By the Committees on Appropriations; Commerce and Tourism; and Innovation, Industry, and Technology; and Senators Albritton and Gruters

A bill to be entitled

An act relating to the deregulation of professions and occupations; providing a short title; amending s. 322.57, F.S.; defining the term “servicemember”; requiring the Department of Highway Safety and Motor Vehicles to waive the requirement to pass the Commercial Driver License Skills Tests for certain servicemembers and veterans; requiring an applicant who receives such waiver to complete certain requirements within a specified time; requiring the department to adopt rules; amending s. 326.004, F.S.; deleting the requirement that a yacht broker maintain a separate license for each branch office; deleting the requirement that the Division of Florida Condominiums, Timeshares, and Mobile Homes establish a fee; amending s. 447.02, F.S.; conforming provisions to changes made by the act; repealing s. 447.04, F.S., relating to licensure and permit requirements for business agents; repealing s. 447.041, F.S., relating to hearings for persons or labor organizations denied licensure as a business agent; repealing s. 447.045, F.S., relating to confidential information obtained during the application process; repealing s. 447.06, F.S., relating to required registration of labor organizations; amending s. 447.09, F.S.; deleting certain prohibited actions relating to the right of franchise of a member of a labor organization; repealing s. 447.12, F.S., relating to registration fees; repealing s. 447.16, F.S., relating to
applicability; amending s. 447.305, F.S.; deleting a provision that requires notification of registrations and renewals to the Department of Business and Professional Regulation; amending s. 455.213, F.S.; requiring the department or a board to enter into reciprocal licensing agreements with other states under certain circumstances; providing requirements; creating s. 455.2278, F.S.; defining terms; prohibiting the department or a board from suspending or revoking a person’s license solely on the basis of a delinquency or default in the payment of his or her student loan; prohibiting the department or a board from suspending or revoking a person’s license solely on the basis of a default in satisfying the requirements of his or her work-conditional scholarship; amending s. 456.072, F.S.; specifying that the failure to repay certain student loans is not considered a failure to perform a statutory or legal obligation for which certain disciplinary action can be taken; conforming provisions to changes made by the act; repealing s. 456.0721, F.S., relating to health care practitioners who are in default on student loan or scholarship obligations; amending s. 456.074, F.S.; deleting a provision relating to the suspension of a license issued by the Department of Health for defaulting on certain student loans; amending s. 468.385, F.S.; revising requirements relating to businesses auctioning or offering to auction property in this state; amending s. 468.401, F.S.; revising
definitions; repealing ss. 468.402, 468.403, 468.404,
and 468.405, F.S., relating to duties and authority of
the Department of Business and Professional Regulation
with regard to licensure of talent agencies, licensure
requirements, license fees and renewals, and
qualification for a talent agency license,
respectively; amending s. 468.406, F.S.; requiring an
owner or operator of a talent agency to post an
itemized schedule of fees, charges, and commissions in
a specified place; repealing s. 468.407, F.S.,
relating to the form and posting requirements for a
license; amending s. 468.408, F.S.; conforming
provisions to changes made by the act; prohibiting
certain bonds from being issued or renewed by a
bonding agency to an owner or operator of a talent
agency unless the bonding agency verifies that each
owner or operator has not been convicted of specified
crimes; amending s. 468.409, F.S.; deleting a
requirement for record inspection; amending s.
468.410, F.S.; deleting a requirement to include
specified information in a contract between a talent
agency and an applicant; amending s. 468.412, F.S.;
deleting recordkeeping and posting requirements;
amending s. 468.413, F.S.; revising criminal
penalties; conforming provisions to changes made by
the act; repealing s. 468.414, F.S., relating to the
deposit of certain funds in the Professional
Regulation Trust Fund; amending s. 468.415, F.S.;
prohibiting any agent, owner, or operator who commits
sexual misconduct in the operation of a talent agency from acting as an agent, owner, or operator of a Florida talent agency; amending s. 468.505, F.S.; providing that certain unlicensed persons are not prohibited or restricted from his or her practice, services, or activities in dietetics and nutrition under certain circumstances; amending s. 468.524, F.S.; deleting specified exemptions from the time restriction for an employee leasing company to reapply for licensure; amending s. 468.603, F.S.; revising which inspectors are included in the definition of the term “categories of building code inspectors”; amending s. 468.609, F.S.; revising certain experience requirements for a person to take the examination for certification; revising the time period a provisional certificate is valid; amending s. 468.613, F.S.; providing for waiver of specified requirements for certification under certain circumstances; amending s. 468.8314, F.S.; requiring an applicant for a license by endorsement to maintain a specified insurance policy; requiring the department to certify an applicant who holds a specified license issued by another state or territory of the United States under certain circumstances; amending s. 471.015, F.S.; revising licensure requirements for engineers who hold specified licenses in another state; amending s. 473.308, F.S.; deleting continuing education requirements for license by endorsement for certified public accountants; amending s. 474.202, F.S.;
revising the definition of the term “limited-service veterinary medical practice” to include certain procedures; amending s. 474.207, F.S.; revising education requirements for licensure by examination; amending s. 474.217, F.S.; requiring the department to issue a license by endorsement to certain applicants who successfully complete a specified examination; amending s. 474.114, F.S.; revising training requirements for licensure as a barber; amending s. 474.144, F.S.; requiring the department to certify as qualified for licensure by endorsement an applicant who is licensed to practice barbering in another state; amending s. 477.013, F.S.; revising the definition of the term “hair braiding”; repealing s. 477.0132, F.S., relating to registration for hair braiding, hair wrapping, and body wrapping; amending s. 477.0135, F.S.; providing additional exemptions from license or registration requirements for specified occupations or practices; amending s. 477.019, F.S.; deleting a provision prohibiting the Board of Cosmetology from asking for proof of certain educational hours under certain circumstances; conforming provisions to changes made by the act; amending s. 477.0201, F.S.; providing requirements for registration as a specialist; amending s. 477.026, F.S.; conforming provisions to changes made by the act; amending s. 477.0263, F.S.; providing that certain cosmetology services may be performed in a location other than a licensed salon under certain
circumstances; amending ss. 477.0265 and 477.029, F.S.; conforming provisions to changes made by the act; amending s. 481.201, F.S.; deleting legislative findings relating to the practice of interior design; amending s. 481.203, F.S.; revising and deleting definitions; amending s. 481.205, F.S.; conforming provisions to changes made by the act; amending s. 481.207, F.S.; revising certain fees for interior designers; conforming provisions to changes made by the act; amending s. 481.209, F.S.; providing requirements for a certificate of registration and a seal for interior designers; specifying that certain persons who are already licensed as interior designers are eligible to obtain a certificate of registration; conforming provisions to changes made by the act; amending s. 481.213, F.S.; revising requirements for certification of licensure by endorsement for a certain licensee to engage in the practice of architecture; providing that a certificate of registration is not required for specified persons to practice; conforming provisions to changes made by the act; amending s. 481.2131, F.S.; requiring certain interior designers to include a specified seal when submitting documents for the issuance of a building permit; amending s. 481.215, F.S.; conforming provisions to changes made by the act; revising the number of hours of specified courses the board must require for the renewal of a license or certificate of registration; authorizing licensees to complete
certain courses online; amending s. 481.217, F.S.;
conforming provisions to changes made by the act;
amending s. 481.219, F.S.; deleting provisions
permitting the practice of or offer to practice
interior design through certain business
organizations; deleting provisions requiring
certificates of authorization for certain business
organizations offering interior design services to the
public; requiring a licensee or applicant in the
practice of architecture to qualify as a business
organization; providing requirements; amending s.
481.221, F.S.; conforming provisions to changes made
by the act; requiring registered architects and
certain business organizations to display certain
license numbers in specified advertisements; amending
s. 481.223, F.S.; providing construction; conforming
provisions to changes made by the act; amending s.
481.2251, F.S.; revising the acts that constitute
grounds for disciplinary actions relating to interior
designers; conforming provisions to changes made by
the act; amending ss. 481.229 and 481.231, F.S.;
conforming provisions to changes made by the act;
amending s. 481.303, F.S.; deleting the definition of
the term “certificate of authorization”; amending s.
481.310, F.S.; providing that an applicant who holds
certain degrees is not required to demonstrate 1 year
of practical experience for licensure; amending s.
481.311, F.S.; revising requirements for certification
of licensure by endorsement for a certain applicant to
engage in the practice of landscape architecture;
amending s. 481.313, F.S.; authorizing a landscape
architect to receive hour-for-hour credit for certain
approved continuing education courses under certain
circumstances; amending s. 481.317, F.S.; conforming
provisions to changes made by the act; amending s.
481.319, F.S.; deleting the requirement for a
certificate of authorization; authorizing landscape
architects to practice in the name of a corporation or
partnership; amending s. 481.321, F.S.; requiring a
landscape architect to display a certain certificate
number in specified advertisements; amending s.
481.329, F.S.; conforming a cross-reference; amending
s. 489.103, F.S.; revising certain contract prices for
exemption; amending s. 489.111, F.S.; revising
provisions relating to eligibility for licensure;
amending s. 489.113, F.S.; providing that applicants
who meet certain requirements are not required to pass
a specified examination; amending s. 489.115, F.S.;
requiring the Construction Industry Licensing Board to
certify any applicant who holds a specified license to
practice contracting issued by another state or
territory of the United States under certain
circumstances; requiring certain applicants to
complete certain training; amending s. 489.511, F.S.;
requiring the board to certify as qualified for
certification by endorsement any applicant who holds a
specified license to practice electrical or alarm
system contracting issued by another state or
territory of the United States under certain circumstances; requiring certain applicants to complete certain training; amending s. 489.517, F.S.; providing a reduction in certain continuing education hours required for certain contractors; amending s. 489.518, F.S.; requiring a person to have completed a specified amount of training within a certain time period to perform the duties of an alarm system agent; amending s. 492.104, F.S.; conforming provisions to changes made by the act; amending 492.108, F.S.; requiring the department to issue a license by endorsement to any applicant who has held a specified license to practice geology in another state, trust, territory, or possession of the United States for a certain period of time; providing that an applicant may take the examination required by the board if they have not met the specified examination requirement; amending s. 492.111, F.S.; deleting the requirements for a certificate of authorization for a professional geologist; amending ss. 492.113 and 492.115, F.S.; conforming provisions to changes made by the act; creating s. 509.102, F.S.; defining the term “mobile food dispensing vehicle”; preempting certain regulation of mobile food dispensing vehicles to the state; prohibiting certain entities from prohibiting mobile food dispensing vehicles from operating within the entirety of such entities’ jurisdictions; providing construction; amending s. 548.003, F.S.; deleting the requirement that the Florida State Boxing
Commission adopt rules relating to a knockdown
timekeeper; amending s. 548.017, F.S.; deleting the
licensure requirement for a timekeeper or an
announcer; amending s. 553.5141, F.S.; conforming
provisions to changes made by the act; amending s.
553.74, F.S.; revising the membership and
qualifications of the Florida Building Commission;
amending s. 823.15, F.S.; authorizing certain persons
to implant dogs and cats with specified microchips
under certain circumstances; authorizing certain
persons to contact the owner of record listed on radio
frequency identification microchips under certain
circumstances; amending ss. 558.002, 559.25, and
287.055, F.S.; conforming provisions to changes made
by the act; providing effective dates.

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

Section 1. This act may be cited as the “Occupational
Freedom and Opportunity Act.”

Section 2. Present subsection (4) of section 322.57,
Florida Statutes, is redesignated as subsection (5), and a new
subsection (4) is added to that section, to read
322.57 Tests of knowledge concerning specified vehicles;
endorsement; nonresidents; violations.—

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

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

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

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

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

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

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

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

Section 3. Subsection (13) of section 326.004, Florida
Statutes, is amended to read:

326.004 Licensing.—

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

Section 4. Subsection (3) of section 447.02, Florida
Statutes, is amended to read:

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

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

Section 5. Section 447.04, Florida Statutes, is repealed.
Section 6. Section 447.041, Florida Statutes, is repealed.
Section 7. Section 447.045, Florida Statutes, is repealed.
Section 8. Section 447.06, Florida Statutes, is repealed.
Section 9. Subsections (6) and (8) of section 447.09, Florida Statutes, are amended to read:

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

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

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

Section 10. Section 447.12, Florida Statutes, is repealed.
Section 11. Section 447.16, Florida Statutes, is repealed.
Section 12. Subsection (4) of section 447.305, Florida Statutes, is amended to read:

447.305 Registration of employee organization.—

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

Section 13. Subsection (14) is added to section 455.213, Florida Statutes, to read:
455.213 General licensing provisions.—

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

Section 14. Section 455.2278, Florida Statutes, is created to read:

455.2278 Restriction on disciplinary action for student loan default.—

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

(a) “Default” means the failure to repay a student loan according to the terms agreed to in the promissory note.

(b) “Delinquency” means the failure to make a student loan payment when it is due.

(c) “Student loan” means a federal-guaranteed or state-guaranteed loan for the purposes of postsecondary education.

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

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

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

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

456.072 Grounds for discipline; penalties; enforcement.—

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

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

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

Section 17. Subsection (4) of section 456.074, Florida
407 Statutes, is amended to read:
408 456.074 Certain health care practitioners; immediate
409 suspension of license.—
410 (4) Upon receipt of information that a Florida-licensed
411 health care practitioner has defaulted on a student loan issued
412 or guaranteed by the state or the Federal Government, the
413 department shall notify the licensee by certified mail that he
414 or she shall be subject to immediate suspension of license
415 unless, within 45 days after the date of mailing, the licensee
416 provides proof that new payment terms have been agreed upon by
417 all parties to the loan. The department shall issue an emergency
418 order suspending the license of any licensee who, after 45 days
419 following the date of mailing from the department, has failed to
420 provide such proof. Production of such proof shall not prohibit
421 the department from proceeding with disciplinary action against
422 the licensee pursuant to s. 456.073.

Section 18. Paragraph (b) of subsection (7) of section
468.385, Florida Statutes, is amended to read:
468.385 Licenses required; qualifications; examination.—
(7) A business may not auction or offer to auction
any property in this state unless it is owned by an auctioneer
who is licensed as an auction business by the department board
or is exempt from licensure under this act. Each application for
licensure shall include the names of the owner and the
business, the business mailing address and location, and any
other information which the board may require. The owner of an
auction business shall report to the board within 30 days of any
change in this required information.
Section 19. Section 468.401, Florida Statutes, is amended to read:

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

(8)(1) “Talent agency” means any person who, for compensation, engages in the occupation or business of procuring or attempting to procure engagements for an artist.

(6)(2) “Owner” means any partner in a partnership, member of a firm, or principal officer or officers of a corporation, whose partnership, firm, or corporation owns a talent agency, or any individual who is the sole owner of a talent agency.

(3) “Compensation” means any one or more of the following:

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

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

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

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

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

(5)(6) “Operator” means the person who is or who will be in
actual charge of a talent agency.

(2)(7) “Buyer” or “employer” means a person, company,
partnership, or corporation that uses the services of a talent
agency to provide artists.

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

(7)(9) “Person” means any individual, company, society,
firm, partnership, association, corporation, manager, or any
agent or employee of any of the foregoing.

(10) “License” means a license issued by the Department of
Business and Professional Regulation to carry on the business of
a talent agency under this part.

(11) “Licensee” means a talent agency which holds a valid
unrevoked and unforfeited license issued under this part.

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

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

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

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

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

468.406 Fees to be charged by talent agencies; rates;
(1) Each owner or operator of a talent agency shall post in a conspicuous place in each place of business of the agency applicant for a license shall file with the application an itemized schedule of maximum fees, charges, and commissions that which it intends to charge and collect for its services. The
This schedule may thereafter be raised only by filing with the department an amended or supplemental schedule at least 30 days before the change is to become effective. The schedule shall be posted in a conspicuous place in each place of business of the agency and shall be printed in not less than a 30-point boldfaced type, except that an agency that uses written contracts containing maximum fee schedules need not post such schedules.
Section 25. Section 468.407, Florida Statutes, is repealed.
Section 26. Subsection (1) of section 468.408, Florida Statutes, is amended to read:
468.408 Bond required.—
(1) An owner or operator of a talent agency shall obtain a bond in the form of a surety by a reputable company engaged in the bonding business and authorized to do business in this state. The bond shall be for the penal sum of $5,000, with one or more sureties to be approved by the department, and be conditioned that the owner or operator of the talent agency applicant conform to and not violate any of the duties, terms, conditions, provisions, or requirements of this part. Such bond may not be issued or renewed by the bonding agency unless each owner or operator of a talent agency submits fingerprints to the
Department of Law Enforcement for a state criminal history record check and to the Federal Bureau of Investigation for a national criminal history record check, and the bonding agency verifies by examination of the criminal history records checks that each owner or operator has not been convicted of a crime that would require registration as a sexual offender, as required in s. 943.0435 or s. 944.607, or as a sexual predator, as required under s. 775.21.

(a) If any person is aggrieved by the misconduct of any talent agency, the person may maintain an action in his or her own name upon the bond of the agency in any court having jurisdiction of the amount claimed. All such claims shall be assignable, and the assignee shall be entitled to the same remedies, upon the bond of the agency or otherwise, as the person aggrieved would have been entitled to if such claim had not been assigned. Any claim or claims so assigned may be enforced in the name of such assignee.

(b) The bonding company shall notify the talent agency department of any claim against such bond, and a copy of such notice shall be sent to the talent agency against which the claim is made.

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

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

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

468.410 Prohibition against registration fees; referral.—

(3) A talent agency shall give each applicant a copy of a contract, within 24 hours after the contract’s execution, which lists the services to be provided and the fees to be charged. The contract shall state that the talent agency is regulated by the department and shall list the address and telephone number of the department.

Section 29. Present subsections (4) through (11) of section 468.412, Florida Statutes, are redesignated as subsections (3) through (10), respectively, and present subsections (2), (3), (4), (6), and (11) of that section are amended, to read:

468.412 Talent agency regulations; prohibited acts.—

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

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

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

(c) The employment in which each such artist is engaged at the time of employing such talent agency and the amount of
compensation of the artist in such employment, if any, and the
employments subsequently secured by such artist during the term
of the contract between the artist and the talent agency and the
amount of compensation received by the artist pursuant thereto,
and
(d) Other information which the department may require from
time to time.
(3) All books, records, and other papers kept pursuant to
this act by any talent agency shall be open at all reasonable
hours to the inspection of the department and its agents. Each
talent agency shall furnish to the department, upon request, a
ture copy of such books, records, and papers, or any portion
thereof, and shall make such reports as the department may
prescribe from time to time.
(3)(4) Each talent agency shall post in a conspicuous place
in the office of such talent agency a printed copy of this part
and of the rules adopted under this part. Such copies shall also
contain the name and address of the officer charged with
enforcing this part. The department shall furnish to talent
agencies printed copies of any statute or rule required to be
posted under this subsection.
(5)(6) A No talent agency may not publish or cause to be
published any false, fraudulent, or misleading information,
representation, notice, or advertisement. All advertisements of
a talent agency by means of card, circulars, or signs, and in
newspapers and other publications, and all letterheads,
receipts, and blanks shall be printed and contain the licensed
name, department license number, and address of the talent
agency and the words “talent agency.” A No talent agency may not
give any false information or make any false promises or representations concerning an engagement or employment to any applicant who applies for an engagement or employment.

(10) (11) A talent agency may assign an engagement contract to another talent agency in this state only if the artist agrees in writing to the assignment. The assignment must occur, and written notice of the assignment must be given to the artist, within 30 days after the artist agrees in writing to the assignment.

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

468.413 Legal requirements; penalties.—
(1) Each of the following acts constitutes a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084:
(a) Owning or operating, or soliciting business as, a talent agency in this state without first procuring a license from the department.
(b) Obtaining or attempting to obtain a license by means of fraud, misrepresentation, or concealment.

(1) (2) Each of the following acts constitutes a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083:
(a) Relocating a business as a talent agency, or operating under any name other than that designated on the license, unless written notification is given to the department and to the surety or sureties on the original bond, and unless the license is returned to the department for the recording thereon of such changes.
(b) Assigning or attempting to assign a license issued under this part.

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

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

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

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

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

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

(3) The court may, in addition to other punishment provided for in subsection (2), suspend or revoke the license of any licensee under this part who has been found guilty of any misdemeanor listed in subsection (2).
In the event that the department or any state attorney shall have probable cause to believe that a talent agency or other person has violated any provision of subsection (1), an action may be brought by the department or any state attorney to enjoin such talent agency or any person from continuing such violation, or engaging therein or doing any acts in furtherance thereof, and for such other relief as to the court seems appropriate. In addition to this remedy, the department may assess a penalty against any talent agency or any person in an amount not to exceed $5,000.

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

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

468.415 Sexual misconduct in the operation of a talent agency.—The talent agent-artist relationship is founded on mutual trust. Sexual misconduct in the operation of a talent agency means violation of the talent agent-artist relationship through which the talent agent uses the relationship to induce or attempt to induce the artist to engage or attempt to engage in sexual activity. Sexual misconduct is prohibited in the operation of a talent agency. If any agent, owner, or operator of a licensed talent agency who commits is found to have committed sexual misconduct in the operation of a talent agency, the agency license shall be permanently revoked. Such agent, owner, or operator shall be permanently prohibited from acting disqualified from present and future licensure as an agent, owner, or operator of a Florida talent agency.

Section 33. Paragraph (n) is added to subsection (1) of section 468.505, Florida Statutes, to read:
468.505 Exemptions; exceptions.—

(1) Nothing in this part may be construed as prohibiting or restricting the practice, services, or activities of:

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

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

468.524 Application for license.—

(4) An applicant or licensee is ineligible to reapply for a license for a period of 1 year following final agency action on the denial or revocation of a license applied for or issued under this part. This time restriction does not apply to administrative denials or revocations entered because:

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

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

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

(c)(d) The applicant or licensee has failed to submit...
required fees.

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

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

468.603 Definitions.—As used in this part:

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

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

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

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

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

(c) Meets eligibility requirements according to one of the following criteria:
1. Demonstrates 4\underline{5} years’ combined experience in the field of construction or a related field, building code inspection, or plans review corresponding to the certification category sought;

2. Demonstrates a combination of postsecondary education in the field of construction or a related field and experience which totals 3\underline{4} years, with at least 1 year of such total being experience in construction, building code inspection, or plans review;

3. Demonstrates a combination of technical education in the field of construction or a related field and experience which totals 3\underline{4} years, with at least 1 year of such total being experience in construction, building code inspection, or plans review;

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

5. Demonstrates a combination of the completion of an approved training program in the field of building code inspection or plan review and a minimum of 2 years’ experience in the field of building code inspection, plan review, fire code
inspections and fire plans review of new buildings as a firesafety inspector certified under s. 633.216, or construction. The approved training portion of this requirement shall include proof of satisfactory completion of a training program that provides at least 200 hours but not more than 300 hours of cross-training that is approved by the board in the chosen category of building code inspection or plan review in the certification category sought with at least 20 hours but not more than 30 hours of instruction in state laws, rules, and ethics relating to professional standards of practice, duties, and responsibilities of a certificateholder. The board shall coordinate with the Building Officials Association of Florida, Inc., to establish by rule the development and implementation of the training program. However, the board shall accept all classroom training offered by an approved provider if the content substantially meets the intent of the classroom component of the training program;

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

   a. Has at least 4 ½ years’ verifiable full-time experience as an inspector or plans examiner in a standard certification category currently held or has a minimum of 4 ½ years’ verifiable full-time experience as a firesafety inspector licensed pursuant to chapter 633.

   b. Has satisfactorily completed a building code inspector or plans examiner classroom training course or program that provides at least 200 but not more than 300 hours in the certification category sought, except for one-family and two-
family dwelling training programs, which must provide at least 500 but not more than 800 hours of training as prescribed by the board. The board shall establish by rule criteria for the development and implementation of classroom training courses and programs in each certification category; or

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

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

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

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

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

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

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

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

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

468.8314 Licensure.—

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

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

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

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

471.015 Licensure.—

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

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

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

473.308 Licensure.—

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

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

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

(b) Holds a valid license to practice public accounting issued by another state or territory of the United States, if the criteria for issuance of such license were substantially equivalent to the licensure criteria that existed in this state at the time the license was issued;
2. b. Holds a valid license to practice public accounting issued by another state or territory of the United States but the criteria for issuance of such license did not meet the requirements of subparagraph 1. sub-subparagraph a.; has met the requirements of this section for education, work experience, and good moral character; and has passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by s. 473.306; or

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

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

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

474.202 Definitions.—As used in this chapter:

(6) “Limited-service veterinary medical practice” means offering or providing veterinary services at any location that has a primary purpose other than that of providing veterinary medical service at a permanent or mobile establishment permitted by the board; provides veterinary medical services for privately
owned animals that do not reside at that location; operates for
a limited time; and provides limited types of veterinary medical
services, including vaccinations or immunizations against
disease, preventative procedures for parasitic control, and
microchipping.

Section 42. Paragraph (b) of subsection (2) of section
474.207, Florida Statutes, is amended to read:
474.207 Licensure by examination.—
(2) The department shall license each applicant who the
board certifies has:
(b)1. Graduated from a college of veterinary medicine
accredited by the American Veterinary Medical Association
Council on Education; or
2. Graduated from a college of veterinary medicine listed
in the American Veterinary Medical Association Roster of
Veterinary Colleges of the World and obtained a certificate from
the Education Commission for Foreign Veterinary Graduates or the
Program for the Assessment of Veterinary Education Equivalence.

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

Section 43. Subsection (1) of section 474.217, Florida
Statutes, is amended to read:
474.217 Licensure by endorsement.—
(1) The department shall issue a license by endorsement to
any applicant who, upon applying to the department and remitting a fee set by the board, demonstrates to the board that she or he:

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

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

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

Section 44. Effective January 1, 2021, subsection (2) of section 476.114, Florida Statutes, is amended to read:

476.114 Examination; prerequisites.—

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

(a) Is at least 16 years of age;

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

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

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

Section 45. Subsection (5) of section 476.144, Florida Statutes, is amended to read:

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

Section 46. Subsection (9) of section 477.013, Florida Statutes, is amended to read:

477.013 Definitions.—As used in this chapter:

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

Section 47. Section 477.0132, Florida Statutes, is repealed.

Section 48. Subsections (7) through (11) are added to section 477.0135, Florida Statutes, to read:

477.0135 Exemptions.—

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

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

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

(10) A license or registration is not required for a person whose occupation or practice is confined solely to applying polish to fingernails and toenails.
(11) A license or registration is not required for a person whose occupation or practice is confined solely to the application or removal of any external preparation which is intended to cleanse, tone, color, or beautify the face or neck, including, but not limited to, skin cleansers, astringents, skin fresheners, lipstick, eyeliner, eye shadow, foundation, rouge or cheek color, mascara, face powder or corrective stick, and other cosmetic products as defined by the board by rule.

Section 49. Subsections (6) and (7) of section 477.019, Florida Statutes, are amended to read:

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

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

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

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

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

Section 50. Effective January 1, 2021, subsection (1) of section 477.0201, Florida Statutes, is amended to read:

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

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

(a) Is at least 16 years of age or has received a high school diploma.
(b) Has received a certificate of completion for: in a
1. One hundred and eighty hours of training, as established
by the board, which shall focus primarily on sanitation and
safety, to practice specialties as defined in s. 477.013(6)(a)
and (b); specialty pursuant to s. 477.013(6)
2. Two hundred and twenty hours of training, as established
by the board, which shall focus primarily on sanitation and
safety, to practice the specialty as defined in s.
477.013(6)(c); or
3. Four hundred hours of training or the number of hours of
training required to maintain minimum Pell Grant requirements,
as established by the board, which shall focus primarily on
sanitation and safety, to practice the specialties as defined in
s. 477.013(6)(a)-(c).
(c) The certificate of completion specified in paragraph
(b) must be from one of the following:
1. A school licensed pursuant to s. 477.023.
2. A school licensed pursuant to chapter 1005 or the
equivalent licensing authority of another state.
3. A specialty program within the public school system.
4. A specialty division within the Cosmetology Division of
the Florida School for the Deaf and the Blind, provided the
training programs comply with minimum curriculum requirements
established by the board.
Section 51. Paragraph (f) of subsection (1) of section
477.026, Florida Statutes, is amended to read:
477.026 Fees; disposition.—
(1) The board shall set fees according to the following
schedule:
(f) For hair braiders, hair wrappers, and body wrappers, fees for registration shall not exceed $25.

Section 52. Subsection (4) of section 477.0263, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

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

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

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

Section 53. Paragraph (f) of subsection (1) of section 477.0265, Florida Statutes, is amended to read:

477.0265 Prohibited acts.—

(1) It is unlawful for any person to:

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

Section 54. Paragraph (a) of subsection (1) of section
477.029, Florida Statutes, is amended to read:

477.029 Penalty.—

(1) It is unlawful for any person to:

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

Section 55. Section 481.201, Florida Statutes, is amended to read:

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

Section 56. Section 481.203, Florida Statutes, is reordered and amended to read:

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

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

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

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

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

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

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

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

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

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

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

(10) “Interior design” means designs, consultations, studies, drawings, specifications, and administration of design construction contracts relating to nonstructural interior elements of a building or structure. “Interior design” includes, but is not limited to, reflected ceiling plans, space planning, furnishings, and the fabrication of nonstructural elements within and surrounding interior spaces of buildings. “Interior design” specifically excludes the design of or the responsibility for architectural and engineering work, except for specification of fixtures and their location within interior spaces. As used in this subsection, “architectural and engineering interior construction relating to the building systems” includes, but is not limited to, construction of structural, mechanical, plumbing, heating, air-conditioning, ventilating, electrical, or vertical transportation systems, or construction which materially affects lifesafety systems pertaining to firesafety protection such as fire-rated separations between interior spaces, fire-rated vertical shafts in multistory structures, fire-rated protection of structural
elements, smoke evacuation and compartmentalization, emergency
ingress or egress systems, and emergency alarm systems.

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

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

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

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

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

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

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

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

Section 57. Paragraph (a) of subsection (3) of section 481.205, Florida Statutes, is amended to read:

481.205 Board of Architecture and Interior Design.—
(3)(a) Notwithstanding the provisions of ss. 455.225, 455.228, and 455.32, the duties and authority of the department to receive complaints and investigate and discipline persons licensed or registered under this part, including the ability to determine legal sufficiency and probable cause; to initiate proceedings and issue final orders for summary suspension or restriction of a license or certificate of registration pursuant to s. 120.60(6); to issue notices of noncompliance, notices to cease and desist, subpoenas, and citations; to retain legal counsel, investigators, or prosecutorial staff in connection with the licensed practice of architecture or registered and interior design; and to investigate and deter the unlicensed practice of architecture and interior design as provided in s. 455.228 are delegated to the board. All complaints and any information obtained pursuant to an investigation authorized by the board are confidential and exempt from s. 119.07(1) as provided in s. 455.225(2) and (10).

Section 58. Section 481.207, Florida Statutes, is amended to read:
481.207 Fees.—The board, by rule, may establish separate fees for architects and registered interior designers, to be paid for applications, examination, reexamination, licensing and renewal, delinquency, reinstatement, and recordmaking and recordkeeping. The examination fee shall be in an amount that covers the cost of obtaining and administering the examination and shall be refunded if the applicant is found ineligible to sit for the examination. The application fee is nonrefundable. The fee for initial application and examination for architects and interior designers may not exceed $775 plus the actual per applicant cost to the department for purchase of the examination from the National Council of Architectural Registration Boards or the National Council of Interior Design Qualifications, respectively, or similar national organizations. The initial nonrefundable fee for registered interior designers may not exceed $75. The biennial renewal fee for architects may not exceed $200. The biennial renewal fee for registered interior designers may not exceed $75. The delinquency fee may not exceed the biennial renewal fee established by the board for an active license. The board shall establish fees that are adequate to ensure the continued operation of the board and to fund the proportionate expenses incurred by the department which are allocated to the regulation of architects and registered interior designers. Fees shall be based on department estimates of the revenue required to implement this part and the provisions of law with respect to the regulation of architects and interior designers.

Section 59. Section 481.209, Florida Statutes, is amended to read:
481.209 Examinations.—
(1) A person desiring to be licensed as a registered architect by initial examination shall apply to the department, complete the application form, and remit a nonrefundable application fee. The department shall license any applicant who the board certifies:
(a) has passed the licensure examination prescribed by board rule; and
(b) is a graduate of a school or college of architecture with a program accredited by the National Architectural Accreditation Board.
(2) A person seeking to obtain a certificate of registration as a registered interior designer and a seal pursuant to s. 481.221 must provide the department with his or her name and address and written proof that he or she has successfully passed the qualification examination prescribed by the Council for Interior Design Qualification or its successor entity or the California Council for Interior Design Certification or its successor entity, or has successfully passed an equivalent exam as determined by the department. Any person who is licensed as an interior designer by the department and who was in good standing as of July 1, 2020, is eligible to obtain a certificate of registration as a registered interior designer. A person desiring to be licensed as a registered interior designer shall apply to the department for licensure. The department shall administer the licensure examination for interior designers to each applicant who has completed the application form and remitted the application and examination fees specified in s. 481.207 and who the board certifies:
(a) Is a graduate from an interior design program of 5 years or more and has completed 1 year of diversified interior design experience;

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

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

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

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

Section 60. Section 481.213, Florida Statutes, is amended to read:

481.213 Licensure and registration.—

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

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

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

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

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

An architect who is licensed in another state who seeks
qualification for license by endorsement under this subsection
must complete a 2-hour class approved by the board on the
Florida Building Code.
(4) The board may refuse to certify any applicant who has
violated any of the provisions of s. 481.223, s. 481.225, or s.
481.2251, as applicable.
(5) The board may refuse to certify any applicant who is
under investigation in any jurisdiction for any act which would
constitute a violation of this part or of chapter 455 until such
time as the investigation is complete and disciplinary
proceedings have been terminated.
(6) The board shall adopt rules to implement the provisions
of this part relating to the examination, internship, and
licensure of applicants.
(7) For persons whose licensure requires satisfaction of the requirements of ss. 481.209 and 481.211, the board shall, by rule, establish qualifications for certification of such persons as special inspectors of threshold buildings, as defined in ss. 553.71 and 553.79, and shall compile a list of persons who are certified. A special inspector is not required to meet standards for certification other than those established by the board, and the fee owner of a threshold building may not be prohibited from selecting any person certified by the board to be a special inspector. The board shall develop minimum qualifications for the qualified representative of the special inspector who is authorized under s. 553.79 to perform inspections of threshold buildings on behalf of the special inspector.

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

Section 61. Subsection (1) of section 481.2131, Florida Statutes, is amended to read:

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

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

Section 62. Section 481.215, Florida Statutes, is amended to read:

481.215 Renewal of license or certificate of registration.—
(1) Subject to the requirement of subsection (3), the department shall renew a license or certificate of registration upon receipt of the renewal application and renewal fee.
(2) The department shall adopt rules establishing a procedure for the biennial renewal of licenses and certificates of registration.
(3) No license or certificate of registration renewal may not be issued to an architect or a registered interior designer by the department until the licensee or registrant submits proof satisfactory to the department that, during the 2
years before application for renewal, the licensee or registrant participated per biennium in not less than 20 hours of at least 50 minutes each per biennium of continuing education approved by the board. The board shall approve only continuing education that builds upon the basic knowledge of architecture or interior design. The board may make exception from the requirements of continuing education in emergency or hardship cases.

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

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

Section 63. Section 481.217, Florida Statutes, is amended to read:

481.217 Inactive status.—

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

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

Section 64. Section 481.219, Florida Statutes, is amended to read:

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

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

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

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

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

(c) A qualifying agent shall notify the department in writing before engaging in the practice of architecture in her or his own name or in affiliation with a different business organization, and she or he or such business organization shall supply the same information to the department as required of applicants under this part.
(3) For the purposes of this section, a certificate of authorization shall be required for a corporation, limited liability company, partnership, or person operating under a fictitious name, offering interior design services to the public jointly or separately. However, when an individual is practicing interior design in her or his own name, she or he shall not be required to be certified under this section.

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

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

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

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

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

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

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

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

(10) Each qualifying agent who qualifies a business organization, partnership, limited liability company, or corporation certified under this section shall notify the department within 30 days after any change in the information contained in the application upon which the qualification certification is based. Any registered architect or interior designer who qualifies the business organization shall ensure provided in subsection (7) shall be responsible for ensuring
responsible supervising control of projects of the business organization entity and shall notify the department of the upon termination of her or his employment with a business organization qualified partnership, limited liability company, or corporation certified under this section shall notify the department of the termination within 30 days after such termination.

(7) A business organization is not relieved of responsibility for the conduct or acts of its agents, employees, or officers by reason of its compliance with this section. However, except as provided in s. 558.0035, the architect who signs and seals the construction documents and instruments of service shall be liable for the professional services performed, and the interior designer who signs and seals the interior design drawings, plans, or specifications shall be liable for the professional services performed.

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

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

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

Section 65. Subsections (5) and (10) of section 481.221, Florida Statutes, are amended to read:

481.221 Seals; display of certificate number.—

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

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

Section 66. Section 481.223, Florida Statutes, is amended
to read:

481.223 Prohibitions; penalties; injunctive relief.—
(1) A person may not knowingly:
(a) Practice architecture unless the person is an architect
or a registered architect; however, a licensed architect who has
been licensed by the board and who chooses to relinquish or not
to renew his or her license may use the title “Architect,
Retired” but may not otherwise render any architectural
services.
(b) Practice interior design unless the person is a
registered interior designer unless otherwise exempted herein;
however, an interior designer who has been licensed by the board
and who chooses to relinquish or not to renew his or her license
may use the title “Interior Designer, Retired” but may not
otherwise render any interior design services.
(c) Use the name or title “architect,” or “registered
architect,” or “interior designer” or “registered interior
designer” or words to that effect, when the person is not then
the holder of a valid license or certificate of registration
issued pursuant to this part. This paragraph does not restrict
the use of the name or title “interior designer” or “interior
design firm.”
(d) Present as his or her own the license of another.
(e) Give false or forged evidence to the board or a
member thereof.
(e) (f) Use or attempt to use an architect or interior designer license or interior design certificate of registration that has been suspended, revoked, or placed on inactive or delinquent status.

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

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

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

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

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

Section 67. Section 481.2251, Florida Statutes, is amended to read:

481.2251 Disciplinary proceedings against registered
(1) The following acts constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:

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

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

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

(d) False, deceptive, or misleading advertising;

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

(f) Aiding, assisting, procuring, or advising any unlicensed person to use the title “interior designer” contrary to this part or to a rule of the board;
(g) Failing to perform any statutory or legal obligation placed upon a registered interior designer;

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

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

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

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

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

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

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

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

(a) Refusal to register the applicant approve an application for licensure;
(b) Refusal to renew an existing registration license;
(c) Removal from the state registry Revocation or suspension of a license; or
(d) Imposition of an administrative fine not to exceed $500 $1,000 for each violation or separate offense and a fine of up to $2,500 $5,000 for matters pertaining to a material violation of the Florida Building Code as reported by a local jurisdiction; or
(e) Issuance of a reprimand.

Section 68. Paragraph (b) of subsection (5) and subsections (6) and (8) of section 481.229, Florida Statutes, are amended to read:

481.229 Exceptions; exemptions from licensure.—

(5)
(b) Notwithstanding any other provision of this part, all
persons licensed as architects under this part shall be qualified for interior design registration upon submission of a completed application for such license and a fee not to exceed $30. Such persons shall be exempt from the requirements of s. 481.209(2). For architects licensed as interior designers, satisfaction of the requirements for renewal of licensure as an architect under s. 481.215 shall be deemed to satisfy the requirements for renewal of registration as an interior designer under that section. Complaint processing, investigation, or other discipline-related legal costs related to persons licensed as interior designers under this paragraph shall be assessed against the architects’ account of the Regulatory Trust Fund.

(6) This part shall not apply to:

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

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

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

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

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

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

Section 69. Subsection (1) of section 481.231, Florida Statutes, is amended to read:

481.231 Effect of part locally.—

(1) Nothing in This part shall be construed to repeal, amend, limit, or otherwise affect any specific provision of any local building code or zoning law or ordinance that has been duly adopted, now or hereafter enacted, which is more
restrictive, with respect to the services of registered architects or registered interior designers, than the provisions of this part; provided, however, that a licensed architect shall be deemed registered licensed as an interior designer for purposes of offering or rendering interior design services to a county, municipality, or other local government or political subdivision.

Section 70. Section 481.303, Florida Statutes, is amended to read:

481.303 Definitions.—As used in this chapter, the term:
(1) “Board” means the Board of Landscape Architecture.
(3)(2) “Department” means the Department of Business and Professional Regulation.
(6)(3) “Registered landscape architect” means a person who holds a license to practice landscape architecture in this state under the authority of this act.
(2)(4) “Certificate of registration” means a license issued by the department to a natural person to engage in the practice of landscape architecture.
(5) “Certificate of authorization” means a license issued by the department to a corporation or partnership to engage in the practice of landscape architecture.
(4)(6) “Landscape architecture” means professional services, including, but not limited to, the following:
(a) Consultation, investigation, research, planning, design, preparation of drawings, specifications, contract documents and reports, responsible construction supervision, or landscape management in connection with the planning and development of land and incidental water areas, including the
use of Florida-friendly landscaping as defined in s. 373.185,
where, and to the extent that, the dominant purpose of such
services or creative works is the preservation, conservation,
 enhancement, or determination of proper land uses, natural land
features, ground cover and plantings, or naturalistic and
aesthetic values;

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

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

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

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

Section 71. Section 481.310, Florida Statutes, is amended
to read:

481.310 Practical experience requirement.—Beginning October
1, 1990, every applicant for licensure as a registered landscape
architect shall demonstrate, prior to licensure, 1 year of

CODING: Words stricken are deletions; words underlined are additions.
practical experience in landscape architectural work. An applicant who holds a master of landscape architecture degree and a bachelor’s degree in a related field is not required to demonstrate 1 year of practical experience in landscape architectural work to obtain licensure. The board shall adopt rules providing standards for the required experience. An applicant who qualifies for examination pursuant to s. 481.309(1)(b)1. may obtain the practical experience after completing the required professional degree. Experience used to qualify for examination pursuant to s. 481.309(1)(b)2. may not be used to satisfy the practical experience requirement under this section.

Section 72. Subsections (3) and (4) of section 481.311, Florida Statutes, are amended to read:

481.311 Licensure.—

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

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

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

(4) The board shall certify as qualified for a certificate of authorization any applicant corporation or partnership who satisfies the requirements of s. 481.319.
Section 73. Subsection (4) of section 481.313, Florida Statutes, is amended to read:

481.313 Renewal of license.—

(4) The board, by rule adopted pursuant to ss. 120.536(1) and 120.54, shall establish criteria for the approval of continuing education courses and providers, and shall by rule establish criteria for accepting alternative nonclassroom continuing education on an hour-for-hour basis. A landscape architect shall receive hour-for-hour credit for attending continuing education courses approved by the Landscape Architecture Continuing Education System or another nationally recognized clearinghouse for continuing education that relate to and increase his or her basic knowledge of landscape architecture, as determined by the board, if the landscape architect submits proof satisfactory to the board that such course was approved by the Landscape Architecture Continuing Education System or another nationally recognized clearinghouse for continuing education, along with the syllabus or outline for such course and proof of course attendance.

Section 74. Subsection (2) of section 481.317, Florida Statutes, is amended to read:

481.317 Temporary certificates.—

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

Section 75. Section 481.319, Florida Statutes, is amended to read:

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

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

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

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

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

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

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

(5) Disciplinary action against a corporation or partnership shall be administered in the same manner and on the same grounds as disciplinary action against a registered landscape architect.
Except as provided in s. 558.0035, the fact that a registered landscape architect practices landscape architecture through a corporation or partnership as provided in this section does not relieve the landscape architect from personal liability for her or his professional acts.

Section 76. Subsection (5) of section 481.321, Florida Statutes, is amended to read:

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

Section 77. Subsection (5) of section 481.329, Florida Statutes, is amended to read:

481.329 Exceptions; exemptions from licensure.—
(5) This part does not prohibit any person from engaging in the practice of landscape design, as defined in s. 481.303(7), or from submitting for approval to a governmental agency planting plans that are independent of, or a component of, construction documents that are prepared by a Florida-registered professional. Persons providing landscape design services shall not use the title, term, or designation “landscape architect,” “landscape architectural,” “landscape
architecture,” “L.A.,” “landscape engineering,” or any

description tending to convey the impression that she or he is a

landscape architect unless she or he is registered as provided

in this part.

Section 78. Subsection (9) of section 489.103, Florida

Statutes, is amended to read:

489.103 Exemptions.—This part does not apply to:

(9) Any work or operation of a casual, minor, or

inconsequential nature in which the aggregate contract price for

labor, materials, and all other items is less than $2,500

$1,000, but this exemption does not apply:

(a) If the construction, repair, remodeling, or improvement

is a part of a larger or major operation, whether undertaken by

the same or a different contractor, or in which a division of

the operation is made in contracts of amounts less than $2,500

$1,000 for the purpose of evading this part or otherwi

se.

(b) To a person who advertises that he or she is a

contractor or otherwise represents that he or she is qualified

to engage in contracting.

Section 79. Subsection (2) of section 489.111, Florida

Statutes, is amended to read:

489.111 Licensure by examination.—

(2) A person shall be eligible for licensure by examination

if the person:

(a) Is 18 years of age;

(b) Is of good moral character; and

(c) Meets eligibility requirements according to one of the

following criteria:

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 80. Subsection (1) of section 489.113, Florida Statutes, is amended to read:

489.113 Qualifications for practice; restrictions.—

(1) Any person who desires to engage in contracting on a statewide basis shall, as a prerequisite thereto, establish his or her competency and qualifications to be certified pursuant to this part. To establish competency, a person shall pass the appropriate examination approved by the board and certified by the department. If an applicant has received a baccalaureate degree in building construction from an accredited 4-year college, or a related degree as approved by the board by rule, and has a grade point average of 3.5 or higher, such applicant is not required to pass such examination. Any person who desires to engage in contracting on other than a statewide basis shall, as a prerequisite thereto, be registered pursuant to this part, unless exempted by this part.

Section 81. Subsection (3) of section 489.115, Florida Statutes, is amended to read:

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

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

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

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

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

d) Has held a valid, current license to practice contracting issued by another state or territory of the United States for at least 10 years before the date of application and is applying for the same or similar license in this state, subject to subsections (5)-(9). The board may consider whether such applicant has had a license to practice contracting revoked, suspended, or otherwise acted against by the licensing authority of another state, territory, or country. Such application must be made either when the license in another state or territory is active or within 2 years after such license was last active. Division I contractors and roofing contractors must complete a 2-hour course on the Florida Building Code which includes information on wind mitigation techniques. The required courses may be completed online.

Section 82. Subsection (5) of section 489.511, Florida Statutes, is amended to read:
489.511 Certification; application; examinations; endorsement.—

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

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

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

(c) Has held a valid, current license to practice electrical or alarm system contracting issued by another state or territory of the United States for at least 10 years before the date of application and is applying for the same or similar license in this state, subject to ss. 489.510 and 489.521(3)(a) and subparagraph (1)(b)1. Such application must be made either when the license in another state or territory is active or within 2 years after such license was last active. Electrical contractors and alarm system contractors must complete a 2-hour course on the Florida Building Code which includes information on wind mitigation techniques. The required courses may be completed online.

Section 83. Subsection (3) and paragraph (b) of subsection (4) of section 489.517, Florida Statutes, are amended to read:
489.517 Renewal of certificate or registration; continuing education.—

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

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

(4)

(b)1. For licensed specialty contractors or alarm system contractors, of the 7 classroom hours of continuing education required, at least 1 hour must be on technical subjects, 1 hour on workers’ compensation, 1 hour on workplace safety, 1 hour on business practices, and 1 hour for alarm system contractors and
electrical contractors engaged in alarm system contracting, 2 hours on false alarm prevention.

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

Section 84. Paragraph (b) of subsection (1) of section 489.518, Florida Statutes, is amended to read:

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

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

Section 85. Section 492.104, Florida Statutes, is amended to read:

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

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

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

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

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

(5) The fee for a certificate of authorization shall not exceed $350 and the fee for renewal of the certificate shall not exceed $250.

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

(6)(7) The fee for a provisional license may shall not exceed $50.
(7) The fee for application, examination, and licensure for a license by endorsement shall be as provided in this section for licenses in general.

Section 86. Subsection (1) of section 492.108, Florida Statutes, is amended to read:

492.108 Licensure by endorsement; requirements; fees.—

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

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

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

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

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

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

Section 87. Section 492.111, Florida Statutes, is amended to read:

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

(1) At all times that it offers geological services to the public, the firm, corporation, or partnership is qualified by having on file with the department the name and license number of one or more individuals who hold a current, active license as a professional geologist in the state and are serving as a geologist of record for the firm, corporation, or partnership. A geologist of record may be any principal officer or employee of such firm or corporation, or any partner or employee of such firm or corporation.
partnership, who holds a current, active license as a professional geologist in this state, or any other Florida-licensed professional geologist with whom the firm, corporation, or partnership has entered into a long-term, ongoing relationship, as defined by rule of the board, to serve as one of its geologists of record. It shall be the responsibility of the firm, corporation, or partnership and The geologist of record shall to notify the department of any changes in the relationship or identity of that geologist of record within 30 days after such change.

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

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

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

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

(6) The department may refuse to issue a certificate of authorization if any facts exist which would entitle the department to suspend or revoke an existing certificate of authorization or if the department, after giving persons involved a full and fair hearing, determines that any of the
Section 88. Subsection (4) of section 492.113, Florida Statutes, is amended to read:

492.113 Disciplinary proceedings.—

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

Section 89. Section 492.115, Florida Statutes, is amended to read:

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

Section 90. Section 509.102, Florida Statutes, is created to read:

509.102 Mobile food dispensing vehicles; preemption.—

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

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

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

Section 91. Paragraph (i) of subsection (2) of section
548.003, Florida Statutes, is amended to read:

548.003 Florida State Boxing Commission.—

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

(i) Designation and duties of a knockdown timekeeper.
Section 92. Subsection (1) of section 548.017, Florida Statutes, is amended to read:

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

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

Section 93. Paragraph (d) of subsection (1) of section 553.5141, Florida Statutes, is amended to read:

553.5141 Certifications of conformity and remediation plans.—

(1) For purposes of this section:

(d) “Qualified expert” means:

1. An engineer licensed pursuant to chapter 471.
2. A certified general contractor licensed pursuant to chapter 489.
3. A certified building contractor licensed pursuant to chapter 489.
4. A building code administrator licensed pursuant to chapter 468.
5. A building inspector licensed pursuant to chapter 468.
6. A plans examiner licensed pursuant to chapter 468.
7. An interior designer registered pursuant to chapter 481.

8. An architect licensed pursuant to chapter 481.

9. A landscape architect licensed pursuant to chapter 481.

10. Any person who has prepared a remediation plan related to a claim under Title III of the Americans with Disabilities Act, 42 U.S.C. s. 12182, that has been accepted by a federal court in a settlement agreement or court proceeding, or who has been qualified as an expert in Title III of the Americans with Disabilities Act, 42 U.S.C. s. 12182, by a federal court.

Section 94. Effective January 1, 2021, subsection (1) of section 553.74, Florida Statutes, is amended to read:

553.74 Florida Building Commission.—

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

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

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

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

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

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

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

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

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

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

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

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

(m) One member of a Florida-based organization of
persons with disabilities or a nationally chartered organization
of persons with disabilities with chapters in this state which
complies with or is certified to be compliant with the
requirements of the Americans with Disabilities Act of 1990, as
amended.
(k) One member of the manufactured buildings industry who is licensed to do business in this state and is actively engaged in the industry. The Florida Manufactured Housing Association is encouraged to recommend a list of candidates for consideration.

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

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

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

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

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

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

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

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

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

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

(y) One member who shall be the chair.

Section 95. Subsections (5) and (6) are added to section 823.15, Florida Statutes, to read:

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

(5) Employees, agents, or contractors of a public or private animal shelter, a humane organization, or an animal control agency operated by a humane organization or by a county, municipality, or other incorporated political subdivision may
implant dogs and cats with radio frequency identification
microchips as part of their work with such public or private
animal shelter, humane organization, or animal control agency.

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

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

558.002 Definitions.—As used in this chapter, the term:
(7) “Design professional” means a person, as defined in s.
1.01, who is licensed in this state as an architect, interior
designer, a landscape architect, an engineer, a surveyor, or a
geologist or who is a registered interior designer, as defined
in s. 481.203.

Section 97. Subsection (3) of section 559.25, Florida
Statutes, is amended to read:

559.25 Exemptions.—The provisions of this part shall not
apply to or affect the following persons:
(3) Duly licensed auctioneers, selling at auction.

Section 98. Paragraphs (h) and (k) of subsection (2) of
section 287.055, Florida Statutes, are amended to read:
287.055 Acquisition of professional architectural,
engineering, landscape architectural, or surveying and mapping
services; definitions; procedures; contingent fees prohibited;
penalties.—
(2) DEFINITIONS.—For purposes of this section:

(h) A “design-build firm” means a partnership, corporation, or other legal entity that:
1. Is certified under s. 489.119 to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or
2. Is qualified certified under s. 471.023 to practice or to offer to practice engineering; qualified certified under s. 481.219 to practice or to offer to practice architecture; or qualified certified under s. 481.319 to practice or to offer to practice landscape architecture.

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

Section 99. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2020.