctive relief.-

1322 (1) A person may not knowingly:

1323 (a) Practice architecture unless the person is an architect
1324 or a registered architect; however, a licensed architect who has
1325 been licensed by the board and who chooses to relinquish or not
1326 to renew his or her license may use the title "Architect,
1327 Retired" but may not otherwise render any architectural
1328 services.

1329 ~~(b) Practice interior design unless the person is a~~
1330 ~~registered interior designer unless otherwise exempted herein;~~
1331 ~~however, an interior designer who has been licensed by the board~~
1332 ~~and who chooses to relinquish or not to renew his or her license~~
1333 ~~may use the title "Interior Designer, Retired" but may not~~
1334 ~~otherwise render any interior design services.~~

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1335 (b)~~(e)~~ Use the name or title "architect," ~~or~~ "registered
1336 architect," or ~~"interior designer" or "registered interior~~
1337 ~~designer," or words to that effect,~~ when the person is not then
1338 the holder of a valid license or certificate of registration
1339 issued pursuant to this part. This paragraph does not restrict
1340 the use of the name or title "interior designer" or "interior
1341 design firm."

1342 (c)~~(d)~~ Present as his or her own the license of another.

1343 (d)~~(e)~~ Give false or forged evidence to the board or a
1344 member thereof.

1345 (e)~~(f)~~ Use or attempt to use an architect ~~or interior~~
1346 ~~designer~~ license or interior design certificate of registration
1347 that has been suspended, revoked, or placed on inactive or
1348 delinquent status.

1349 (f)~~(g)~~ Employ unlicensed persons to practice architecture
1350 ~~or interior design.~~

1351 (g)~~(h)~~ Conceal information relative to violations of this
1352 part.

1353 (2) Any person who violates any provision of subsection (1)
1354 commits a misdemeanor of the first degree, punishable as
1355 provided in s. 775.082 or s. 775.083.

1356 (3) (a) Notwithstanding chapter 455 or any other law to the
1357 contrary, an affected person may maintain an action for
1358 injunctive relief to restrain or prevent a person from violating
1359 paragraph (1) (a) or, paragraph (1) (b), ~~or paragraph (1) (c).~~ The
1360 prevailing party is entitled to actual costs and attorney's
1361 fees.

1362 (b) For purposes of this subsection, the term "affected
1363 person" means a person directly affected by the actions of a

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1364 person suspected of violating paragraph (1)(a) or, paragraph
1365 (1)(b), ~~or paragraph (1)(c)~~ and includes, but is not limited to,
1366 the department, any person who received services from the
1367 alleged violator, or any private association composed primarily
1368 of members of the profession the alleged violator is practicing
1369 or offering to practice or holding himself or herself out as
1370 qualified to practice.

1371 Section 50. Section 481.2251, Florida Statutes, is amended
1372 to read:

1373 481.2251 Disciplinary proceedings against registered
1374 interior designers.—

1375 (1) The following acts constitute grounds for which the
1376 disciplinary actions specified in subsection (2) may be taken:

1377 (a) Attempting to register ~~obtain, obtaining,~~ or renewing
1378 registration, by bribery, by fraudulent misrepresentation, or
1379 through an error of the board, ~~a license to practice interior~~
1380 ~~design;~~

1381 (b) Having an interior design license, certification, or
1382 registration ~~a license to practice interior design~~ revoked,
1383 suspended, or otherwise acted against, including the denial of
1384 licensure, registration, or certification by the licensing
1385 authority of another jurisdiction for any act which would
1386 constitute a violation of this part or of chapter 455;

1387 (c) Being convicted or found guilty, ~~regardless of~~
1388 ~~adjudication,~~ of a crime in any jurisdiction which directly
1389 relates to the provision of interior design services or to the
1390 ability to provide interior design services. ~~A plea of nolo~~
1391 ~~contendere shall create a rebuttable presumption of guilt to the~~
1392 ~~underlying criminal charges. However, the board shall allow the~~

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1393 ~~person being disciplined to present any evidence relevant to the~~
1394 ~~underlying charges and the circumstances surrounding her or his~~
1395 ~~plea;~~

1396 (d) False, deceptive, or misleading advertising;

1397 (e) ~~Failing to report to the board any person who the~~
1398 ~~licensee knows is in violation of this part or the rules of the~~
1399 ~~board;~~

1400 (f) ~~Aiding, assisting, procuring, or advising any~~
1401 ~~unlicensed person to use the title "interior designer" contrary~~
1402 ~~to this part or to a rule of the board;~~

1403 (g) ~~Failing to perform any statutory or legal obligation~~
1404 ~~placed upon a registered interior designer;~~

1405 (h) Making or filing a report which the registrant licensee
1406 knows to be false, intentionally or negligently failing to file
1407 a report or record required by state or federal law, or
1408 willfully impeding or obstructing such filing or inducing
1409 another person to do so. Such reports or records shall include
1410 only those which are signed in the capacity as a registered
1411 interior designer;

1412 (f)(i) Making deceptive, untrue, or fraudulent
1413 representations in the provision of interior design services;

1414 (g)(j) Accepting and performing professional
1415 responsibilities which the registrant licensee knows or has
1416 reason to know that she or he is not competent ~~or licensed~~ to
1417 perform;

1418 (k) ~~Violating any provision of this part, any rule of the~~
1419 ~~board, or a lawful order of the board previously entered in a~~
1420 ~~disciplinary hearing;~~

1421 (l) ~~Conspiring with another licensee or with any other~~

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1422 ~~person to commit an act, or committing an act, which would tend~~
1423 ~~to coerce, intimidate, or preclude another licensee from~~
1424 ~~lawfully advertising her or his services;~~

1425 ~~(m) Acceptance of compensation or any consideration by an~~
1426 ~~interior designer from someone other than the client without~~
1427 ~~full disclosure of the compensation or consideration amount or~~
1428 ~~value to the client prior to the engagement for services, in~~
1429 ~~violation of s. 481.2131(2);~~

1430 ~~(h)(n)~~ (h) Rendering or offering to render architectural
1431 services; or

1432 ~~(i)(o)~~ (i) Committing an act of fraud or deceit, or of
1433 negligence, incompetency, or misconduct, in the practice of
1434 interior design, ~~including, but not limited to, allowing the~~
1435 ~~preparation of any interior design studies, plans, or other~~
1436 ~~instruments of service in an office that does not have a full-~~
1437 ~~time Florida-registered interior designer assigned to such~~
1438 ~~office or failing to exercise responsible supervisory control~~
1439 ~~over services or projects, as required by board rule.~~

1440 (2) When the board finds any person guilty of any of the
1441 grounds set forth in subsection (1), it may enter an order
1442 taking the following action or imposing one or more of the
1443 following penalties:

1444 (a) Refusal to register the applicant ~~approve an~~
1445 ~~application for licensure;~~

1446 (b) Refusal to renew an existing registration ~~license;~~

1447 (c) Removal from the state registry ~~Revocation or~~
1448 ~~suspension of a license; or~~

1449 (d) Imposition of an administrative fine not to exceed \$500
1450 ~~\$1,000~~ for each violation or separate offense and a fine of up

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1451 to \$2,500 ~~\$5,000~~ for matters pertaining to a material violation
1452 of the Florida Building Code as reported by a local
1453 jurisdiction; ~~or~~

1454 ~~(e) Issuance of a reprimand.~~

1455 Section 51. Paragraph (b) of subsection (5), and
1456 subsections (6), and (8) of section 481.229, Florida Statutes,
1457 are amended to read:

1458 481.229 Exceptions; exemptions from licensure.—

1459 (5)

1460 (b) Notwithstanding any other provision of this part, all
1461 persons licensed as architects under this part shall be
1462 qualified for interior design registration licensure upon
1463 submission of a completed application for such license and a fee
1464 not to exceed \$30. Such persons shall be exempt from the
1465 requirements of s. 481.209(2). For architects licensed as
1466 interior designers, satisfaction of the requirements for renewal
1467 of licensure as an architect under s. 481.215 shall be deemed to
1468 satisfy the requirements for renewal of registration licensure
1469 as an interior designer under that section. Complaint
1470 processing, investigation, or other discipline-related legal
1471 costs related to persons licensed as interior designers under
1472 this paragraph shall be assessed against the architects' account
1473 of the Regulatory Trust Fund.

1474 (6) This part shall not apply to:

1475 ~~(a) A person who performs interior design services or~~
1476 ~~interior decorator services for any residential application,~~
1477 ~~provided that such person does not advertise as, or represent~~
1478 ~~himself or herself as, an interior designer. For purposes of~~
1479 ~~this paragraph, "residential applications" includes all types of~~

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1480 ~~residences, including, but not limited to, residence buildings,~~
1481 ~~single-family homes, multifamily homes, townhouses, apartments,~~
1482 ~~condominiums, and domestic outbuildings appurtenant to one-~~
1483 ~~family or two-family residences. However, "residential~~
1484 ~~applications" does not include common areas associated with~~
1485 ~~instances of multiple-unit dwelling applications.~~

1486 ~~(b)~~ an employee of a retail establishment providing
1487 "interior decorator services" on the premises of the retail
1488 establishment or in the furtherance of a retail sale or
1489 prospective retail sale, provided that such employee does not
1490 advertise as, or represent himself or herself as, an interior
1491 designer.

1492 (8) A manufacturer of commercial food service equipment or
1493 the manufacturer's representative, distributor, or dealer or an
1494 employee thereof, who prepares designs, specifications, or
1495 layouts for the sale or installation of such equipment is exempt
1496 from licensure as an architect ~~or interior designer~~, if:

1497 (a) The designs, specifications, or layouts are not used
1498 for construction or installation that may affect structural,
1499 mechanical, plumbing, heating, air conditioning, ventilating,
1500 electrical, or vertical transportation systems.

1501 (b) The designs, specifications, or layouts do not
1502 materially affect lifesafety systems pertaining to firesafety
1503 protection, smoke evacuation and compartmentalization, and
1504 emergency ingress or egress systems.

1505 (c) Each design, specification, or layout document prepared
1506 by a person or entity exempt under this subsection contains a
1507 statement on each page of the document that the designs,
1508 specifications, or layouts are not architectural, ~~interior~~

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1509 ~~design,~~ or engineering designs, specifications, or layouts and
1510 not used for construction unless reviewed and approved by a
1511 licensed architect or engineer.

1512 Section 52. Subsection (1) of section 481.231, Florida
1513 Statutes, is amended to read:

1514 481.231 Effect of part locally.—

1515 (1) ~~Nothing in~~ This part does not ~~shall be construed to~~
1516 repeal, amend, limit, or otherwise affect any specific provision
1517 of any local building code or zoning law or ordinance that has
1518 been duly adopted, now or hereafter enacted, which is more
1519 restrictive, with respect to the services of registered
1520 architects or registered interior designers, than ~~the provisions~~
1521 ~~of~~ this part; provided, however, that a licensed architect shall
1522 be deemed registered ~~licensed~~ as an interior designer for
1523 purposes of offering or rendering interior design services to a
1524 county, municipality, or other local government or political
1525 subdivision.

1526 Section 53. Section 481.303, Florida Statutes, is amended
1527 to read:

1528 481.303 Definitions.—As used in this chapter, the term:

1529 (1) "Board" means the Board of Landscape Architecture.

1530 ~~(3)-(2)~~ "Department" means the Department of Business and
1531 Professional Regulation.

1532 ~~(6)-(3)~~ "Registered landscape architect" means a person who
1533 holds a license to practice landscape architecture in this state
1534 under the authority of this act.

1535 ~~(2)-(4)~~ "Certificate of registration" means a license issued
1536 by the department to a natural person to engage in the practice
1537 of landscape architecture.

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1538 ~~(5) "Certificate of authorization" means a license issued~~
1539 ~~by the department to a corporation or partnership to engage in~~
1540 ~~the practice of landscape architecture.~~

1541 (4)~~(6)~~ "Landscape architecture" means professional
1542 services, including, but not limited to, the following:

1543 (a) Consultation, investigation, research, planning,
1544 design, preparation of drawings, specifications, contract
1545 documents and reports, responsible construction supervision, or
1546 landscape management in connection with the planning and
1547 development of land and incidental water areas, including the
1548 use of Florida-friendly landscaping as defined in s. 373.185,
1549 where, and to the extent that, the dominant purpose of such
1550 services or creative works is the preservation, conservation,
1551 enhancement, or determination of proper land uses, natural land
1552 features, ground cover and plantings, or naturalistic and
1553 aesthetic values;

1554 (b) The determination of settings, grounds, and approaches
1555 for and the siting of buildings and structures, outdoor areas,
1556 or other improvements;

1557 (c) The setting of grades, shaping and contouring of land
1558 and water forms, determination of drainage, and provision for
1559 storm drainage and irrigation systems where such systems are
1560 necessary to the purposes outlined herein; and

1561 (d) The design of such tangible objects and features as are
1562 necessary to the purpose outlined herein.

1563 (5)~~(7)~~ "Landscape design" means consultation for and
1564 preparation of planting plans drawn for compensation, including
1565 specifications and installation details for plant materials,
1566 soil amendments, mulches, edging, gravel, and other similar

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1567 materials. Such plans may include only recommendations for the
1568 conceptual placement of tangible objects for landscape design
1569 projects. Construction documents, details, and specifications
1570 for tangible objects and irrigation systems shall be designed or
1571 approved by licensed professionals as required by law.

1572 Section 54. Section 481.310, Florida Statutes, is amended
1573 to read:

1574 481.310 Practical experience requirement.—Beginning October
1575 1, 1990, every applicant for licensure as a registered landscape
1576 architect shall demonstrate, prior to licensure, 1 year of
1577 practical experience in landscape architectural work. An
1578 applicant who holds a master of landscape architecture degree
1579 and a bachelor's degree in a related field is not required to
1580 demonstrate 1 year of practical experience in landscape
1581 architectural work to obtain licensure. The board shall adopt
1582 rules providing standards for the required experience. An
1583 applicant who qualifies for examination pursuant to s.
1584 481.309(1)(b)1. may obtain the practical experience after
1585 completing the required professional degree. Experience used to
1586 qualify for examination pursuant to s. 481.309(1)(b)2. may not
1587 be used to satisfy the practical experience requirement under
1588 this section.

1589 Section 55. Subsections (3) and (4) of section 481.311,
1590 Florida Statutes, are amended, to read:

1591 481.311 Licensure.—

1592 (3) The board shall certify as qualified for a license by
1593 endorsement an applicant who÷

1594 ~~(a) Qualifies to take the examination as set forth in s.~~
1595 ~~481.309; and has passed a national, regional, state, or~~

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1596 ~~territorial licensing examination which is substantially~~
1597 ~~equivalent to the examination required by s. 481.309; or~~

1598 ~~(b) holds a valid license to practice landscape~~
1599 ~~architecture issued by another state or territory of the United~~
1600 ~~States, if the criteria for issuance of such license were~~
1601 ~~substantially identical to the licensure criteria which existed~~
1602 ~~in this state at the time the license was issued.~~

1603 ~~(4) The board shall certify as qualified for a certificate~~
1604 ~~of authorization any applicant corporation or partnership who~~
1605 ~~satisfies the requirements of s. 481.319.~~

1606 Section 56. Subsection (2) of section 481.317, Florida
1607 Statutes, is amended to read:

1608 481.317 Temporary certificates.—

1609 ~~(2) Upon approval by the board and payment of the fee set~~
1610 ~~in s. 481.307, the department shall grant a temporary~~
1611 ~~certificate of authorization for work on one specified project~~
1612 ~~in this state for a period not to exceed 1 year to an out-of-~~
1613 ~~state corporation, partnership, or firm, provided one of the~~
1614 ~~principal officers of the corporation, one of the partners of~~
1615 ~~the partnership, or one of the principals in the fictitiously~~
1616 ~~named firm has obtained a temporary certificate of registration~~
1617 ~~in accordance with subsection (1).~~

1618 Section 57. Section 481.319, Florida Statutes, is amended
1619 to read:

1620 481.319 Corporate and partnership practice of landscape
1621 architecture; ~~certificate of authorization.~~—

1622 (1) The practice of or offer to practice landscape
1623 architecture by registered landscape architects registered under
1624 this part through a corporation or partnership offering

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1625 landscape architectural services to the public, or through a
1626 corporation or partnership offering landscape architectural
1627 services to the public through individual registered landscape
1628 architects as agents, employees, officers, or partners, is
1629 permitted, subject to the provisions of this section, if:

1630 (a) One or more of the principal officers of the
1631 corporation, or partners of the partnership, and all personnel
1632 of the corporation or partnership who act in its behalf as
1633 landscape architects in this state are registered landscape
1634 architects; and

1635 (b) One or more of the officers, one or more of the
1636 directors, one or more of the owners of the corporation, or one
1637 or more of the partners of the partnership is a registered
1638 landscape architect; ~~and~~

1639 ~~(c) The corporation or partnership has been issued a~~
1640 ~~certificate of authorization by the board as provided herein.~~

1641 (2) All documents involving the practice of landscape
1642 architecture which are prepared for the use of the corporation
1643 or partnership shall bear the signature and seal of a registered
1644 landscape architect.

1645 (3) A landscape architect applying to practice in the name
1646 of a corporation must ~~shall~~ file with the
1647 department the names and addresses of all officers and board
1648 members of the corporation, including the principal officer or
1649 officers, duly registered to practice landscape architecture in
1650 this state and, also, of all individuals duly registered to
1651 practice landscape architecture in this state who shall be in
1652 responsible charge of the practice of landscape architecture by
1653 the corporation in this state. A landscape architect applying to

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1654 practice in the name of a ~~An applicant~~ partnership must ~~shall~~
1655 file with the department the names and addresses of all partners
1656 of the partnership, including the partner or partners duly
1657 registered to practice landscape architecture in this state and,
1658 also, of an individual or individuals duly registered to
1659 practice landscape architecture in this state who shall be in
1660 responsible charge of the practice of landscape architecture by
1661 said partnership in this state.

1662 (4) Each landscape architect qualifying a partnership or
1663 ~~and~~ corporation licensed under this part must ~~shall~~ notify the
1664 department within 1 month after ~~of~~ any change in the information
1665 contained in the application upon which the license is based.
1666 Any landscape architect who terminates her or his ~~or her~~
1667 employment with a partnership or corporation licensed under this
1668 part shall notify the department of the termination within 1
1669 month after such termination.

1670 (5) ~~Disciplinary action against a corporation or~~
1671 ~~partnership shall be administered in the same manner and on the~~
1672 ~~same grounds as disciplinary action against a registered~~
1673 ~~landscape architect.~~

1674 ~~(6)~~ Except as provided in s. 558.0035, the fact that a
1675 registered landscape architect practices landscape architecture
1676 through a corporation or partnership as provided in this section
1677 does not relieve the landscape architect from personal liability
1678 for her or his ~~or her~~ professional acts.

1679 Section 58. Subsection (5) of section 481.321, Florida
1680 Statutes, is amended to read:

1681 481.321 Seals; display of certificate number.—

1682 (5) Each registered landscape architect must ~~and each~~

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1683 ~~corporation or partnership holding a certificate of~~
1684 ~~authorization shall~~ include her or his ~~its~~ certificate number in
1685 any newspaper, telephone directory, or other advertising medium
1686 used by the registered landscape architect, corporation, or
1687 partnership. A corporation or partnership must ~~is not required~~
1688 ~~to~~ display the certificate number ~~numbers~~ of at least one
1689 officer, director, owner, or partner who is a individual
1690 registered landscape architect ~~architects~~ employed by or
1691 practicing with the corporation or partnership.

1692 Section 59. Subsection (5) of section 481.329, Florida
1693 Statutes, is amended to read:

1694 481.329 Exceptions; exemptions from licensure.—

1695 (5) This part does not prohibit any person from engaging in
1696 the practice of landscape design, as defined in s. 481.303 ~~s.~~
1697 ~~481.303(7)~~, or from submitting for approval to a governmental
1698 agency planting plans that are independent of, or a component
1699 of, construction documents that are prepared by a Florida-
1700 registered professional. Persons providing landscape design
1701 services shall not use the title, term, or designation
1702 "landscape architect," "landscape architectural," "landscape
1703 architecture," "L.A.," "landscape engineering," or any
1704 description tending to convey the impression that she or he is a
1705 landscape architect unless she or he is registered as provided
1706 in this part.

1707 Section 60. Subsection (9) of section 489.103, Florida
1708 Statutes, is amended to read:

1709 489.103 Exemptions.—This part does not apply to:

1710 (9) Any work or operation of a casual, minor, or
1711 inconsequential nature in which the aggregate contract price for

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1712 labor, materials, and all other items is less than \$2,500
1713 ~~\$1,000~~, but this exemption does not apply:

1714 (a) If the construction, repair, remodeling, or improvement
1715 is a part of a larger or major operation, whether undertaken by
1716 the same or a different contractor, or in which a division of
1717 the operation is made in contracts of amounts less than \$2,500
1718 ~~\$1,000~~ for the purpose of evading this part or otherwise.

1719 (b) To a person who advertises that he or she is a
1720 contractor or otherwise represents that he or she is qualified
1721 to engage in contracting.

1722 Section 61. Subsection (2) of section 489.111, Florida
1723 Statutes, is amended to read:

1724 489.111 Licensure by examination.—

1725 (2) A person shall be eligible for licensure by examination
1726 if the person:

1727 (a) Is 18 years of age;

1728 (b) Is of good moral character; and

1729 (c) Meets eligibility requirements according to one of the
1730 following criteria:

1731 1. Has received a baccalaureate degree from an accredited
1732 4-year college in the appropriate field of engineering,
1733 architecture, or building construction and has 1 year of proven
1734 experience in the category in which the person seeks to qualify.
1735 For the purpose of this part, a minimum of 2,000 person-hours
1736 shall be used in determining full-time equivalency.

1737 2. Has a total of at least 4 years of active experience as
1738 a worker who has learned the trade by serving an apprenticeship
1739 as a skilled worker who is able to command the rate of a
1740 mechanic in the particular trade or as a foreman who is in

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1741 charge of a group of workers and usually is responsible to a
1742 superintendent or a contractor or his or her equivalent,
1743 provided, however, that at least 1 year of active experience
1744 shall be as a foreman.

1745 3. Has a combination of not less than 1 year of experience
1746 as a foreman and not less than 3 years of credits for any
1747 accredited college-level courses; has a combination of not less
1748 than 1 year of experience as a skilled worker, 1 year of
1749 experience as a foreman, and not less than 2 years of credits
1750 for any accredited college-level courses; or has a combination
1751 of not less than 2 years of experience as a skilled worker, 1
1752 year of experience as a foreman, and not less than 1 year of
1753 credits for any accredited college-level courses. All junior
1754 college or community college-level courses shall be considered
1755 accredited college-level courses.

1756 4.a. An active certified residential contractor is eligible
1757 to receive a certified building contractor license after passing
1758 or having previously passed ~~take~~ the building contractors'
1759 examination if he or she possesses a minimum of 3 years of
1760 proven experience in the classification in which he or she is
1761 certified.

1762 b. An active certified residential contractor is eligible
1763 to receive a certified general contractor license after passing
1764 or having previously passed ~~take~~ the general contractors'
1765 examination if he or she possesses a minimum of 4 years of
1766 proven experience in the classification in which he or she is
1767 certified.

1768 c. An active certified building contractor is eligible to
1769 receive a certified general contractor license after passing or

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1770 having previously passed ~~take~~ the general contractors'
1771 examination if he or she possesses a minimum of 4 years of
1772 proven experience in the classification in which he or she is
1773 certified.

1774 5.a. An active certified air-conditioning Class C
1775 contractor is eligible to receive a certified air-conditioning
1776 Class B contractor license after passing or having previously
1777 passed ~~take~~ the air-conditioning Class B contractors'
1778 examination if he or she possesses a minimum of 3 years of
1779 proven experience in the classification in which he or she is
1780 certified.

1781 b. An active certified air-conditioning Class C contractor
1782 is eligible to receive a certified air-conditioning Class A
1783 contractor license after passing or having previously passed
1784 ~~take~~ the air-conditioning Class A contractors' examination if he
1785 or she possesses a minimum of 4 years of proven experience in
1786 the classification in which he or she is certified.

1787 c. An active certified air-conditioning Class B contractor
1788 is eligible to receive a certified air-conditioning Class A
1789 contractor license after passing or having previously passed
1790 ~~take~~ the air-conditioning Class A contractors' examination if he
1791 or she possesses a minimum of 1 year of proven experience in the
1792 classification in which he or she is certified.

1793 6.a. An active certified swimming pool servicing contractor
1794 is eligible to receive a certified residential swimming pool
1795 contractor license after passing or having previously passed
1796 ~~take~~ the residential swimming pool contractors' examination if
1797 he or she possesses a minimum of 3 years of proven experience in
1798 the classification in which he or she is certified.

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1799 b. An active certified swimming pool servicing contractor
1800 is eligible to receive a certified commercial swimming pool
1801 contractor license after passing or having previously passed
1802 ~~take~~ the swimming pool commercial contractors' examination if he
1803 or she possesses a minimum of 4 years of proven experience in
1804 the classification in which he or she is certified.

1805 c. An active certified residential swimming pool contractor
1806 is eligible to receive a certified commercial swimming pool
1807 contractor license after passing or having previously passed
1808 ~~take~~ the commercial swimming pool contractors' examination if he
1809 or she possesses a minimum of 1 year of proven experience in the
1810 classification in which he or she is certified.

1811 d. An applicant is eligible to receive a certified swimming
1812 pool/spa servicing contractor license after passing or having
1813 previously passed ~~take~~ the swimming pool/spa servicing
1814 contractors' examination if he or she has satisfactorily
1815 completed 60 hours of instruction in courses related to the
1816 scope of work covered by that license and approved by the
1817 Construction Industry Licensing Board by rule and has at least 1
1818 year of proven experience related to the scope of work of such a
1819 contractor.

1820 Section 62. Subsection (3) of section 489.115, Florida
1821 Statutes, is amended to read:

1822 489.115 Certification and registration; endorsement;
1823 reciprocity; renewals; continuing education.—

1824 (3) The board shall certify as qualified for certification
1825 by endorsement any applicant who:

1826 (a) Meets the requirements for certification as set forth
1827 in this section; has passed a national, regional, state, or

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1828 United States territorial licensing examination that is
1829 substantially equivalent to the examination required by this
1830 part; and has satisfied the requirements set forth in s.
1831 489.111;

1832 (b) Holds a valid license to practice contracting issued by
1833 another state or territory of the United States, if the criteria
1834 for issuance of such license were substantially equivalent to
1835 Florida's current certification criteria; ~~or~~

1836 (c) Holds a valid, current license to practice contracting
1837 issued by another state or territory of the United States, if
1838 the state or territory has entered into a reciprocal agreement
1839 with the board for the recognition of contractor licenses issued
1840 in that state, based on criteria for the issuance of such
1841 licenses that are substantially equivalent to the criteria for
1842 certification in this state; or

1843 (d) Has held a valid, current license to practice
1844 contracting issued by another state or territory of the United
1845 States for at least 10 years before the date of application and
1846 is applying for the same or similar license in this state,
1847 subject to subsections (5)-(9). The board may consider whether
1848 such applicant has had a license to practice contracting
1849 revoked, suspended, or otherwise acted against by the licensing
1850 authority of another state, territory, or country. Such
1851 application must be made either when the license in another
1852 state or territory is active or within 2 years after such
1853 license was last active.

1854 Section 63. Subsection (5) of section 489.511, Florida
1855 Statutes, is amended to read:

1856 489.511 Certification; application; examinations;

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1857 endorsement.—

1858 (5) The board shall certify as qualified for certification
1859 by endorsement any individual applying for certification who:

1860 (a) Meets the requirements for certification as set forth
1861 in this section; has passed a national, regional, state, or
1862 United States territorial licensing examination that is
1863 substantially equivalent to the examination required by this
1864 part; and has satisfied the requirements set forth in s.

1865 489.521; ~~or~~

1866 (b) Holds a valid license to practice electrical or alarm
1867 system contracting issued by another state or territory of the
1868 United States, if the criteria for issuance of such license was
1869 substantially equivalent to the certification criteria that
1870 existed in this state at the time the certificate was issued; or

1871 (c) Has held a valid, current license to practice
1872 electrical or alarm system contracting issued by another state
1873 or territory of the United States for at least 10 years before
1874 the date of application and is applying for the same or similar
1875 license in this state, subject to ss. 489.510 and 489.521(3)(a),
1876 and subparagraph (1)(b)1. Such application must be made either
1877 when the license in another state or territory is active or
1878 within 2 years after such license was last active.

1879 Section 64. Subsection (3) and paragraph (b) of subsection
1880 (4) of section 489.517, Florida Statutes, are amended to read:
1881 489.517 Renewal of certificate or registration; continuing
1882 education.—

1883 (3) Each certificateholder or registrant shall provide
1884 proof, in a form established by rule of the board, that the
1885 certificateholder or registrant has completed at least 11 ~~14~~

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1886 classroom hours of at least 50 minutes each of continuing
1887 education courses during each biennium since the issuance or
1888 renewal of the certificate or registration. The board shall by
1889 rule establish criteria for the approval of continuing education
1890 courses and providers and may by rule establish criteria for
1891 accepting alternative nonclassroom continuing education on an
1892 hour-for-hour basis.

1893 (4)

1894 (b) Of the 11 ~~14~~ classroom hours of continuing education
1895 required, at least 6 ~~7~~ hours must be on technical subjects, 1
1896 hour on workers' compensation, 1 hour on workplace safety, 1
1897 hour on business practices, and for alarm system contractors and
1898 electrical contractors engaged in alarm system contracting, 2
1899 hours on false alarm prevention.

1900 Section 65. Paragraph (b) of subsection (1) of section
1901 489.518, Florida Statutes, is amended to read:

1902 489.518 Alarm system agents.—

1903 (1) A licensed electrical or alarm system contractor may
1904 not employ a person to perform the duties of a burglar alarm
1905 system agent unless the person:

1906 (b) Has successfully completed a minimum of 14 hours of
1907 training within 90 days after employment, to include basic alarm
1908 system electronics in addition to related training including
1909 CCTV and access control training, with at least 2 hours of
1910 training in the prevention of false alarms. Such training shall
1911 be from a board-approved provider, and the employee or applicant
1912 for employment shall provide proof of successful completion to
1913 the licensed employer. The board shall by rule establish
1914 criteria for the approval of training courses and providers and

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1915 may by rule establish criteria for accepting alternative
1916 nonclassroom education on an hour-for-hour basis. The board
1917 shall approve providers that conduct training in other than the
1918 English language. The board shall establish a fee for the
1919 approval of training providers or courses, not to exceed \$60.
1920 Qualified employers may conduct training classes for their
1921 employees, with board approval.

1922 Section 66. Section 509.102, Florida Statutes, is created
1923 to read:

1924 509.102 Mobile food dispensing vehicles; preemption.-

1925 (1) As used in this section, the term "mobile food
1926 dispensing vehicle" means any vehicle that is a public food
1927 service establishment and that is self-propelled or otherwise
1928 movable from place to place and includes self-contained
1929 utilities, including, but not limited to, gas, water,
1930 electricity, or liquid waste disposal.

1931 (2) Regulation of mobile food dispensing vehicles involving
1932 licenses, registrations, permits, and fees and the regulation of
1933 the operation of mobile food dispensing vehicles is preempted to
1934 the state. A municipality, county, or other local government
1935 entity may not:

1936 (a) Require a separate license, registration, or permit
1937 other than the license required under s. 509.241, or require the
1938 payment of any license, registration, or permit fee other than
1939 the fee required under s. 509.251, as a condition for the
1940 operation of a mobile food dispensing vehicle within the
1941 entity's jurisdiction;

1942 (b) Prohibit mobile food dispensing vehicles from operating
1943 within the entity's jurisdiction.

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1944 Section 67. Paragraph (i) of subsection (2) of section
1945 548.003, Florida Statutes, is amended to read:

1946 548.003 Florida State Boxing Commission.—

1947 (2) The Florida State Boxing Commission, as created by
1948 subsection (1), shall administer the provisions of this chapter.
1949 The commission has authority to adopt rules pursuant to ss.
1950 120.536(1) and 120.54 to implement the provisions of this
1951 chapter and to implement each of the duties and responsibilities
1952 conferred upon the commission, including, but not limited to:

1953 ~~(i) Designation and duties of a knockdown timekeeper.~~

1954 Section 68. Subsection (1) of section 548.017, Florida
1955 Statutes, is amended to read:

1956 548.017 Participants, managers, and other persons required
1957 to have licenses.—

1958 (1) A participant, manager, trainer, second, ~~timekeeper,~~
1959 referee, judge, ~~announcer,~~ physician, matchmaker, or promoter
1960 must be licensed before directly or indirectly acting in such
1961 capacity in connection with any match involving a participant. A
1962 physician approved by the commission must be licensed pursuant
1963 to chapter 458 or chapter 459, must maintain an unencumbered
1964 license in good standing, and must demonstrate satisfactory
1965 medical training or experience in boxing, or a combination of
1966 both, to the executive director before working as the ringside
1967 physician.

1968 Section 69. Paragraph (d) of subsection (1) of section
1969 553.5141, Florida Statutes, is amended to read:

1970 553.5141 Certifications of conformity and remediation
1971 plans.—

1972 (1) For purposes of this section:

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- 1973 (d) "Qualified expert" means:
- 1974 1. An engineer licensed pursuant to chapter 471.
- 1975 2. A certified general contractor licensed pursuant to
- 1976 chapter 489.
- 1977 3. A certified building contractor licensed pursuant to
- 1978 chapter 489.
- 1979 4. A building code administrator licensed pursuant to
- 1980 chapter 468.
- 1981 5. A building inspector licensed pursuant to chapter 468.
- 1982 6. A plans examiner licensed pursuant to chapter 468.
- 1983 7. An interior designer registered ~~licensed~~ pursuant to
- 1984 chapter 481.
- 1985 8. An architect licensed pursuant to chapter 481.
- 1986 9. A landscape architect licensed pursuant to chapter 481.
- 1987 10. Any person who has prepared a remediation plan related
- 1988 to a claim under Title III of the Americans with Disabilities
- 1989 Act, 42 U.S.C. s. 12182, that has been accepted by a federal
- 1990 court in a settlement agreement or court proceeding, or who has
- 1991 been qualified as an expert in Title III of the Americans with
- 1992 Disabilities Act, 42 U.S.C. s. 12182, by a federal court.
- 1993 Section 70. Effective January 1, 2021, subsection (1) of
- 1994 section 553.74, Florida Statutes, is amended to read:
- 1995 553.74 Florida Building Commission.—
- 1996 (1) The Florida Building Commission is created and located
- 1997 within the Department of Business and Professional Regulation
- 1998 for administrative purposes. Members are appointed by the
- 1999 Governor subject to confirmation by the Senate. The commission
- 2000 is composed of 19 ~~27~~ members, consisting of the following
- 2001 members:

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2002 (a) One architect licensed pursuant to chapter 481 with at
2003 least 5 years of experience in the design and construction of
2004 buildings designated for Group E or Group I occupancies by the
2005 Florida Building Code ~~registered to practice in this state and~~
2006 ~~actively engaged in the profession.~~ The American Institute of
2007 Architects, Florida Section, is encouraged to recommend a list
2008 of candidates for consideration.

2009 (b) One structural engineer registered to practice in this
2010 state and actively engaged in the profession. The Florida
2011 Engineering Society is encouraged to recommend a list of
2012 candidates for consideration.

2013 (c) One air-conditioning contractor, ~~or~~ mechanical
2014 contractor, or mechanical engineer certified to do business in
2015 this state and actively engaged in the profession. The Florida
2016 Air Conditioning Contractors Association, the Florida
2017 Refrigeration and Air Conditioning Contractors Association, ~~and~~
2018 the Mechanical Contractors Association of Florida, and the
2019 Florida Engineering Society are encouraged to recommend a list
2020 of candidates for consideration.

2021 (d) One electrical contractor or electrical engineer
2022 certified to do business in this state and actively engaged in
2023 the profession. The Florida Association of Electrical
2024 Contractors, ~~and~~ the National Electrical Contractors
2025 Association, Florida Chapter, and the Florida Engineering
2026 Society are encouraged to recommend a list of candidates for
2027 consideration.

2028 ~~(e) One member from fire protection engineering or~~
2029 ~~technology who is actively engaged in the profession. The~~
2030 ~~Florida Chapter of the Society of Fire Protection Engineers and~~

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2031 ~~the Florida Fire Marshals and Inspectors Association are~~
2032 ~~encouraged to recommend a list of candidates for consideration.~~

2033 (e)~~(f)~~ One certified general contractor or one certified
2034 building contractor certified to do business in this state and
2035 actively engaged in the profession. The Associated Builders and
2036 Contractors of Florida, the Florida Associated General
2037 Contractors Council, the Florida Home Builders Association, and
2038 the Union Contractors Association are encouraged to recommend a
2039 list of candidates for consideration.

2040 (f)~~(g)~~ One plumbing contractor licensed to do business in
2041 this state and actively engaged in the profession. The Florida
2042 Association of Plumbing, Heating, and Cooling Contractors is
2043 encouraged to recommend a list of candidates for consideration.

2044 (g)~~(h)~~ One roofing or sheet metal contractor certified to
2045 do business in this state and actively engaged in the
2046 profession. The Florida Roofing, Sheet Metal, and Air
2047 Conditioning Contractors Association and the Sheet Metal and Air
2048 Conditioning Contractors' National Association are encouraged to
2049 recommend a list of candidates for consideration.

2050 (h)~~(i)~~ One certified residential contractor licensed to do
2051 business in this state and actively engaged in the profession.
2052 The Florida Home Builders Association is encouraged to recommend
2053 a list of candidates for consideration.

2054 (i)~~(j)~~ Three members who are municipal, county, or district
2055 codes enforcement officials, one of whom is also a fire
2056 official. The Building Officials Association of Florida and the
2057 Florida Fire Marshals and Inspectors Association are encouraged
2058 to recommend a list of candidates for consideration.

2059 ~~(k) One member who represents the Department of Financial~~

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2060 ~~Services.~~

2061 ~~(l) One member who is a county codes enforcement official.~~
2062 ~~The Building Officials Association of Florida is encouraged to~~
2063 ~~recommend a list of candidates for consideration.~~

2064 (j) ~~(m)~~ One member of a Florida-based organization of
2065 persons with disabilities or a nationally chartered organization
2066 of persons with disabilities with chapters in this state which
2067 complies with or is certified to be compliant with the
2068 requirements of the Americans with Disability Act of 1990, as
2069 amended.

2070 (k) ~~(n)~~ One member of the manufactured buildings industry
2071 who is licensed to do business in this state and is actively
2072 engaged in the industry. The Florida Manufactured Housing
2073 Association is encouraged to recommend a list of candidates for
2074 consideration.

2075 ~~(o) One mechanical or electrical engineer registered to~~
2076 ~~practice in this state and actively engaged in the profession.~~
2077 ~~The Florida Engineering Society is encouraged to recommend a~~
2078 ~~list of candidates for consideration.~~

2079 ~~(p) One member who is a representative of a municipality or~~
2080 ~~a charter county. The Florida League of Cities and the Florida~~
2081 ~~Association of Counties are encouraged to recommend a list of~~
2082 ~~candidates for consideration.~~

2083 (l) ~~(q)~~ One member of the building products manufacturing
2084 industry who is authorized to do business in this state and is
2085 actively engaged in the industry. The Florida Building Material
2086 Association, the Florida Concrete and Products Association, and
2087 the Fenestration Manufacturers Association are encouraged to
2088 recommend a list of candidates for consideration.

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2089 (m)~~(r)~~ One member who is a representative of the building
2090 owners and managers industry who is actively engaged in
2091 commercial building ownership or management. The Building Owners
2092 and Managers Association is encouraged to recommend a list of
2093 candidates for consideration.

2094 (n)~~(s)~~ One member who is a representative of the insurance
2095 industry. The Florida Insurance Council is encouraged to
2096 recommend a list of candidates for consideration.

2097 ~~(t) One member who is a representative of public education.~~

2098 (o)~~(u)~~ One member who is a swimming pool contractor
2099 licensed to do business in this state and actively engaged in
2100 the profession. The Florida Swimming Pool Association and the
2101 United Pool and Spa Association are encouraged to recommend a
2102 list of candidates for consideration.

2103 (p)~~(v)~~ One member who is a representative of the green
2104 building industry and who is a third-party commission agent, a
2105 Florida board member of the United States Green Building Council
2106 or Green Building Initiative, a professional who is accredited
2107 under the International Green Construction Code (IGCC), or a
2108 professional who is accredited under Leadership in Energy and
2109 Environmental Design (LEED).

2110 (q)~~(w)~~ One member who is a representative of a natural gas
2111 distribution system and who is actively engaged in the
2112 distribution of natural gas in this state. The Florida Natural
2113 Gas Association is encouraged to recommend a list of candidates
2114 for consideration.

2115 ~~(x) One member who is a representative of the Department of
2116 Agriculture and Consumer Services' Office of Energy. The
2117 Commissioner of Agriculture is encouraged to recommend a list of~~

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2118 ~~candidates for consideration.~~

2119 ~~(y) One member who shall be the chair.~~

2120 Section 71. Subsection (7) of section 558.002, Florida
2121 Statutes, is amended to read:

2122 558.002 Definitions.—As used in this chapter, the term:

2123 (7) "Design professional" means a person, as defined in s.
2124 1.01, who is licensed in this state as an architect, interior
2125 designer, a landscape architect, an engineer, a surveyor, or a
2126 geologist or who is a registered interior designer, as defined
2127 in s. 481.203.

2128 Section 72. Subsection (3) of section 559.25, Florida
2129 Statutes, is amended to read:

2130 559.25 Exemptions.—The provisions of this part shall not
2131 apply to or affect the following persons:

2132 ~~(3) Duly licensed auctioneers, selling at auction.~~

2133 Section 73. Paragraphs (h) and (k) of subsection (2) of
2134 section 287.055, Florida Statutes, are amended to read:

2135 287.055 Acquisition of professional architectural,
2136 engineering, landscape architectural, or surveying and mapping
2137 services; definitions; procedures; contingent fees prohibited;
2138 penalties.—

2139 (2) DEFINITIONS.—For purposes of this section:

2140 (h) A "design-build firm" means a partnership, corporation,
2141 or other legal entity that:

2142 1. Is certified under s. 489.119 to engage in contracting
2143 through a certified or registered general contractor or a
2144 certified or registered building contractor as the qualifying
2145 agent; or

2146 2. Is qualified ~~certified~~ under s. 471.023 to practice or

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2147 to offer to practice engineering; qualified ~~certified~~ under s.
2148 481.219 to practice or to offer to practice architecture; or
2149 qualified ~~certified~~ under s. 481.319 to practice or to offer to
2150 practice landscape architecture.

2151 (k) A "design criteria professional" means a firm that is
2152 qualified ~~who holds a current certificate of registration~~ under
2153 chapter 481 to practice architecture or landscape architecture
2154 or a firm who holds a current certificate as a registered
2155 engineer under chapter 471 to practice engineering and who is
2156 employed by or under contract to the agency for the providing of
2157 professional architect services, landscape architect services,
2158 or engineering services in connection with the preparation of
2159 the design criteria package.

2160 Section 74. Except as otherwise expressly provided in this
2161 act, this act shall take effect July 1, 2020.