

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

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1 A bill to be entitled
2 An act relating to the deregulation of professions and
3 occupations; providing a short title; amending s.
4 322.57, F.S.; defining the term "servicemember";
5 requiring the Department of Highway Safety and Motor
6 Vehicles to waive the requirement to pass the
7 Commercial Driver License Skills Tests for certain
8 servicemembers and veterans; requiring an applicant
9 who receives such waiver to complete certain
10 requirements within a specified time; requiring the
11 department to adopt rules; amending s. 326.004, F.S.;
12 deleting the requirement that a yacht broker maintain
13 a separate license for each branch office; deleting
14 the requirement that the Division of Florida
15 Condominiums, Timeshares, and Mobile Homes establish a
16 fee; amending s. 447.02, F.S.; conforming provisions
17 to changes made by the act; repealing s. 447.04, F.S.,
18 relating to licensure and permit requirements for
19 business agents; repealing s. 447.041, F.S., relating
20 to hearings for persons or labor organizations denied
21 licensure as a business agent; repealing s. 447.045,
22 F.S., relating to confidential information obtained
23 during the application process; repealing s. 447.06,
24 F.S., relating to required registration of labor
25 organizations; amending s. 447.09, F.S.; deleting
26 certain prohibited actions relating to the right of
27 franchise of a member of a labor organization;
28 repealing s. 447.12, F.S., relating to registration
29 fees; repealing s. 447.16, F.S., relating to

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30 applicability; amending s. 447.305, F.S.; deleting a
31 provision that requires notification of registrations
32 and renewals to the Department of Business and
33 Professional Regulation; amending s. 455.213, F.S.;
34 requiring the department or a board to enter into
35 reciprocal licensing agreements with other states
36 under certain circumstances; providing requirements;
37 creating s. 455.2278, F.S.; defining terms;
38 prohibiting the department or a board from suspending
39 or revoking a person's license solely on the basis of
40 a delinquency or default in the payment of his or her
41 student loan; prohibiting the department or a board
42 from suspending or revoking a person's license solely
43 on the basis of a default in satisfying the
44 requirements of his or her work-conditional
45 scholarship; amending s. 456.072, F.S.; specifying
46 that the failure to repay certain student loans is not
47 considered a failure to perform a statutory or legal
48 obligation for which certain disciplinary action can
49 be taken; conforming provisions to changes made by the
50 act; repealing s. 456.0721, F.S., relating to health
51 care practitioners who are in default on student loan
52 or scholarship obligations; amending s. 456.074, F.S.;
53 deleting a provision relating to the suspension of a
54 license issued by the Department of Health for
55 defaulting on certain student loans; amending s.
56 468.385, F.S.; revising requirements relating to
57 businesses auctioning or offering to auction property
58 in this state; amending s. 468.401, F.S.; revising

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59 definitions; repealing ss. 468.402, 468.403, 468.404,
60 and 468.405, F.S., relating to duties and authority of
61 the Department of Business and Professional Regulation
62 with regard to licensure of talent agencies, licensure
63 requirements, license fees and renewals, and
64 qualification for a talent agency license,
65 respectively; amending s. 468.406, F.S.; requiring an
66 owner or operator of a talent agency to post an
67 itemized schedule of fees, charges, and commissions in
68 a specified place; repealing s. 468.407, F.S.,
69 relating to the form and posting requirements for a
70 license; amending s. 468.408, F.S.; conforming
71 provisions to changes made by the act; prohibiting
72 certain bonds from being issued or renewed by a
73 bonding agency to an owner or operator of a talent
74 agency unless the bonding agency verifies that each
75 owner or operator has not been convicted of specified
76 crimes; amending s. 468.409, F.S.; deleting a
77 requirement for record inspection; amending s.
78 468.410, F.S.; deleting a requirement to include
79 specified information in a contract between a talent
80 agency and an applicant; amending s. 468.412, F.S.;
81 deleting recordkeeping and posting requirements;
82 amending s. 468.413, F.S.; revising criminal
83 penalties; conforming provisions to changes made by
84 the act; repealing s. 468.414, F.S., relating to the
85 deposit of certain funds in the Professional
86 Regulation Trust Fund; amending s. 468.415, F.S.;
87 prohibiting any agent, owner, or operator who commits

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88 sexual misconduct in the operation of a talent agency
89 from acting as an agent, owner, or operator of a
90 Florida talent agency; amending s. 468.505, F.S.;
91 providing that certain unlicensed persons are not
92 prohibited or restricted from his or her practice,
93 services, or activities in dietetics and nutrition
94 under certain circumstances; amending s. 468.524,
95 F.S.; deleting specified exemptions from the time
96 restriction for an employee leasing company to reapply
97 for licensure; amending s. 468.603, F.S.; revising
98 which inspectors are included in the definition of the
99 term "categories of building code inspectors";
100 amending s. 468.609, F.S.; revising certain experience
101 requirements for a person to take the examination for
102 certification; revising the time period a provisional
103 certificate is valid; amending s. 468.613, F.S.;
104 providing for waiver of specified requirements for
105 certification under certain circumstances; amending s.
106 468.8314, F.S.; requiring an applicant for a license
107 by endorsement to maintain a specified insurance
108 policy; requiring the department to certify an
109 applicant who holds a specified license issued by
110 another state or territory of the United States under
111 certain circumstances; amending s. 471.015, F.S.;
112 revising licensure requirements for engineers who hold
113 specified licenses in another state; amending s.
114 473.308, F.S.; deleting continuing education
115 requirements for license by endorsement for certified
116 public accountants; amending s. 474.202, F.S.;

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117 revising the definition of the term "limited-service
118 veterinary medical practice" to include certain
119 procedures; amending s. 474.207, F.S.; revising
120 education requirements for licensure by examination;
121 amending s. 474.217, F.S.; requiring the department to
122 issue a license by endorsement to certain applicants
123 who successfully complete a specified examination;
124 amending s. 476.114, F.S.; revising training
125 requirements for licensure as a barber; amending s.
126 476.144, F.S.; requiring the department to certify as
127 qualified for licensure by endorsement an applicant
128 who is licensed to practice barbering in another
129 state; amending s. 477.013, F.S.; revising the
130 definition of the term "hair braiding"; repealing s.
131 477.0132, F.S., relating to registration for hair
132 braiding, hair wrapping, and body wrapping; amending
133 s. 477.0135, F.S.; providing additional exemptions
134 from license or registration requirements for
135 specified occupations or practices; amending s.
136 477.019, F.S.; deleting a provision prohibiting the
137 Board of Cosmetology from asking for proof of certain
138 educational hours under certain circumstances;
139 conforming provisions to changes made by the act;
140 amending s. 477.0201, F.S.; providing requirements for
141 registration as a specialist; amending s. 477.026,
142 F.S.; conforming provisions to changes made by the
143 act; amending s. 477.0263, F.S.; providing that
144 certain cosmetology services may be performed in a
145 location other than a licensed salon under certain

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146 circumstances; amending ss. 477.0265 and 477.029,
147 F.S.; conforming provisions to changes made by the
148 act; amending s. 481.201, F.S.; deleting legislative
149 findings relating to the practice of interior design;
150 amending s. 481.203, F.S.; revising and deleting
151 definitions; amending s. 481.205, F.S.; conforming
152 provisions to changes made by the act; amending s.
153 481.207, F.S.; revising certain fees for interior
154 designers; conforming provisions to changes made by
155 the act; amending s. 481.209, F.S.; providing
156 requirements for a certificate of registration and a
157 seal for interior designers; specifying that certain
158 persons who are already licensed as interior designers
159 are eligible to obtain a certificate of registration;
160 conforming provisions to changes made by the act;
161 amending s. 481.213, F.S.; revising requirements for
162 certification of licensure by endorsement for a
163 certain licensee to engage in the practice of
164 architecture; providing that a certificate of
165 registration is not required for specified persons to
166 practice; conforming provisions to changes made by the
167 act; amending s. 481.2131, F.S.; requiring certain
168 interior designers to include a specified seal when
169 submitting documents for the issuance of a building
170 permit; amending s. 481.215, F.S.; conforming
171 provisions to changes made by the act; revising the
172 number of hours of specified courses the board must
173 require for the renewal of a license or certificate of
174 registration; authorizing licensees to complete

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175 certain courses online; amending s. 481.217, F.S.;

176 conforming provisions to changes made by the act;

177 amending s. 481.219, F.S.; deleting provisions

178 permitting the practice of or offer to practice

179 interior design through certain business

180 organizations; deleting provisions requiring

181 certificates of authorization for certain business

182 organizations offering interior design services to the

183 public; requiring a licensee or applicant in the

184 practice of architecture to qualify as a business

185 organization; providing requirements; amending s.

186 481.221, F.S.; conforming provisions to changes made

187 by the act; requiring registered architects and

188 certain business organizations to display certain

189 license numbers in specified advertisements; amending

190 s. 481.223, F.S.; providing construction; conforming

191 provisions to changes made by the act; amending s.

192 481.2251, F.S.; revising the acts that constitute

193 grounds for disciplinary actions relating to interior

194 designers; conforming provisions to changes made by

195 the act; amending ss. 481.229 and 481.231, F.S.;

196 conforming provisions to changes made by the act;

197 amending s. 481.303, F.S.; deleting the definition of

198 the term "certificate of authorization"; amending s.

199 481.310, F.S.; providing that an applicant who holds

200 certain degrees is not required to demonstrate 1 year

201 of practical experience for licensure; amending s.

202 481.311, F.S.; revising requirements for certification

203 of licensure by endorsement for a certain applicant to

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204 engage in the practice of landscape architecture;
205 amending s. 481.313, F.S.; authorizing a landscape
206 architect to receive hour-for-hour credit for certain
207 approved continuing education courses under certain
208 circumstances; amending s. 481.317, F.S.; conforming
209 provisions to changes made by the act; amending s.
210 481.319, F.S.; deleting the requirement for a
211 certificate of authorization; authorizing landscape
212 architects to practice in the name of a corporation or
213 partnership; amending s. 481.321, F.S.; requiring a
214 landscape architect to display a certain certificate
215 number in specified advertisements; amending s.
216 481.329, F.S.; conforming a cross-reference; amending
217 s. 489.103, F.S.; revising certain contract prices for
218 exemption; amending s. 489.111, F.S.; revising
219 provisions relating to eligibility for licensure;
220 amending s. 489.113, F.S.; providing that applicants
221 who meet certain requirements are not required to pass
222 a specified examination; amending s. 489.115, F.S.;
223 requiring the Construction Industry Licensing Board to
224 certify any applicant who holds a specified license to
225 practice contracting issued by another state or
226 territory of the United States under certain
227 circumstances; requiring certain applicants to
228 complete certain training; amending s. 489.511, F.S.;
229 requiring the board to certify as qualified for
230 certification by endorsement any applicant who holds a
231 specified license to practice electrical or alarm
232 system contracting issued by another state or

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233 territory of the United States under certain
234 circumstances; requiring certain applicants to
235 complete certain training; amending s. 489.517, F.S.;
236 providing a reduction in certain continuing education
237 hours required for certain contractors; amending s.
238 489.518, F.S.; requiring a person to have completed a
239 specified amount of training within a certain time
240 period to perform the duties of an alarm system agent;
241 amending s. 492.104, F.S.; conforming provisions to
242 changes made by the act; amending 492.108, F.S.;
243 requiring the department to issue a license by
244 endorsement to any applicant who has held a specified
245 license to practice geology in another state, trust,
246 territory, or possession of the United States for a
247 certain period of time; providing that an applicant
248 may take the examination required by the board if they
249 have not met the specified examination requirement;
250 amending s. 492.111, F.S.; deleting the requirements
251 for a certificate of authorization for a professional
252 geologist; amending ss. 492.113 and 492.115, F.S.;
253 conforming provisions to changes made by the act;
254 creating s. 509.102, F.S.; defining the term "mobile
255 food dispensing vehicle"; preempting certain
256 regulation of mobile food dispensing vehicles to the
257 state; prohibiting certain entities from prohibiting
258 mobile food dispensing vehicles from operating within
259 the entirety of such entities' jurisdictions;
260 providing construction; amending s. 548.003, F.S.;
261 deleting the requirement that the Florida State Boxing

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262 Commission adopt rules relating to a knockdown
263 timekeeper; amending s. 548.017, F.S.; deleting the
264 licensure requirement for a timekeeper or an
265 announcer; amending s. 553.5141, F.S.; conforming
266 provisions to changes made by the act; amending s.
267 553.74, F.S.; revising the membership and
268 qualifications of the Florida Building Commission;
269 amending s. 823.15, F.S.; authorizing certain persons
270 to implant dogs and cats with specified microchips
271 under certain circumstances; authorizing certain
272 persons to contact the owner of record listed on radio
273 frequency identification microchips under certain
274 circumstances; amending ss. 558.002, 559.25, and
275 287.055, F.S.; conforming provisions to changes made
276 by the act; providing effective dates.

277

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

279

280 Section 1. This act may be cited as the "Occupational
281 Freedom and Opportunity Act."

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

285 322.57 Tests of knowledge concerning specified vehicles;
286 endorsement; nonresidents; violations.—

287 (4) (a) As used in this subsection, the term "servicemember"
288 means a member of any branch of the United States military or
289 military reserves, the United States Coast Guard or its
290 reserves, the Florida National Guard, or the Florida Air

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291 National Guard.

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

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

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

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

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

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

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

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

313 326.004 Licensing.—

314 (13) Each broker must maintain a principal place of
315 business in this state and may establish branch offices in the
316 state. ~~A separate license must be maintained for each branch~~
317 ~~office. The division shall establish by rule a fee not to exceed~~
318 ~~\$100 for each branch office license.~~

319 Section 4. Subsection (3) of section 447.02, Florida

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320 Statutes, is amended to read:

321 447.02 Definitions.—The following terms, when used in this
322 chapter, shall have the meanings ascribed to them in this
323 section:

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

326 Section 5. Section 447.04, Florida Statutes, is repealed.

327 Section 6. Section 447.041, Florida Statutes, is repealed.

328 Section 7. Section 447.045, Florida Statutes, is repealed.

329 Section 8. Section 447.06, Florida Statutes, is repealed.

330 Section 9. Subsections (6) and (8) of section 447.09,

331 Florida Statutes, are amended to read:

332 447.09 Right of franchise preserved; penalties.—It shall be
333 unlawful for any person:

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

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

338 Section 10. Section 447.12, Florida Statutes, is repealed.

339 Section 11. Section 447.16, Florida Statutes, is repealed.

340 Section 12. Subsection (4) of section 447.305, Florida
341 Statutes, is amended to read:

342 447.305 Registration of employee organization.—

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

347 Section 13. Subsection (14) is added to section 455.213,
348 Florida Statutes, to read:

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349 455.213 General licensing provisions.—

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

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

361 455.2278 Restriction on disciplinary action for student
362 loan default.—

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

364 (a) "Default" means the failure to repay a student loan
365 according to the terms agreed to in the promissory note.

366 (b) "Delinquency" means the failure to make a student loan
367 payment when it is due.

368 (c) "Student loan" means a federal-guaranteed or state-
369 guaranteed loan for the purposes of postsecondary education.

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

375 (2) STUDENT LOAN DEFAULT; DELINQUENCY.—The department or a
376 board may not suspend or revoke a license that it has issued to
377 any person who is in default on or delinquent in the payment of

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378 his or her student loans solely on the basis of such default or
379 delinquency.

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

385 Section 15. Paragraph (k) of subsection (1) of section
386 456.072, Florida Statutes, is amended to read:

387 456.072 Grounds for discipline; penalties; enforcement.—

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

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

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

406 Section 17. Subsection (4) of section 456.074, Florida

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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.~~

423 Section 18. Paragraph (b) of subsection (7) of section
424 468.385, Florida Statutes, is amended to read:

425 468.385 Licenses required; qualifications; examination.-

426 (7)

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

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436 Section 19. Section 468.401, Florida Statutes, is amended
437 to read:

438 468.401 ~~Regulation of~~ Talent agencies; definitions.—As used
439 in this part, the term ~~or any rule adopted pursuant hereto~~:

440 (8)~~(1)~~ "Talent agency" means any person who, for
441 compensation, engages in the occupation or business of procuring
442 or attempting to procure engagements for an artist.

443 (6)~~(2)~~ "Owner" means any partner in a partnership, member
444 of a firm, or principal officer or officers of a corporation,
445 whose partnership, firm, or corporation owns a talent agency, or
446 any individual who is the sole owner of a talent agency.

447 (3) "Compensation" means any one or more of the following:

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

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

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

460 (4) "Engagement" means any employment or placement of an
461 artist, where the artist performs in his or her artistic
462 capacity. However, the term "engagement" shall not apply to
463 procuring opera, music, theater, or dance engagements for any
464 organization defined in s. 501(c)(3) of the Internal Revenue

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465 Code or any nonprofit Florida arts organization that has
466 received a grant from the Division of Cultural Affairs of the
467 Department of State or has participated in the state touring
468 program of the Division of Cultural Affairs.

469 ~~(5) "Department" means the Department of Business and~~
470 ~~Professional Regulation.~~

471 (5)~~(6)~~ "Operator" means the person who is or who will be in
472 actual charge of a talent agency.

473 (2)~~(7)~~ "Buyer" or "employer" means a person, company,
474 partnership, or corporation that uses the services of a talent
475 agency to provide artists.

476 (1)~~(8)~~ "Artist" means a person performing on the
477 professional stage or in the production of television, radio, or
478 motion pictures; a musician or group of musicians; or a model.

479 (7)~~(9)~~ "Person" means any individual, company, society,
480 firm, partnership, association, corporation, manager, or any
481 agent or employee of any of the foregoing.

482 ~~(10) "License" means a license issued by the Department of~~
483 ~~Business and Professional Regulation to carry on the business of~~
484 ~~a talent agency under this part.~~

485 ~~(11) "Licensee" means a talent agency which holds a valid~~
486 ~~unrevoked and unforfeited license issued under this part.~~

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

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

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

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

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

493 468.406 Fees to be charged by talent agencies; rates;

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494 display.-

495 (1) Each owner or operator of a talent agency shall post in
496 a conspicuous place in each place of business of the agency
497 ~~applicant for a license shall file with the application an~~
498 ~~itemized schedule of maximum fees, charges, and commissions that~~
499 ~~which it intends to charge and collect for its services. The~~
500 ~~This schedule may thereafter be raised only by filing with the~~
501 ~~department an amended or supplemental schedule at least 30 days~~
502 ~~before the change is to become effective. The schedule shall be~~
503 ~~posted in a conspicuous place in each place of business of the~~
504 ~~agency and shall be printed in not less than a 30-point~~
505 ~~boldfaced type, except that an agency that uses written~~
506 ~~contracts containing maximum fee schedules need not post such~~
507 ~~schedules.~~

508 Section 25. Section 468.407, Florida Statutes, is repealed.

509 Section 26. Subsection (1) of section 468.408, Florida
510 Statutes, is amended to read:

511 468.408 Bond required.-

512 (1) An owner or operator of a ~~There shall be filed with the~~
513 ~~department for each talent agency shall obtain~~ license a bond in
514 the form of a surety by a reputable company engaged in the
515 bonding business and authorized to do business in this state.
516 The bond shall be for the penal sum of \$5,000, with one or more
517 sureties ~~to be approved by the department,~~ and be conditioned
518 that the owner or operator of the talent agency applicant
519 conform to and not violate any of the duties, terms, conditions,
520 provisions, or requirements of this part. Such bond may not be
521 issued or renewed by the bonding agency unless each owner or
522 operator of a talent agency submits fingerprints to the

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523 Department of Law Enforcement for a state criminal history
524 record check and to the Federal Bureau of Investigation for a
525 national criminal history record check, and the bonding agency
526 verifies by examination of the criminal history records checks
527 that each owner or operator has not been convicted of a crime
528 that would require registration as a sexual offender, as
529 required in s. 943.0435 or s. 944.607, or as a sexual predator,
530 as required under s. 775.21.

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

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

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

546 468.409 Records required to be kept.—Each talent agency
547 shall keep on file the application, registration, or contract of
548 each artist. In addition, such file must include the name and
549 address of each artist, the amount of the compensation received,
550 and all attempts to procure engagements for the artist. No such
551 agency or employee thereof shall knowingly make any false entry

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552 in applicant files or receipt files. Each card or document in
553 such files shall be preserved for a period of 1 year after the
554 date of the last entry thereon. ~~Records required under this~~
555 ~~section shall be readily available for inspection by the~~
556 ~~department during reasonable business hours at the talent~~
557 ~~agency's principal office. A talent agency must provide the~~
558 ~~department with true copies of the records in the manner~~
559 ~~prescribed by the department.~~

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

562 468.410 Prohibition against registration fees; referral.-

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

569 Section 29. Present subsections (4) through (11) of section
570 468.412, Florida Statutes, are redesignated as subsections (3)
571 through (10), respectively, and present subsections (2), (3),
572 (4), (6), and (11) of that section are amended, to read:

573 468.412 Talent agency regulations; prohibited acts.-

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

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

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

579 (c) The employment in which each such artist is engaged at
580 the time of employing such talent agency and the amount of

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581 compensation of the artist in such employment, if any, and the
582 employments subsequently secured by such artist during the term
583 of the contract between the artist and the talent agency and the
584 amount of compensation received by the artist pursuant thereto. +
585 and

586 ~~(d) Other information which the department may require from~~
587 ~~time to time.~~

588 ~~(3) All books, records, and other papers kept pursuant to~~
589 ~~this act by any talent agency shall be open at all reasonable~~
590 ~~hours to the inspection of the department and its agents. Each~~
591 ~~talent agency shall furnish to the department, upon request, a~~
592 ~~true copy of such books, records, and papers, or any portion~~
593 ~~thereof, and shall make such reports as the department may~~
594 ~~prescribe from time to time.~~

595 ~~(3)(4)~~ Each talent agency shall post in a conspicuous place
596 in the office of such talent agency a printed copy of this part
597 and of the rules adopted under this part. Such copies shall also
598 contain the name and address of the officer charged with
599 enforcing this part. The department shall furnish to talent
600 agencies printed copies of any statute or rule required to be
601 posted under this subsection.

602 ~~(5)(6)~~ A ~~No~~ talent agency may not publish or cause to be
603 published any false, fraudulent, or misleading information,
604 representation, notice, or advertisement. All advertisements of
605 a talent agency by means of card, circulars, or signs, and in
606 newspapers and other publications, and all letterheads,
607 receipts, and blanks shall be printed and contain the licensed
608 ~~name, department license number,~~ and address of the talent
609 agency and the words "talent agency." A ~~No~~ talent agency may not

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610 give any false information or make any false promises or
611 representations concerning an engagement or employment to any
612 applicant who applies for an engagement or employment.

613 (10)~~(11)~~ A talent agency may assign an engagement contract
614 to another talent agency ~~licensed~~ in this state only if the
615 artist agrees in writing to the assignment. The assignment must
616 occur, and written notice of the assignment must be given to the
617 artist, within 30 days after the artist agrees in writing to the
618 assignment.

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

621 468.413 Legal requirements; penalties.—

622 ~~(1) Each of the following acts constitutes a felony of the~~
623 ~~third degree, punishable as provided in s. 775.082, s. 775.083,~~
624 ~~or s. 775.084:~~

625 ~~(a) Owning or operating, or soliciting business as, a~~
626 ~~talent agency in this state without first procuring a license~~
627 ~~from the department.~~

628 ~~(b) Obtaining or attempting to obtain a license by means of~~
629 ~~fraud, misrepresentation, or concealment.~~

630 (1)~~(2)~~ Each of the following acts constitutes a misdemeanor
631 of the second degree, punishable as provided in s. 775.082 or s.
632 775.083:

633 ~~(a) Relocating a business as a talent agency, or operating~~
634 ~~under any name other than that designated on the license, unless~~
635 ~~written notification is given to the department and to the~~
636 ~~surety or sureties on the original bond, and unless the license~~
637 ~~is returned to the department for the recording thereon of such~~
638 ~~changes.~~

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639 ~~(b) Assigning or attempting to assign a license issued~~
640 ~~under this part.~~

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

645 (a)~~(d)~~ Failing to maintain the records required by s.
646 468.409 or knowingly making false entries in such records.

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

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

657 (d)~~(g)~~ Failing to maintain a record sheet as required by s.
658 468.412(1).

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

664 ~~(3) The court may, in addition to other punishment provided~~
665 ~~for in subsection (2), suspend or revoke the license of any~~
666 ~~licensee under this part who has been found guilty of any~~
667 ~~misdemeanor listed in subsection (2).~~

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668 (2)~~(4)~~ In the event that ~~the department or~~ any state
669 attorney shall have probable cause to believe that a talent
670 agency or other person has violated any provision of subsection
671 (1), an action may be brought by ~~the department or~~ any state
672 attorney to enjoin such talent agency or any person from
673 continuing such violation, or engaging therein or doing any acts
674 in furtherance thereof, and for such other relief as to the
675 court seems appropriate. ~~In addition to this remedy, the~~
676 ~~department may assess a penalty against any talent agency or any~~
677 ~~person in an amount not to exceed \$5,000.~~

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

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

681 468.415 Sexual misconduct in the operation of a talent
682 agency.—The talent agent-artist relationship is founded on
683 mutual trust. Sexual misconduct in the operation of a talent
684 agency means violation of the talent agent-artist relationship
685 through which the talent agent uses the relationship to induce
686 or attempt to induce the artist to engage or attempt to engage
687 in sexual activity. Sexual misconduct is prohibited in the
688 operation of a talent agency. ~~If~~ Any agent, owner, or operator
689 of a ~~licensed~~ talent agency who commits ~~is found to have~~
690 ~~committed~~ sexual misconduct in the operation of a talent agency,
691 ~~the agency license shall be permanently revoked. Such agent,~~
692 ~~owner, or operator shall be permanently~~ prohibited from acting
693 ~~disqualified from present and future licensure as~~ an agent,
694 owner, or operator of a Florida talent agency.

695 Section 33. Paragraph (n) is added to subsection (1) of
696 section 468.505, Florida Statutes, to read:

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697 468.505 Exemptions; exceptions.—

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

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

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

710 468.524 Application for license.—

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

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

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

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

725 (c) ~~(d)~~ The ~~applicant or~~ licensee has failed to submit

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726 required fees, ~~or~~

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

732 Section 35. Paragraph (f) of subsection (5) of section
733 468.603, Florida Statutes, is amended to read:

734 468.603 Definitions.—As used in this part:

735 (5) "Categories of building code inspectors" include the
736 following:

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

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

748 468.609 Administration of this part; standards for
749 certification; additional categories of certification.—

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

753 (c) Meets eligibility requirements according to one of the
754 following criteria:

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755 1. Demonstrates 4 ~~5~~ years' combined experience in the field
756 of construction or a related field, building code inspection, or
757 plans review corresponding to the certification category sought;

758 2. Demonstrates a combination of postsecondary education in
759 the field of construction or a related field and experience
760 which totals 3 ~~4~~ years, with at least 1 year of such total being
761 experience in construction, building code inspection, or plans
762 review;

763 3. Demonstrates a combination of technical education in the
764 field of construction or a related field and experience which
765 totals 3 ~~4~~ years, with at least 1 year of such total being
766 experience in construction, building code inspection, or plans
767 review;

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

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

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784 inspections and fire plans review of new buildings as a
785 firesafety inspector certified under s. 633.216, or
786 construction. The approved training portion of this requirement
787 shall include proof of satisfactory completion of a training
788 program that provides at least 200 hours but not more than 300
789 hours of cross-training that is approved by the board in the
790 chosen category of building code inspection or plan review in
791 the certification category sought with at least 20 hours but not
792 more than 30 hours of instruction in state laws, rules, and
793 ethics relating to professional standards of practice, duties,
794 and responsibilities of a certificateholder. The board shall
795 coordinate with the Building Officials Association of Florida,
796 Inc., to establish by rule the development and implementation of
797 the training program. However, the board shall accept all
798 classroom training offered by an approved provider if the
799 content substantially meets the intent of the classroom
800 component of the training program;

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

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

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

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813 family dwelling training programs, which must provide at least
814 500 but not more than 800 hours of training as prescribed by the
815 board. The board shall establish by rule criteria for the
816 development and implementation of classroom training courses and
817 programs in each certification category; or

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

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

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

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

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

839 (7) (a) The board shall provide for the issuance of
840 provisional certificates valid for 2 years ~~1-year~~, as specified
841 by board rule, to any building code inspector or plans examiner

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842 who meets the eligibility requirements described in subsection
843 (2) and any newly employed or promoted building code
844 administrator who meets the eligibility requirements described
845 in subsection (3). The provisional license may be renewed by the
846 board for just cause; however, a provisional license is not
847 valid for longer than 3 years.

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

850 468.613 Certification by endorsement.—The board shall
851 examine other certification or training programs, as applicable,
852 upon submission to the board for its consideration of an
853 application for certification by endorsement. The board shall
854 waive its examination, qualification, education, or training
855 requirements, to the extent that such examination,
856 qualification, education, or training requirements of the
857 applicant are determined by the board to be comparable with
858 those established by the board. The board shall waive its
859 examination, qualification, education, or training requirements
860 if an applicant for certification by endorsement is at least 18
861 years of age; is of good moral character; has held a valid
862 building administrator, inspector, plans examiner, or the
863 equivalent, certification issued by another state or territory
864 of the United States for at least 10 years before the date of
865 application; and has successfully passed an applicable
866 examination administered by the International Code Council. Such
867 application must be made either when the license in another
868 state or territory is active or within 2 years after such
869 license was last active.

870 Section 38. Subsection (3) of section 468.8314, Florida

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871 Statutes, is amended to read:

872 468.8314 Licensure.—

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

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

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

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

892 471.015 Licensure.—

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

899 (b) The board shall deem that an applicant who seeks

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900 licensure by endorsement has passed an examination substantially
901 equivalent to the fundamentals examination and the principles
902 and practices examination when such applicant has held a valid
903 professional engineer's license in another state for 15 ~~25~~ years
904 and has had ~~30 years of continuous professional-level~~
905 ~~engineering experience.~~

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

908 473.308 Licensure.—

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

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

917 ~~2. Has completed such continuing education courses as the~~
918 ~~board deems appropriate, within the limits for each applicable~~
919 ~~2-year period as set forth in s. 473.312, but at least such~~
920 ~~courses as are equivalent to the continuing education~~
921 ~~requirements for a Florida certified public accountant licensed~~
922 ~~in this state during the 2 years immediately preceding her or~~
923 ~~his application for licensure by endorsement; or~~

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

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929 2.b. Holds a valid license to practice public accounting
930 issued by another state or territory of the United States but
931 the criteria for issuance of such license did not meet the
932 requirements of subparagraph 1. ~~sub-subparagraph a.~~; has met the
933 requirements of this section for education, work experience, and
934 good moral character; and has passed a national, regional,
935 state, or territorial licensing examination that is
936 substantially equivalent to the examination required by s.
937 473.306; or

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

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

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

952 474.202 Definitions.—As used in this chapter:

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

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

963 Section 42. Paragraph (b) of subsection (2) of section
964 474.207, Florida Statutes, is amended to read:

965 474.207 Licensure by examination.—

966 (2) The department shall license each applicant who the
967 board certifies has:

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

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

976
977 The department shall not issue a license to any applicant who is
978 under investigation in any state or territory of the United
979 States or in the District of Columbia for an act which would
980 constitute a violation of this chapter until the investigation
981 is complete and disciplinary proceedings have been terminated,
982 at which time the provisions of s. 474.214 shall apply.

983 Section 43. Subsection (1) of section 474.217, Florida
984 Statutes, is amended to read:

985 474.217 Licensure by endorsement.—

986 (1) The department shall issue a license by endorsement to

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987 any applicant who, upon applying to the department and remitting
988 a fee set by the board, demonstrates to the board that she or
989 he:

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

993 (b)1. ~~Either~~ Holds, and has held for the 3 years
994 immediately preceding the application for licensure, a valid,
995 active license to practice veterinary medicine in another state
996 of the United States, the District of Columbia, or a territory
997 of the United States, provided that the applicant has
998 successfully completed a state, regional, national, or other
999 examination that is equivalent to or more stringent than the
1000 examination required by the board ~~requirements for licensure in~~
1001 ~~the issuing state, district, or territory are equivalent to or~~
1002 ~~more stringent than the requirements of this chapter; or~~

1003 2. Meets the qualifications of s. 474.207(2) (b) and has
1004 successfully completed a state, regional, national, or other
1005 examination which is equivalent to or more stringent than the
1006 examination given by the department and has passed the board's
1007 clinical competency examination or another clinical competency
1008 examination specified by rule of the board.

1009 Section 44. Effective January 1, 2021, subsection (2) of
1010 section 476.114, Florida Statutes, is amended to read:

1011 476.114 Examination; prerequisites.—

1012 (2) An applicant shall be eligible for licensure by
1013 examination to practice barbering if the applicant:

1014 (a) Is at least 16 years of age;

1015 (b) Pays the required application fee; and

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1016 (c)1. Holds an active valid license to practice barbering
1017 in another state, has held the license for at least 1 year, and
1018 does not qualify for licensure by endorsement as provided for in
1019 s. 476.144(5); or

1020 2. Has received a minimum of 900 ~~1,200~~ hours of training in
1021 sanitation, safety, and laws and rules, as established by the
1022 board, which shall include, but shall not be limited to, the
1023 equivalent of completion of services directly related to the
1024 practice of barbering at one of the following:

- 1025 a. A school of barbering licensed pursuant to chapter 1005;
- 1026 b. A barbering program within the public school system; or
- 1027 c. A government-operated barbering program in this state.

1028
1029 The board shall establish by rule procedures whereby the school
1030 or program may certify that a person is qualified to take the
1031 required examination after the completion of a minimum of 600
1032 ~~1,000~~ actual school hours. If the person passes the examination,
1033 she or he shall have satisfied this requirement; but if the
1034 person fails the examination, she or he shall not be qualified
1035 to take the examination again until the completion of the full
1036 requirements provided by this section.

1037 Section 45. Subsection (5) of section 476.144, Florida
1038 Statutes, is amended to read:

1039 476.144 Licensure.—

1040 (5) The board shall certify as qualified for licensure by
1041 endorsement as a barber in this state an applicant who holds a
1042 current active license to practice barbering in another state.
1043 The board shall adopt rules specifying procedures for the
1044 licensure by endorsement of practitioners desiring to be

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1045 licensed in this state who hold a current active license in
1046 another ~~state or~~ country and who have met qualifications
1047 substantially similar to, equivalent to, or greater than the
1048 qualifications required of applicants from this state.

1049 Section 46. Subsection (9) of section 477.013, Florida
1050 Statutes, is amended to read:

1051 477.013 Definitions.—As used in this chapter:

1052 (9) "Hair braiding" means the weaving or interweaving of
1053 natural human hair or commercial hair, including the use of hair
1054 extensions or wefts, for compensation without cutting, coloring,
1055 permanent waving, relaxing, removing, or chemical treatment ~~and~~
1056 ~~does not include the use of hair extensions or wefts.~~

1057 Section 47. Section 477.0132, Florida Statutes, is
1058 repealed.

1059 Section 48. Subsections (7) through (11) are added to
1060 section 477.0135, Florida Statutes, to read:

1061 477.0135 Exemptions.—

1062 (7) A license or registration is not required for a person
1063 whose occupation or practice is confined solely to hair braiding
1064 as defined in s. 477.013(9).

1065 (8) A license or registration is not required for a person
1066 whose occupation or practice is confined solely to hair wrapping
1067 as defined in s. 477.013(10).

1068 (9) A license or registration is not required for a person
1069 whose occupation or practice is confined solely to body wrapping
1070 as defined in s. 477.013(12).

1071 (10) A license or registration is not required for a person
1072 whose occupation or practice is confined solely to applying
1073 polish to fingernails and toenails.

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1074 (11) A license or registration is not required for a person
1075 whose occupation or practice is confined solely to the
1076 application or removal of any external preparation which is
1077 intended to cleanse, tone, color, or beautify the face or neck,
1078 including, but not limited to, skin cleansers, astringents, skin
1079 fresheners, lipstick, eyeliner, eye shadow, foundation, rouge or
1080 cheek color, mascara, face powder or corrective stick, and other
1081 cosmetic products as defined by the board by rule.

1082 Section 49. Subsections (6) and (7) of section 477.019,
1083 Florida Statutes, are amended to read:

1084 477.019 Cosmetologists; qualifications; licensure;
1085 supervised practice; license renewal; endorsement; continuing
1086 education.—

1087 (6) The board shall certify as qualified for licensure by
1088 endorsement as a cosmetologist in this state an applicant who
1089 holds a current active license to practice cosmetology in
1090 another state. ~~The board may not require proof of educational~~
1091 ~~hours if the license was issued in a state that requires 1,200~~
1092 ~~or more hours of prelicensure education and passage of a written~~
1093 ~~examination. This subsection does not apply to applicants who~~
1094 ~~received their license in another state through an~~
1095 ~~apprenticeship program.~~

1096 (7) (a) The board shall prescribe by rule continuing
1097 education requirements intended to ensure protection of the
1098 public through updated training of licensees and registered
1099 specialists, not to exceed 10 ~~16~~ hours biennially, as a
1100 condition for renewal of a license or registration as a
1101 specialist under this chapter. Continuing education courses
1102 shall include, but not be limited to, the following subjects as

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1103 they relate to the practice of cosmetology: human
1104 immunodeficiency virus and acquired immune deficiency syndrome;
1105 Occupational Safety and Health Administration regulations;
1106 workers' compensation issues; state and federal laws and rules
1107 as they pertain to cosmetologists, cosmetology, salons,
1108 specialists, specialty salons, and booth renters; chemical
1109 makeup as it pertains to hair, skin, and nails; and
1110 environmental issues. Courses given at cosmetology conferences
1111 may be counted toward the number of continuing education hours
1112 required if approved by the board.

1113 (b) ~~Any person whose occupation or practice is confined~~
1114 ~~solely to hair braiding, hair wrapping, or body wrapping is~~
1115 ~~exempt from the continuing education requirements of this~~
1116 ~~subsection.~~

1117 (e) The board may, by rule, require any licensee in
1118 violation of a continuing education requirement to take a
1119 refresher course or refresher course and examination in addition
1120 to any other penalty. The number of hours for the refresher
1121 course may not exceed 48 hours.

1122 Section 50. Effective January 1, 2021, subsection (1) of
1123 section 477.0201, Florida Statutes, is amended to read:

1124 477.0201 Specialty registration; qualifications;
1125 registration renewal; endorsement.—

1126 (1) Any person is qualified for registration as a
1127 specialist in any one or more of the specialty practice
1128 ~~practices~~ within the practice of cosmetology under this chapter
1129 who:

1130 (a) Is at least 16 years of age or has received a high
1131 school diploma.

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- 1132 (b) Has received a certificate of completion for: ~~in a~~
1133 1. One hundred and eighty hours of training, as established
1134 by the board, which shall focus primarily on sanitation and
1135 safety, to practice specialties as defined in s. 477.013(6) (a)
1136 and (b); ~~specialty pursuant to s. 477.013(6)~~
1137 2. Two hundred and twenty hours of training, as established
1138 by the board, which shall focus primarily on sanitation and
1139 safety, to practice the specialty as defined in s.
1140 477.013(6) (c); or
1141 3. Four hundred hours of training or the number of hours of
1142 training required to maintain minimum Pell Grant requirements,
1143 as established by the board, which shall focus primarily on
1144 sanitation and safety, to practice the specialties as defined in
1145 s. 477.013(6) (a)-(c).
1146 (c) The certificate of completion specified in paragraph
1147 (b) must be from one of the following:
1148 1. A school licensed pursuant to s. 477.023.
1149 2. A school licensed pursuant to chapter 1005 or the
1150 equivalent licensing authority of another state.
1151 3. A specialty program within the public school system.
1152 4. A specialty division within the Cosmetology Division of
1153 the Florida School for the Deaf and the Blind, provided the
1154 training programs comply with minimum curriculum requirements
1155 established by the board.
1156 Section 51. Paragraph (f) of subsection (1) of section
1157 477.026, Florida Statutes, is amended to read:
1158 477.026 Fees; disposition.—
1159 (1) The board shall set fees according to the following
1160 schedule:

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1161 ~~(f) For hair braiders, hair wrappers, and body wrappers,~~
1162 ~~fees for registration shall not exceed \$25.~~

1163 Section 52. Subsection (4) of section 477.0263, Florida
1164 Statutes, is amended, and subsection (5) is added to that
1165 section, to read:

1166 477.0263 Cosmetology services to be performed in licensed
1167 salon; exceptions.—

1168 (4) Pursuant to rules adopted by the board, any cosmetology
1169 or specialty service may be performed in a location other than a
1170 licensed salon when the service is performed in connection with
1171 a special event and is performed by a person ~~who is employed by~~
1172 ~~a licensed salon and~~ who holds the proper license or specialty
1173 registration. ~~An appointment for the performance of any such~~
1174 ~~service in a location other than a licensed salon must be made~~
1175 ~~through a licensed salon.~~

1176 (5) Hair shampooing, hair cutting, hair arranging, makeup
1177 application, nail polish removal, nail filing, nail buffing, and
1178 nail cleansing may be performed in a location other than a
1179 licensed salon when the service is performed by a person who
1180 holds the proper license.

1181 Section 53. Paragraph (f) of subsection (1) of section
1182 477.0265, Florida Statutes, is amended to read:

1183 477.0265 Prohibited acts.—

1184 (1) It is unlawful for any person to:

1185 (f) Advertise or imply that skin care services ~~or body~~
1186 ~~wrapping~~, as performed under this chapter, have any relationship
1187 to the practice of massage therapy as defined in s. 480.033(3),
1188 except those practices or activities defined in s. 477.013.

1189 Section 54. Paragraph (a) of subsection (1) of section

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1190 477.029, Florida Statutes, is amended to read:

1191 477.029 Penalty.—

1192 (1) It is unlawful for any person to:

1193 (a) Hold himself or herself out as a cosmetologist or
1194 specialist, ~~hair wrapper, hair braider, or body wrapper~~ unless
1195 duly licensed or registered, or otherwise authorized, as
1196 provided in this chapter.

1197 Section 55. Section 481.201, Florida Statutes, is amended
1198 to read:

1199 481.201 Purpose.—The primary legislative purpose for
1200 enacting this part is to ensure that every architect practicing
1201 in this state meets minimum requirements for safe practice. It
1202 is the legislative intent that architects who fall below minimum
1203 competency or who otherwise present a danger to the public shall
1204 be prohibited from practicing in this state. ~~The Legislature
1205 further finds that it is in the interest of the public to limit
1206 the practice of interior design to interior designers or
1207 architects who have the design education and training required
1208 by this part or to persons who are exempted from the provisions
1209 of this part.~~

1210 Section 56. Section 481.203, Florida Statutes, is reordered
1211 and amended to read:

1212 481.203 Definitions.—As used in this part, the term:

1213 (3)~~(1)~~ "Board" means the Board of Architecture and Interior
1214 Design.

1215 (7)~~(2)~~ "Department" means the Department of Business and
1216 Professional Regulation.

1217 (1)~~(3)~~ "Architect" or "registered architect" means a
1218 natural person who is licensed under this part to engage in the

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1219 practice of architecture.

1220 (5)~~(4)~~ "Certificate of registration" means a license or
1221 registration issued by the department to a natural person to
1222 engage in the practice of architecture or interior design.

1223 (4)~~(5)~~ "Business organization" means a partnership, a
1224 limited liability company, a corporation, or an individual
1225 operating under a fictitious name ~~"Certificate of authorization"~~
1226 ~~means a certificate issued by the department to a corporation or~~
1227 ~~partnership to practice architecture or interior design.~~

1228 (2)~~(6)~~ "Architecture" means the rendering or offering to
1229 render services in connection with the design and construction
1230 of a structure or group of structures which have as their
1231 principal purpose human habitation or use, and the utilization
1232 of space within and surrounding such structures. These services
1233 include planning, providing preliminary study designs, drawings
1234 and specifications, job-site inspection, and administration of
1235 construction contracts.

1236 (16)~~(7)~~ "Townhouse" is a single-family dwelling unit not
1237 exceeding three stories in height which is constructed in a
1238 series or group of attached units with property lines separating
1239 such units. Each townhouse shall be considered a separate
1240 building and shall be separated from adjoining townhouses by the
1241 use of separate exterior walls meeting the requirements for zero
1242 clearance from property lines as required by the type of
1243 construction and fire protection requirements; or shall be
1244 separated by a party wall; or may be separated by a single wall
1245 meeting the following requirements:

1246 (a) Such wall shall provide not less than 2 hours of fire
1247 resistance. Plumbing, piping, ducts, or electrical or other

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1248 building services shall not be installed within or through the
1249 2-hour wall unless such materials and methods of penetration
1250 have been tested in accordance with the Standard Building Code.

1251 (b) Such wall shall extend from the foundation to the
1252 underside of the roof sheathing, and the underside of the roof
1253 shall have at least 1 hour of fire resistance for a width not
1254 less than 4 feet on each side of the wall.

1255 (c) Each dwelling unit sharing such wall shall be designed
1256 and constructed to maintain its structural integrity independent
1257 of the unit on the opposite side of the wall.

1258 (10)~~(8)~~ "Interior design" means designs, consultations,
1259 studies, drawings, specifications, and administration of design
1260 construction contracts relating to nonstructural interior
1261 elements of a building or structure. "Interior design" includes,
1262 but is not limited to, reflected ceiling plans, space planning,
1263 furnishings, and the fabrication of nonstructural elements
1264 within and surrounding interior spaces of buildings. "Interior
1265 design" specifically excludes the design of or the
1266 responsibility for architectural and engineering work, except
1267 for specification of fixtures and their location within interior
1268 spaces. As used in this subsection, "architectural and
1269 engineering interior construction relating to the building
1270 systems" includes, but is not limited to, construction of
1271 structural, mechanical, plumbing, heating, air-conditioning,
1272 ventilating, electrical, or vertical transportation systems, or
1273 construction which materially affects lifesafety systems
1274 pertaining to firesafety protection such as fire-rated
1275 separations between interior spaces, fire-rated vertical shafts
1276 in multistory structures, fire-rated protection of structural

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1277 elements, smoke evacuation and compartmentalization, emergency
1278 ingress or egress systems, and emergency alarm systems.

1279 (13)~~(9)~~ "Registered interior designer" ~~or "interior~~
1280 ~~designer"~~ means a natural person who holds a valid certificate
1281 of registration to practice interior design ~~is licensed under~~
1282 ~~this part.~~

1283 (11)~~(10)~~ "Nonstructural element" means an element which
1284 does not require structural bracing and which is something other
1285 than a load-bearing wall, load-bearing column, or other load-
1286 bearing element of a building or structure which is essential to
1287 the structural integrity of the building.

1288 (12)~~(11)~~ "Reflected ceiling plan" means a ceiling design
1289 plan which is laid out as if it were projected downward and
1290 which may include lighting and other elements.

1291 (15)~~(12)~~ "Space planning" means the analysis, programming,
1292 or design of spatial requirements, including preliminary space
1293 layouts and final planning.

1294 (6)~~(13)~~ "Common area" means an area that is held out for
1295 use by all tenants or owners in a multiple-unit dwelling,
1296 including, but not limited to, a lobby, elevator, hallway,
1297 laundry room, clubhouse, or swimming pool.

1298 (8)~~(14)~~ "Diversified interior design experience" means
1299 experience which substantially encompasses the various elements
1300 of interior design services set forth under the definition of
1301 "interior design" in subsection (10)~~(8)~~.

1302 (9)~~(15)~~ "Interior decorator services" includes the
1303 selection or assistance in selection of surface materials,
1304 window treatments, wallcoverings, paint, floor coverings,
1305 surface-mounted lighting, surface-mounted fixtures, and loose

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1306 furnishings not subject to regulation under applicable building
1307 codes.

1308 (14)~~(16)~~ "Responsible supervising control" means the
1309 exercise of direct personal supervision and control throughout
1310 the preparation of documents, instruments of service, or any
1311 other work requiring the seal and signature of a licensee under
1312 this part.

1313 Section 57. Paragraph (a) of subsection (3) of section
1314 481.205, Florida Statutes, is amended to read:

1315 481.205 Board of Architecture and Interior Design.—

1316 (3) (a) Notwithstanding the provisions of ss. 455.225,
1317 455.228, and 455.32, the duties and authority of the department
1318 to receive complaints and investigate and discipline persons
1319 licensed or registered under this part, including the ability to
1320 determine legal sufficiency and probable cause; to initiate
1321 proceedings and issue final orders for summary suspension or
1322 restriction of a license or certificate of registration pursuant
1323 to s. 120.60(6); to issue notices of noncompliance, notices to
1324 cease and desist, subpoenas, and citations; to retain legal
1325 counsel, investigators, or prosecutorial staff in connection
1326 with the licensed practice of architecture or registered ~~and~~
1327 interior design; and to investigate and deter the unlicensed
1328 practice of architecture ~~and interior design~~ as provided in s.
1329 455.228 are delegated to the board. All complaints and any
1330 information obtained pursuant to an investigation authorized by
1331 the board are confidential and exempt from s. 119.07(1) as
1332 provided in s. 455.225(2) and (10).

1333 Section 58. Section 481.207, Florida Statutes, is amended
1334 to read:

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1335 481.207 Fees.—The board, by rule, may establish ~~separate~~
1336 fees for architects and registered interior designers, to be
1337 paid for applications, examination, reexamination, licensing and
1338 renewal, delinquency, reinstatement, and recordmaking and
1339 recordkeeping. The examination fee shall be in an amount that
1340 covers the cost of obtaining and administering the examination
1341 and shall be refunded if the applicant is found ineligible to
1342 sit for the examination. The application fee is nonrefundable.
1343 The fee for initial application and examination for architects
1344 ~~and interior designers~~ may not exceed \$775 plus the actual per
1345 applicant cost to the department for purchase of the examination
1346 from the National Council of Architectural Registration Boards
1347 ~~or the National Council of Interior Design Qualifications,~~
1348 ~~respectively,~~ or similar national organizations. The initial
1349 nonrefundable fee for registered interior designers may not
1350 exceed \$75. The biennial renewal fee for architects may not
1351 exceed \$200. The biennial renewal fee for registered interior
1352 designers may not exceed \$75 ~~\$500~~. The delinquency fee may not
1353 exceed the biennial renewal fee established by the board for an
1354 active license. The board shall establish fees that are adequate
1355 to ensure the continued operation of the board and to fund the
1356 proportionate expenses incurred by the department which are
1357 allocated to the regulation of architects and registered
1358 interior designers. Fees shall be based on department estimates
1359 of the revenue required to implement this part and the
1360 provisions of law with respect to the regulation of architects
1361 and interior designers.

1362 Section 59. Section 481.209, Florida Statutes, is amended
1363 to read:

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1364 481.209 Examinations.—

1365 (1) A person desiring to be licensed as a registered
1366 architect by initial examination shall apply to the department,
1367 complete the application form, and remit a nonrefundable
1368 application fee. The department shall license any applicant who
1369 the board certifies:

1370 ~~(a)~~ has passed the licensure examination prescribed by
1371 board rule; and

1372 ~~(b)~~ is a graduate of a school or college of architecture
1373 with a program accredited by the National Architectural
1374 Accreditation Board.

1375 (2) A person seeking to obtain a certificate of
1376 registration as a registered interior designer and a seal
1377 pursuant to s. 481.221 must provide the department with his or
1378 her name and address and written proof that he or she has
1379 successfully passed the qualification examination prescribed by
1380 the Council for Interior Design Qualification or its successor
1381 entity or the California Council for Interior Design
1382 Certification or its successor entity, or has successfully
1383 passed an equivalent exam as determined by the department. Any
1384 person who is licensed as an interior designer by the department
1385 and who was in good standing as of July 1, 2020, is eligible to
1386 obtain a certificate of registration as a registered interior
1387 designer ~~A person desiring to be licensed as a registered~~
1388 ~~interior designer shall apply to the department for licensure.~~
1389 ~~The department shall administer the licensure examination for~~
1390 ~~interior designers to each applicant who has completed the~~
1391 ~~application form and remitted the application and examination~~
1392 ~~fees specified in s. 481.207 and who the board certifies:~~

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1393 ~~(a) Is a graduate from an interior design program of 5~~
1394 ~~years or more and has completed 1 year of diversified interior~~
1395 ~~design experience;~~

1396 ~~(b) Is a graduate from an interior design program of 4~~
1397 ~~years or more and has completed 2 years of diversified interior~~
1398 ~~design experience;~~

1399 ~~(c) Has completed at least 3 years in an interior design~~
1400 ~~curriculum and has completed 3 years of diversified interior~~
1401 ~~design experience; or~~

1402 ~~(d) Is a graduate from an interior design program of at~~
1403 ~~least 2 years and has completed 4 years of diversified interior~~
1404 ~~design experience.~~

1405
1406 ~~Subsequent to October 1, 2000, for the purpose of having the~~
1407 ~~educational qualification required under this subsection~~
1408 ~~accepted by the board, the applicant must complete his or her~~
1409 ~~education at a program, school, or college of interior design~~
1410 ~~whose curriculum has been approved by the board as of the time~~
1411 ~~of completion. Subsequent to October 1, 2003, all of the~~
1412 ~~required amount of educational credits shall have been obtained~~
1413 ~~in a program, school, or college of interior design whose~~
1414 ~~curriculum has been approved by the board, as of the time each~~
1415 ~~educational credit is gained. The board shall adopt rules~~
1416 ~~providing for the review and approval of programs, schools, and~~
1417 ~~colleges of interior design and courses of interior design study~~
1418 ~~based on a review and inspection by the board of the curriculum~~
1419 ~~of programs, schools, and colleges of interior design in the~~
1420 ~~United States, including those programs, schools, and colleges~~
1421 ~~accredited by the Foundation for Interior Design Education~~

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1422 ~~Research. The board shall adopt rules providing for the review~~
1423 ~~and approval of diversified interior design experience required~~
1424 ~~by this subsection.~~

1425 Section 60. Section 481.213, Florida Statutes, is amended
1426 to read:

1427 481.213 Licensure and registration.—

1428 (1) The department shall license or register any applicant
1429 who the board certifies is qualified for licensure or
1430 registration and who has paid the initial licensure or
1431 registration fee. Licensure as an architect under this section
1432 shall be deemed to include all the rights and privileges of
1433 registration ~~licensure~~ as an interior designer under this
1434 section.

1435 (2) The board shall certify for licensure or registration
1436 by examination any applicant who passes the prescribed licensure
1437 or registration examination and satisfies the requirements of
1438 ss. 481.209 and 481.211, for architects, or the requirements of
1439 s. 481.209, for interior designers.

1440 (3) The board shall certify as qualified for a license by
1441 endorsement as an architect or registration as a registered ~~an~~
1442 interior designer an applicant who:

1443 (a) Qualifies to take the prescribed licensure or
1444 registration examination, and has passed the prescribed
1445 licensure or registration examination or a substantially
1446 equivalent examination in another jurisdiction, as set forth in
1447 s. 481.209 for architects or registered interior designers, as
1448 applicable, and has satisfied the internship requirements set
1449 forth in s. 481.211 for architects;

1450 (b) Holds a valid license to practice architecture or a

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1451 license, registration, or certification to practice interior
1452 design issued by another jurisdiction of the United States, if
1453 the criteria for issuance of such license were substantially
1454 equivalent to the licensure criteria that existed in this state
1455 at the time the license was issued; ~~provided, however, that an~~
1456 ~~applicant who has been licensed for use of the title "interior~~
1457 ~~design" rather than licensed to practice interior design shall~~
1458 ~~not qualify hereunder; or~~

1459 (c) Has passed the prescribed licensure examination and
1460 holds a valid certificate issued by the National Council of
1461 Architectural Registration Boards, and holds a valid license to
1462 practice architecture issued by another state or jurisdiction of
1463 the United States.

1464
1465 An architect who is licensed in another state who seeks
1466 qualification for license by endorsement under this subsection
1467 must complete a 2-hour class approved by the board on the
1468 Florida Building Code.

1469 (4) The board may refuse to certify any applicant who has
1470 violated any of the provisions of s. 481.223, s. 481.225, or s.
1471 481.2251, as applicable.

1472 (5) The board may refuse to certify any applicant who is
1473 under investigation in any jurisdiction for any act which would
1474 constitute a violation of this part or of chapter 455 until such
1475 time as the investigation is complete and disciplinary
1476 proceedings have been terminated.

1477 (6) The board shall adopt rules to implement the provisions
1478 of this part relating to the examination, internship, and
1479 licensure of applicants.

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1480 (7) For persons whose licensure requires satisfaction of
1481 the requirements of ss. 481.209 and 481.211, the board shall, by
1482 rule, establish qualifications for certification of such persons
1483 as special inspectors of threshold buildings, as defined in ss.
1484 553.71 and 553.79, and shall compile a list of persons who are
1485 certified. A special inspector is not required to meet standards
1486 for certification other than those established by the board, and
1487 the fee owner of a threshold building may not be prohibited from
1488 selecting any person certified by the board to be a special
1489 inspector. The board shall develop minimum qualifications for
1490 the qualified representative of the special inspector who is
1491 authorized under s. 553.79 to perform inspections of threshold
1492 buildings on behalf of the special inspector.

1493 (8) A certificate of registration is not required for a
1494 person whose occupation or practice is confined to interior
1495 decorator services or for a person whose occupation or practice
1496 is confined to interior design except as required in this part.

1497 Section 61. Subsection (1) of section 481.2131, Florida
1498 Statutes, is amended to read:

1499 481.2131 Interior design; practice requirements; disclosure
1500 of compensation for professional services.-

1501 (1) A registered interior designer is authorized to perform
1502 "interior design" as defined in s. 481.203. Interior design
1503 documents prepared by a registered interior designer shall
1504 contain a statement that the document is not an architectural or
1505 engineering study, drawing, specification, or design and is not
1506 to be used for construction of any load-bearing columns, load-
1507 bearing framing or walls of structures, or issuance of any
1508 building permit, except as otherwise provided by law. Interior

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1509 design documents that are prepared and sealed by a registered
 1510 interior designer must ~~may~~, if required by a permitting body, be
 1511 accepted by the permitting body ~~be submitted~~ for the issuance of
 1512 a building permit for interior construction excluding design of
 1513 any structural, mechanical, plumbing, heating, air-conditioning,
 1514 ventilating, electrical, or vertical transportation systems or
 1515 that materially affect lifesafety systems pertaining to
 1516 firesafety protection such as fire-rated separations between
 1517 interior spaces, fire-rated vertical shafts in multistory
 1518 structures, fire-rated protection of structural elements, smoke
 1519 evacuation and compartmentalization, emergency ingress or egress
 1520 systems, and emergency alarm systems. Interior design documents
 1521 submitted for the issuance of a building permit by an individual
 1522 performing interior design services who is not a licensed
 1523 architect must include a seal issued by the department and in
 1524 conformance with the requirements of s. 481.221.

1525 Section 62. Section 481.215, Florida Statutes, is amended
 1526 to read:

1527 481.215 Renewal of license or certificate of registration.—

1528 (1) Subject to the requirement of subsection (3), the
 1529 department shall renew a license or certificate of registration
 1530 upon receipt of the renewal application and renewal fee.

1531 (2) The department shall adopt rules establishing a
 1532 procedure for the biennial renewal of licenses and certificates
 1533 of registration.

1534 (3) A ~~No~~ license or certificate of registration renewal may
 1535 not shall be issued to an architect or a registered ~~an~~ interior
 1536 designer by the department until the licensee or registrant
 1537 submits proof satisfactory to the department that, during the 2

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1538 years before ~~prior to~~ application for renewal, the licensee or
1539 registrant participated per biennium in not less than 20 hours
1540 of at least 50 minutes each per biennium of continuing education
1541 approved by the board. The board shall approve only continuing
1542 education that builds upon the basic knowledge of architecture
1543 or interior design. The board may make exception from the
1544 requirements of continuing education in emergency or hardship
1545 cases.

1546 (4) The board shall by rule establish criteria for the
1547 approval of continuing education courses and providers and shall
1548 by rule establish criteria for accepting alternative
1549 nonclassroom continuing education on an hour-for-hour basis.

1550 (5) For a license or certificate of registration, the board
1551 shall require, by rule adopted pursuant to ss. 120.536(1) and
1552 120.54, 2 a specified number of hours in specialized or advanced
1553 courses, approved by the Florida Building Commission, on any
1554 portion of the Florida Building Code, adopted pursuant to part
1555 IV of chapter 553, relating to the licensee's respective area of
1556 practice. Such hours count toward the continuing education hours
1557 required under subsection (3). A licensee may complete the
1558 courses required under this subsection online.

1559 Section 63. Section 481.217, Florida Statutes, is amended
1560 to read:

1561 481.217 Inactive status.—

1562 (1) The board may prescribe by rule continuing education
1563 requirements as a condition of reactivating a license. The rules
1564 may not require more than one renewal cycle of continuing
1565 education to reactivate a license or registration for a
1566 registered architect or registered interior designer. ~~For~~

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1567 ~~interior design, the board may approve only continuing education~~
1568 ~~that builds upon the basic knowledge of interior design.~~

1569 (2) The board shall adopt rules relating to application
1570 procedures for inactive status and for the reactivation of
1571 inactive licenses and registrations.

1572 Section 64. Section 481.219, Florida Statutes, is amended
1573 to read:

1574 481.219 Qualification of business organizations
1575 ~~certification of partnerships, limited liability companies, and~~
1576 ~~corporations.-~~

1577 (1) A licensee may ~~The practice of or the offer to practice~~
1578 ~~architecture or interior design by licensees through a~~ qualified
1579 business organization that offers ~~corporation, limited liability~~
1580 ~~company, or partnership offering architectural or interior~~
1581 ~~design services to the public, or by a corporation, limited~~
1582 ~~liability company, or partnership offering architectural or~~
1583 ~~interior design services to the public through licensees under~~
1584 ~~this part as agents, employees, officers, or partners, is~~
1585 ~~permitted, subject to the provisions of this section.~~

1586 (2) If a licensee or an applicant proposes to engage in the
1587 practice of architecture as a business organization, the
1588 licensee or applicant shall qualify the business organization
1589 upon approval of the board ~~For the purposes of this section, a~~
1590 ~~certificate of authorization shall be required for a~~
1591 ~~corporation, limited liability company, partnership, or person~~
1592 ~~practicing under a fictitious name, offering architectural~~
1593 ~~services to the public jointly or separately. However, when an~~
1594 ~~individual is practicing architecture in her or his own name,~~
1595 ~~she or he shall not be required to be certified under this~~

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1596 ~~section. Certification under this subsection to offer~~
1597 ~~architectural services shall include all the rights and~~
1598 ~~privileges of certification under subsection (3) to offer~~
1599 ~~interior design services.~~

1600 (3) (a) A business organization may not engage in the
1601 practice of architecture unless its qualifying agent is a
1602 registered architect under this part. A qualifying agent who
1603 terminates an affiliation with a qualified business organization
1604 shall immediately notify the department of such termination. If
1605 such qualifying agent is the only qualifying agent for that
1606 business organization, the business organization must be
1607 qualified by another qualifying agent within 60 days after the
1608 termination. Except as provided in paragraph (b), the business
1609 organization may not engage in the practice of architecture
1610 until it is qualified by another qualifying agent.

1611 (b) In the event a qualifying agent ceases employment with
1612 a qualified business organization, the executive director or the
1613 chair of the board may authorize another registered architect
1614 employed by the business organization to temporarily serve as
1615 its qualifying agent for a period of no more than 60 days. The
1616 business organization is not authorized to operate beyond such
1617 period under this chapter absent replacement of the qualifying
1618 agent who has ceased employment.

1619 (c) A qualifying agent shall notify the department in
1620 writing before engaging in the practice of architecture in her
1621 or his own name or in affiliation with a different business
1622 organization, and she or he or such business organization shall
1623 supply the same information to the department as required of
1624 applicants under this part.

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1625 ~~(3) For the purposes of this section, a certificate of~~
1626 ~~authorization shall be required for a corporation, limited~~
1627 ~~liability company, partnership, or person operating under a~~
1628 ~~fictitious name, offering interior design services to the public~~
1629 ~~jointly or separately. However, when an individual is practicing~~
1630 ~~interior design in her or his own name, she or he shall not be~~
1631 ~~required to be certified under this section.~~

1632 (4) All final construction documents and instruments of
1633 service which include drawings, specifications, plans, reports,
1634 or other papers or documents that involve ~~involving~~ the practice
1635 of architecture which are prepared or approved for the use of
1636 the business organization ~~corporation, limited liability~~
1637 ~~company, or partnership~~ and filed for public record within the
1638 state must ~~shall~~ bear the signature and seal of the licensee who
1639 prepared or approved them and the date on which they were
1640 sealed.

1641 ~~(5) All drawings, specifications, plans, reports, or other~~
1642 ~~papers or documents prepared or approved for the use of the~~
1643 ~~corporation, limited liability company, or partnership by an~~
1644 ~~interior designer in her or his professional capacity and filed~~
1645 ~~for public record within the state shall bear the signature and~~
1646 ~~seal of the licensee who prepared or approved them and the date~~
1647 ~~on which they were sealed.~~

1648 ~~(6) The department shall issue a certificate of~~
1649 ~~authorization to any applicant who the board certifies as~~
1650 ~~qualified for a certificate of authorization and who has paid~~
1651 ~~the fee set in s. 481.207.~~

1652 ~~(7) The board shall~~ allow a licensee or certify an
1653 applicant to qualify one or more business organizations as

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1654 ~~qualified for a certificate of authorization to offer~~
1655 ~~architectural or interior design services, or to use a~~
1656 ~~fictitious name to offer such services, if provided that:~~

1657 ~~(a) one or more of the principal officers of the~~
1658 ~~corporation or limited liability company, or one or more~~
1659 ~~partners of the partnership, and all personnel of the~~
1660 ~~corporation, limited liability company, or partnership who act~~
1661 ~~in its behalf in this state as architects, are registered as~~
1662 ~~provided by this part; ~~or~~~~

1663 ~~(b) One or more of the principal officers of the~~
1664 ~~corporation or one or more partners of the partnership, and all~~
1665 ~~personnel of the corporation, limited liability company, or~~
1666 ~~partnership who act in its behalf in this state as interior~~
1667 ~~designers, are registered as provided by this part.~~

1668 ~~(8) The department shall adopt rules establishing a~~
1669 ~~procedure for the biennial renewal of certificates of~~
1670 ~~authorization.~~

1671 ~~(9) The department shall renew a certificate of~~
1672 ~~authorization upon receipt of the renewal application and~~
1673 ~~biennial renewal fee.~~

1674 ~~(6)~~(10) Each qualifying agent who qualifies a business
1675 organization, partnership, limited liability company, or ~~and~~
1676 corporation certified under this section shall notify the
1677 department within 30 days after ~~of~~ any change in the information
1678 contained in the application upon which the qualification
1679 ~~certification~~ is based. Any registered architect or interior
1680 designer who qualifies the business organization shall ensure
1681 ~~corporation, limited liability company, or partnership as~~
1682 ~~provided in subsection (7) shall be responsible for ensuring~~

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1683 responsible supervising control of projects of the business
1684 organization ~~entity~~ and shall notify the department of the ~~upon~~
1685 termination of her or his employment with a business
1686 organization qualified partnership, limited liability company,
1687 ~~or corporation certified~~ under this section ~~shall notify the~~
1688 ~~department of the termination~~ within 30 days after such
1689 termination.

1690 (7) ~~(11)~~ A business organization is not ~~No corporation,~~
1691 ~~limited liability company, or partnership shall be~~ relieved of
1692 responsibility for the conduct or acts of its agents, employees,
1693 or officers by reason of its compliance with this section.
1694 However, except as provided in s. 558.0035, the architect who
1695 signs and seals the construction documents and instruments of
1696 service is ~~shall be~~ liable for the professional services
1697 performed, and the interior designer who signs and seals the
1698 interior design drawings, plans, or specifications shall be
1699 liable for the professional services performed.

1700 ~~(12)~~ ~~Disciplinary action against a corporation, limited~~
1701 ~~liability company, or partnership shall be administered in the~~
1702 ~~same manner and on the same grounds as disciplinary action~~
1703 ~~against a registered architect or interior designer,~~
1704 ~~respectively.~~

1705 (8) ~~(13)~~ ~~Nothing in~~ This section may not ~~shall~~ be construed
1706 to mean that a certificate of registration to practice
1707 architecture must ~~or interior design shall~~ be held by a business
1708 organization ~~corporation, limited liability company, or~~
1709 ~~partnership.~~ ~~Nothing in~~ This section does not prohibit a
1710 business organization from offering ~~prohibits corporations,~~
1711 ~~limited liability companies, and partnerships from joining~~

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1712 ~~together to offer architectural, engineering, interior design,~~
1713 ~~surveying and mapping, and landscape architectural services, or~~
1714 ~~any combination of such services, to the public if the business~~
1715 ~~organization, provided that each corporation, limited liability~~
1716 ~~company, or partnership otherwise meets the requirements of law.~~

1717 ~~(14) Corporations, limited liability companies, or~~
1718 ~~partnerships holding a valid certificate of authorization to~~
1719 ~~practice architecture shall be permitted to use in their title~~
1720 ~~the term "interior designer" or "registered interior designer."~~

1721 Section 65. Subsections (5) and (10) of section 481.221,
1722 Florida Statutes, are amended to read:

1723 481.221 Seals; display of certificate number.—

1724 (5) No registered interior designer shall affix, or permit
1725 to be affixed, her or his seal or signature to any plan,
1726 specification, drawing, or other document which depicts work
1727 which she or he is not competent or registered ~~licensed~~ to
1728 perform.

1729 (10) Each registered architect must ~~or interior designer,~~
1730 ~~and each corporation, limited liability company, or partnership~~
1731 ~~holding a certificate of authorization, shall include her or his~~
1732 ~~license its certificate number in any newspaper, telephone~~
1733 ~~directory, or other advertising medium used by the registered~~
1734 ~~licensee. Each business organization must include the license~~
1735 ~~number of the registered architect who serves as the qualifying~~
1736 ~~agent for that business organization in any newspaper, telephone~~
1737 ~~directory, or other advertising medium used by the business~~
1738 ~~organization architect, interior designer, corporation, limited~~
1739 ~~liability company, or partnership. A corporation, limited~~
1740 ~~liability company, or partnership is not required to display the~~

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1741 ~~certificate number of individual registered architects or~~
1742 ~~interior designers employed by or working within the~~
1743 ~~corporation, limited liability company, or partnership.~~

1744 Section 66. Section 481.223, Florida Statutes, is amended
1745 to read:

1746 481.223 Prohibitions; penalties; injunctive relief.—

1747 (1) A person may not knowingly:

1748 (a) Practice architecture unless the person is an architect
1749 or a registered architect; however, a licensed architect who has
1750 been licensed by the board and who chooses to relinquish or not
1751 to renew his or her license may use the title "Architect,
1752 Retired" but may not otherwise render any architectural
1753 services.

1754 ~~(b) Practice interior design unless the person is a~~
1755 ~~registered interior designer unless otherwise exempted herein;~~
1756 ~~however, an interior designer who has been licensed by the board~~
1757 ~~and who chooses to relinquish or not to renew his or her license~~
1758 ~~may use the title "Interior Designer, Retired" but may not~~
1759 ~~otherwise render any interior design services.~~

1760 (b)(e) Use the name or title "architect," ~~or~~ "registered
1761 architect," or ~~"interior designer" or "registered interior~~
1762 ~~designer," or words to that effect,~~ when the person is not then
1763 the holder of a valid license or certificate of registration
1764 issued pursuant to this part. This paragraph does not restrict
1765 the use of the name or title "interior designer" or "interior
1766 design firm."

1767 (c)(d) Present as his or her own the license of another.

1768 (d)(e) Give false or forged evidence to the board or a
1769 member thereof.

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1770 (e) ~~(f)~~ Use or attempt to use an architect ~~or interior~~
1771 ~~designer~~ license or interior design certificate of registration
1772 that has been suspended, revoked, or placed on inactive or
1773 delinquent status.

1774 (f) ~~(g)~~ Employ unlicensed persons to practice architecture
1775 ~~or interior design~~.

1776 (g) ~~(h)~~ Conceal information relative to violations of this
1777 part.

1778 (2) Any person who violates any provision of subsection (1)
1779 commits a misdemeanor of the first degree, punishable as
1780 provided in s. 775.082 or s. 775.083.

1781 (3) (a) Notwithstanding chapter 455 or any other law to the
1782 contrary, an affected person may maintain an action for
1783 injunctive relief to restrain or prevent a person from violating
1784 paragraph (1) (a) or, paragraph (1) (b), ~~or paragraph (1) (c)~~. The
1785 prevailing party is entitled to actual costs and attorney's
1786 fees.

1787 (b) For purposes of this subsection, the term "affected
1788 person" means a person directly affected by the actions of a
1789 person suspected of violating paragraph (1) (a) or, paragraph
1790 (1) (b), ~~or paragraph (1) (c)~~ and includes, but is not limited to,
1791 the department, any person who received services from the
1792 alleged violator, or any private association composed primarily
1793 of members of the profession the alleged violator is practicing
1794 or offering to practice or holding himself or herself out as
1795 qualified to practice.

1796 Section 67. Section 481.2251, Florida Statutes, is amended
1797 to read:

1798 481.2251 Disciplinary proceedings against registered

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1799 interior designers.-

1800 (1) The following acts constitute grounds for which the
1801 disciplinary actions specified in subsection (2) may be taken:

1802 (a) Attempting to register ~~obtain, obtaining,~~ or renewing
1803 registration, by bribery, by fraudulent misrepresentation, or
1804 through an error of the board, ~~a license to practice interior~~
1805 ~~design;~~

1806 (b) Having an interior design license, certification, or
1807 registration ~~a license to practice interior design~~ revoked,
1808 suspended, or otherwise acted against, including the denial of
1809 licensure, registration, or certification by the licensing
1810 authority of another jurisdiction for any act which would
1811 constitute a violation of this part or of chapter 455;

1812 (c) Being convicted or found guilty, ~~regardless of~~
1813 ~~adjudication,~~ of a crime in any jurisdiction which directly
1814 relates to the provision of interior design services or to the
1815 ability to provide interior design services. ~~A plea of nolo~~
1816 ~~contendere shall create a rebuttable presumption of guilt to the~~
1817 ~~underlying criminal charges. However, the board shall allow the~~
1818 ~~person being disciplined to present any evidence relevant to the~~
1819 ~~underlying charges and the circumstances surrounding her or his~~
1820 ~~plea;~~

1821 (d) False, deceptive, or misleading advertising;

1822 (e) ~~Failing to report to the board any person who the~~
1823 ~~licensee knows is in violation of this part or the rules of the~~
1824 ~~board;~~

1825 (f) ~~Aiding, assisting, procuring, or advising any~~
1826 ~~unlicensed person to use the title "interior designer" contrary~~
1827 ~~to this part or to a rule of the board;~~

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1828 ~~(g) Failing to perform any statutory or legal obligation~~
1829 ~~placed upon a registered interior designer;~~

1830 ~~(h)~~ Making or filing a report which the registrant licensee
1831 knows to be false, intentionally or negligently failing to file
1832 a report or record required by state or federal law, or
1833 willfully impeding or obstructing such filing or inducing
1834 another person to do so. Such reports or records shall include
1835 only those which are signed in the capacity as a registered
1836 interior designer;

1837 (f)~~(i)~~ Making deceptive, untrue, or fraudulent
1838 representations in the provision of interior design services;

1839 (g)~~(j)~~ Accepting and performing professional
1840 responsibilities which the registrant licensee knows or has
1841 reason to know that she or he is not competent ~~or licensed~~ to
1842 perform;

1843 ~~(k) Violating any provision of this part, any rule of the~~
1844 ~~board, or a lawful order of the board previously entered in a~~
1845 ~~disciplinary hearing;~~

1846 ~~(l) Conspiring with another licensee or with any other~~
1847 ~~person to commit an act, or committing an act, which would tend~~
1848 ~~to coerce, intimidate, or preclude another licensee from~~
1849 ~~lawfully advertising her or his services;~~

1850 ~~(m) Acceptance of compensation or any consideration by an~~
1851 ~~interior designer from someone other than the client without~~
1852 ~~full disclosure of the compensation or consideration amount or~~
1853 ~~value to the client prior to the engagement for services, in~~
1854 ~~violation of s. 481.2131(2);~~

1855 (h)~~(n)~~ Rendering or offering to render architectural
1856 services; or

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1857 (i)~~(e)~~ Committing an act of fraud or deceit, or of
1858 negligence, incompetency, or misconduct, in the practice of
1859 interior design, ~~including, but not limited to, allowing the~~
1860 ~~preparation of any interior design studies, plans, or other~~
1861 ~~instruments of service in an office that does not have a full-~~
1862 ~~time Florida-registered interior designer assigned to such~~
1863 ~~office or failing to exercise responsible supervisory control~~
1864 ~~over services or projects, as required by board rule.~~

1865 (2) When the board finds any person guilty of any of the
1866 grounds set forth in subsection (1), it may enter an order
1867 taking the following action or imposing one or more of the
1868 following penalties:

1869 (a) Refusal to register the applicant ~~approve an~~
1870 ~~application for licensure;~~

1871 (b) Refusal to renew an existing registration license;

1872 (c) Removal from the state registry ~~Revocation or~~
1873 ~~suspension of a license; or~~

1874 (d) Imposition of an administrative fine not to exceed \$500
1875 ~~\$1,000~~ for each violation or separate offense and a fine of up
1876 to \$2,500 ~~\$5,000~~ for matters pertaining to a material violation
1877 of the Florida Building Code as reported by a local
1878 jurisdiction; ~~or~~

1879 ~~(e) Issuance of a reprimand.~~

1880 Section 68. Paragraph (b) of subsection (5) and subsections
1881 (6) and (8) of section 481.229, Florida Statutes, are amended to
1882 read:

1883 481.229 Exceptions; exemptions from licensure.—

1884 (5)

1885 (b) Notwithstanding any other provision of this part, all

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1886 persons licensed as architects under this part shall be
1887 qualified for interior design registration licensure upon
1888 submission of a completed application for such license and a fee
1889 not to exceed \$30. Such persons shall be exempt from the
1890 requirements of s. 481.209(2). For architects licensed as
1891 interior designers, satisfaction of the requirements for renewal
1892 of licensure as an architect under s. 481.215 shall be deemed to
1893 satisfy the requirements for renewal of registration licensure
1894 as an interior designer under that section. Complaint
1895 processing, investigation, or other discipline-related legal
1896 costs related to persons licensed as interior designers under
1897 this paragraph shall be assessed against the architects' account
1898 of the Regulatory Trust Fund.

1899 (6) This part shall not apply to:

1900 ~~(a) A person who performs interior design services or~~
1901 ~~interior decorator services for any residential application,~~
1902 ~~provided that such person does not advertise as, or represent~~
1903 ~~himself or herself as, an interior designer. For purposes of~~
1904 ~~this paragraph, "residential applications" includes all types of~~
1905 ~~residences, including, but not limited to, residence buildings,~~
1906 ~~single-family homes, multifamily homes, townhouses, apartments,~~
1907 ~~condominiums, and domestic outbuildings appurtenant to one-~~
1908 ~~family or two-family residences. However, "residential~~
1909 ~~applications" does not include common areas associated with~~
1910 ~~instances of multiple-unit dwelling applications.~~

1911 ~~(b)~~ an employee of a retail establishment providing
1912 "interior decorator services" on the premises of the retail
1913 establishment or in the furtherance of a retail sale or
1914 prospective retail sale, provided that such employee does not

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1915 advertise as, or represent himself or herself as, an interior
1916 designer.

1917 (8) A manufacturer of commercial food service equipment or
1918 the manufacturer's representative, distributor, or dealer or an
1919 employee thereof, who prepares designs, specifications, or
1920 layouts for the sale or installation of such equipment is exempt
1921 from licensure as an architect ~~or interior designer~~, if:

1922 (a) The designs, specifications, or layouts are not used
1923 for construction or installation that may affect structural,
1924 mechanical, plumbing, heating, air conditioning, ventilating,
1925 electrical, or vertical transportation systems.

1926 (b) The designs, specifications, or layouts do not
1927 materially affect lifesafety systems pertaining to firesafety
1928 protection, smoke evacuation and compartmentalization, and
1929 emergency ingress or egress systems.

1930 (c) Each design, specification, or layout document prepared
1931 by a person or entity exempt under this subsection contains a
1932 statement on each page of the document that the designs,
1933 specifications, or layouts are not architectural, ~~interior~~
1934 ~~design~~, or engineering designs, specifications, or layouts and
1935 not used for construction unless reviewed and approved by a
1936 licensed architect or engineer.

1937 Section 69. Subsection (1) of section 481.231, Florida
1938 Statutes, is amended to read:

1939 481.231 Effect of part locally.—

1940 (1) ~~Nothing in~~ This part does not ~~shall be construed to~~
1941 repeal, amend, limit, or otherwise affect any specific provision
1942 of any local building code or zoning law or ordinance that has
1943 been duly adopted, now or hereafter enacted, which is more

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1944 restrictive, with respect to the services of registered
1945 architects or registered interior designers, than ~~the provisions~~
1946 ~~of~~ this part; provided, however, that a licensed architect shall
1947 be deemed registered ~~licensed~~ as an interior designer for
1948 purposes of offering or rendering interior design services to a
1949 county, municipality, or other local government or political
1950 subdivision.

1951 Section 70. Section 481.303, Florida Statutes, is amended
1952 to read:

1953 481.303 Definitions.—As used in this chapter, the term:

1954 (1) "Board" means the Board of Landscape Architecture.

1955 (3) ~~(2)~~ "Department" means the Department of Business and
1956 Professional Regulation.

1957 (6) ~~(3)~~ "Registered landscape architect" means a person who
1958 holds a license to practice landscape architecture in this state
1959 under the authority of this act.

1960 (2) ~~(4)~~ "Certificate of registration" means a license issued
1961 by the department to a natural person to engage in the practice
1962 of landscape architecture.

1963 ~~(5) "Certificate of authorization" means a license issued~~
1964 ~~by the department to a corporation or partnership to engage in~~
1965 ~~the practice of landscape architecture.~~

1966 (4) ~~(6)~~ "Landscape architecture" means professional
1967 services, including, but not limited to, the following:

1968 (a) Consultation, investigation, research, planning,
1969 design, preparation of drawings, specifications, contract
1970 documents and reports, responsible construction supervision, or
1971 landscape management in connection with the planning and
1972 development of land and incidental water areas, including the

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1973 use of Florida-friendly landscaping as defined in s. 373.185,
1974 where, and to the extent that, the dominant purpose of such
1975 services or creative works is the preservation, conservation,
1976 enhancement, or determination of proper land uses, natural land
1977 features, ground cover and plantings, or naturalistic and
1978 aesthetic values;

1979 (b) The determination of settings, grounds, and approaches
1980 for and the siting of buildings and structures, outdoor areas,
1981 or other improvements;

1982 (c) The setting of grades, shaping and contouring of land
1983 and water forms, determination of drainage, and provision for
1984 storm drainage and irrigation systems where such systems are
1985 necessary to the purposes outlined herein; and

1986 (d) The design of such tangible objects and features as are
1987 necessary to the purpose outlined herein.

1988 (5)~~(7)~~ "Landscape design" means consultation for and
1989 preparation of planting plans drawn for compensation, including
1990 specifications and installation details for plant materials,
1991 soil amendments, mulches, edging, gravel, and other similar
1992 materials. Such plans may include only recommendations for the
1993 conceptual placement of tangible objects for landscape design
1994 projects. Construction documents, details, and specifications
1995 for tangible objects and irrigation systems shall be designed or
1996 approved by licensed professionals as required by law.

1997 Section 71. Section 481.310, Florida Statutes, is amended
1998 to read:

1999 481.310 Practical experience requirement.—Beginning October
2000 1, 1990, every applicant for licensure as a registered landscape
2001 architect shall demonstrate, prior to licensure, 1 year of

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2002 practical experience in landscape architectural work. An
2003 applicant who holds a master of landscape architecture degree
2004 and a bachelor's degree in a related field is not required to
2005 demonstrate 1 year of practical experience in landscape
2006 architectural work to obtain licensure. The board shall adopt
2007 rules providing standards for the required experience. An
2008 applicant who qualifies for examination pursuant to s.
2009 481.309(1)(b)1. may obtain the practical experience after
2010 completing the required professional degree. Experience used to
2011 qualify for examination pursuant to s. 481.309(1)(b)2. may not
2012 be used to satisfy the practical experience requirement under
2013 this section.

2014 Section 72. Subsections (3) and (4) of section 481.311,
2015 Florida Statutes, are amended to read:

2016 481.311 Licensure.—

2017 (3) The board shall certify as qualified for a license by
2018 endorsement an applicant who:

2019 ~~(a) Qualifies to take the examination as set forth in s.~~
2020 ~~481.309; and has passed a national, regional, state, or~~
2021 ~~territorial licensing examination which is substantially~~
2022 ~~equivalent to the examination required by s. 481.309; or~~

2023 ~~(b) holds a valid license to practice landscape~~
2024 ~~architecture issued by another state or territory of the United~~
2025 ~~States, if the criteria for issuance of such license were~~
2026 ~~substantially identical to the licensure criteria which existed~~
2027 ~~in this state at the time the license was issued.~~

2028 ~~(4) The board shall certify as qualified for a certificate~~
2029 ~~of authorization any applicant corporation or partnership who~~
2030 ~~satisfies the requirements of s. 481.319.~~

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2031 Section 73. Subsection (4) of section 481.313, Florida
2032 Statutes, is amended to read:

2033 481.313 Renewal of license.—

2034 (4) The board, by rule adopted pursuant to ss. 120.536(1)
2035 and 120.54, shall establish criteria for the approval of
2036 continuing education courses and providers, and shall by rule
2037 establish criteria for accepting alternative nonclassroom
2038 continuing education on an hour-for-hour basis. A landscape
2039 architect shall receive hour-for-hour credit for attending
2040 continuing education courses approved by the Landscape
2041 Architecture Continuing Education System or another nationally
2042 recognized clearinghouse for continuing education that relate to
2043 and increase his or her basic knowledge of landscape
2044 architecture, as determined by the board, if the landscape
2045 architect submits proof satisfactory to the board that such
2046 course was approved by the Landscape Architecture Continuing
2047 Education System or another nationally recognized clearinghouse
2048 for continuing education, along with the syllabus or outline for
2049 such course and proof of course attendance.

2050 Section 74. Subsection (2) of section 481.317, Florida
2051 Statutes, is amended to read:

2052 481.317 Temporary certificates.—

2053 ~~(2) Upon approval by the board and payment of the fee set~~
2054 ~~in s. 481.307, the department shall grant a temporary~~
2055 ~~certificate of authorization for work on one specified project~~
2056 ~~in this state for a period not to exceed 1 year to an out-of-~~
2057 ~~state corporation, partnership, or firm, provided one of the~~
2058 ~~principal officers of the corporation, one of the partners of~~
2059 ~~the partnership, or one of the principals in the fictitiously~~

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2060 ~~named firm has obtained a temporary certificate of registration~~
2061 ~~in accordance with subsection (1).~~

2062 Section 75. Section 481.319, Florida Statutes, is amended
2063 to read:

2064 481.319 Corporate and partnership practice of landscape
2065 architecture; ~~certificate of authorization.~~

2066 (1) The practice of or offer to practice landscape
2067 architecture by registered landscape architects registered under
2068 this part through a corporation or partnership offering
2069 landscape architectural services to the public, or through a
2070 corporation or partnership offering landscape architectural
2071 services to the public through individual registered landscape
2072 architects as agents, employees, officers, or partners, is
2073 permitted, subject to the provisions of this section, if:

2074 (a) One or more of the principal officers of the
2075 corporation, or partners of the partnership, and all personnel
2076 of the corporation or partnership who act in its behalf as
2077 landscape architects in this state are registered landscape
2078 architects; and

2079 (b) One or more of the officers, one or more of the
2080 directors, one or more of the owners of the corporation, or one
2081 or more of the partners of the partnership is a registered
2082 landscape architect; ~~and~~

2083 ~~(c) The corporation or partnership has been issued a~~
2084 ~~certificate of authorization by the board as provided herein.~~

2085 (2) All documents involving the practice of landscape
2086 architecture which are prepared for the use of the corporation
2087 or partnership shall bear the signature and seal of a registered
2088 landscape architect.

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2089 (3) A landscape architect applying to practice in the name
2090 of a ~~An applicant~~ corporation must ~~shall~~ file with the
2091 department the names and addresses of all officers and board
2092 members of the corporation, including the principal officer or
2093 officers, duly registered to practice landscape architecture in
2094 this state and, also, of all individuals duly registered to
2095 practice landscape architecture in this state who shall be in
2096 responsible charge of the practice of landscape architecture by
2097 the corporation in this state. A landscape architect applying to
2098 practice in the name of a ~~An applicant~~ partnership must ~~shall~~
2099 file with the department the names and addresses of all partners
2100 of the partnership, including the partner or partners duly
2101 registered to practice landscape architecture in this state and,
2102 also, of an individual or individuals duly registered to
2103 practice landscape architecture in this state who shall be in
2104 responsible charge of the practice of landscape architecture by
2105 said partnership in this state.

2106 (4) Each landscape architect qualifying a partnership or
2107 ~~and~~ corporation ~~licensed~~ under this part must ~~shall~~ notify the
2108 department within 1 month after ~~of~~ any change in the information
2109 contained in the application upon which the license is based.
2110 Any landscape architect who terminates her or his ~~or her~~
2111 employment with a partnership or corporation licensed under this
2112 part shall notify the department of the termination within 1
2113 month after such termination.

2114 (5) ~~Disciplinary action against a corporation or~~
2115 ~~partnership shall be administered in the same manner and on the~~
2116 ~~same grounds as disciplinary action against a registered~~
2117 ~~landscape architect.~~

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2118 ~~(6)~~ Except as provided in s. 558.0035, the fact that a
2119 registered landscape architect practices landscape architecture
2120 through a corporation or partnership as provided in this section
2121 does not relieve the landscape architect from personal liability
2122 for her or his ~~or her~~ professional acts.

2123 Section 76. Subsection (5) of section 481.321, Florida
2124 Statutes, is amended to read:

2125 481.321 Seals; display of certificate number.—

2126 (5) Each registered landscape architect must ~~and each~~
2127 ~~corporation or partnership holding a certificate of~~
2128 ~~authorization shall~~ include her or his ~~its~~ certificate number in
2129 any newspaper, telephone directory, or other advertising medium
2130 used by the registered landscape architect, corporation, or
2131 partnership. A corporation or partnership must ~~is not required~~
2132 ~~to~~ display the certificate number ~~numbers~~ of at least one
2133 officer, director, owner, or partner who is a individual
2134 registered landscape architect ~~architects~~ employed by or
2135 practicing with the corporation or partnership.

2136 Section 77. Subsection (5) of section 481.329, Florida
2137 Statutes, is amended to read:

2138 481.329 Exceptions; exemptions from licensure.—

2139 (5) This part does not prohibit any person from engaging in
2140 the practice of landscape design, as defined in s. 481.303 ~~s.~~
2141 ~~481.303(7)~~, or from submitting for approval to a governmental
2142 agency planting plans that are independent of, or a component
2143 of, construction documents that are prepared by a Florida-
2144 registered professional. Persons providing landscape design
2145 services shall not use the title, term, or designation
2146 "landscape architect," "landscape architectural," "landscape

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2147 architecture," "L.A.," "landscape engineering," or any
2148 description tending to convey the impression that she or he is a
2149 landscape architect unless she or he is registered as provided
2150 in this part.

2151 Section 78. Subsection (9) of section 489.103, Florida
2152 Statutes, is amended to read:

2153 489.103 Exemptions.—This part does not apply to:

2154 (9) Any work or operation of a casual, minor, or
2155 inconsequential nature in which the aggregate contract price for
2156 labor, materials, and all other items is less than \$2,500
2157 ~~\$1,000~~, but this exemption does not apply:

2158 (a) If the construction, repair, remodeling, or improvement
2159 is a part of a larger or major operation, whether undertaken by
2160 the same or a different contractor, or in which a division of
2161 the operation is made in contracts of amounts less than \$2,500
2162 ~~\$1,000~~ for the purpose of evading this part or otherwise.

2163 (b) To a person who advertises that he or she is a
2164 contractor or otherwise represents that he or she is qualified
2165 to engage in contracting.

2166 Section 79. Subsection (2) of section 489.111, Florida
2167 Statutes, is amended to read:

2168 489.111 Licensure by examination.—

2169 (2) A person shall be eligible for licensure by examination
2170 if the person:

2171 (a) Is 18 years of age;

2172 (b) Is of good moral character; and

2173 (c) Meets eligibility requirements according to one of the
2174 following criteria:

2175 1. Has received a baccalaureate degree from an accredited

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2176 4-year college in the appropriate field of engineering,
2177 architecture, or building construction and has 1 year of proven
2178 experience in the category in which the person seeks to qualify.
2179 For the purpose of this part, a minimum of 2,000 person-hours
2180 shall be used in determining full-time equivalency. An applicant
2181 who is exempt from passing an examination under s. 489.113(1) is
2182 eligible for a license under this section.

2183 2. Has a total of at least 4 years of active experience as
2184 a worker who has learned the trade by serving an apprenticeship
2185 as a skilled worker who is able to command the rate of a
2186 mechanic in the particular trade or as a foreman who is in
2187 charge of a group of workers and usually is responsible to a
2188 superintendent or a contractor or his or her equivalent,
2189 provided, however, that at least 1 year of active experience
2190 shall be as a foreman.

2191 3. Has a combination of not less than 1 year of experience
2192 as a foreman and not less than 3 years of credits for any
2193 accredited college-level courses; has a combination of not less
2194 than 1 year of experience as a skilled worker, 1 year of
2195 experience as a foreman, and not less than 2 years of credits
2196 for any accredited college-level courses; or has a combination
2197 of not less than 2 years of experience as a skilled worker, 1
2198 year of experience as a foreman, and not less than 1 year of
2199 credits for any accredited college-level courses. All junior
2200 college or community college-level courses shall be considered
2201 accredited college-level courses.

2202 4.a. An active certified residential contractor is eligible
2203 to receive a certified building contractor license after passing
2204 or having previously passed ~~take~~ the building contractors'

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2205 examination if he or she possesses a minimum of 3 years of
2206 proven experience in the classification in which he or she is
2207 certified.

2208 b. An active certified residential contractor is eligible
2209 to receive a certified general contractor license after passing
2210 or having previously passed ~~take~~ the general contractors'
2211 examination if he or she possesses a minimum of 4 years of
2212 proven experience in the classification in which he or she is
2213 certified.

2214 c. An active certified building contractor is eligible to
2215 receive a certified general contractor license after passing or
2216 having previously passed ~~take~~ the general contractors'
2217 examination if he or she possesses a minimum of 4 years of
2218 proven experience in the classification in which he or she is
2219 certified.

2220 5.a. An active certified air-conditioning Class C
2221 contractor is eligible to receive a certified air-conditioning
2222 Class B contractor license after passing or having previously
2223 passed ~~take~~ the air-conditioning Class B contractors'
2224 examination if he or she possesses a minimum of 3 years of
2225 proven experience in the classification in which he or she is
2226 certified.

2227 b. An active certified air-conditioning Class C contractor
2228 is eligible to receive a certified air-conditioning Class A
2229 contractor license after passing or having previously passed
2230 ~~take~~ the air-conditioning Class A contractors' examination if he
2231 or she possesses a minimum of 4 years of proven experience in
2232 the classification in which he or she is certified.

2233 c. An active certified air-conditioning Class B contractor

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2234 is eligible to receive a certified air-conditioning Class A
2235 contractor license after passing or having previously passed
2236 ~~take~~ the air-conditioning Class A contractors' examination if he
2237 or she possesses a minimum of 1 year of proven experience in the
2238 classification in which he or she is certified.

2239 6.a. An active certified swimming pool servicing contractor
2240 is eligible to receive a certified residential swimming pool
2241 contractor license after passing or having previously passed
2242 ~~take~~ the residential swimming pool contractors' examination if
2243 he or she possesses a minimum of 3 years of proven experience in
2244 the classification in which he or she is certified.

2245 b. An active certified swimming pool servicing contractor
2246 is eligible to receive a certified commercial swimming pool
2247 contractor license after passing or having previously passed
2248 ~~take~~ the swimming pool commercial contractors' examination if he
2249 or she possesses a minimum of 4 years of proven experience in
2250 the classification in which he or she is certified.

2251 c. An active certified residential swimming pool contractor
2252 is eligible to receive a certified commercial swimming pool
2253 contractor license after passing or having previously passed
2254 ~~take~~ the commercial swimming pool contractors' examination if he
2255 or she possesses a minimum of 1 year of proven experience in the
2256 classification in which he or she is certified.

2257 d. An applicant is eligible to receive a certified swimming
2258 pool/spa servicing contractor license after passing or having
2259 previously passed ~~take~~ the swimming pool/spa servicing
2260 contractors' examination if he or she has satisfactorily
2261 completed 60 hours of instruction in courses related to the
2262 scope of work covered by that license and approved by the

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2263 Construction Industry Licensing Board by rule and has at least 1
2264 year of proven experience related to the scope of work of such a
2265 contractor.

2266 Section 80. Subsection (1) of section 489.113, Florida
2267 Statutes, is amended to read:

2268 489.113 Qualifications for practice; restrictions.—

2269 (1) Any person who desires to engage in contracting on a
2270 statewide basis shall, as a prerequisite thereto, establish his
2271 or her competency and qualifications to be certified pursuant to
2272 this part. To establish competency, a person shall pass the
2273 appropriate examination approved by the board and certified by
2274 the department. If an applicant has received a baccalaureate
2275 degree in building construction from an accredited 4-year
2276 college, or a related degree as approved by the board by rule,
2277 and has a grade point average of 3.5 or higher, such applicant
2278 is not required to pass such examination. Any person who desires
2279 to engage in contracting on other than a statewide basis shall,
2280 as a prerequisite thereto, be registered pursuant to this part,
2281 unless exempted by this part.

2282 Section 81. Subsection (3) of section 489.115, Florida
2283 Statutes, is amended to read:

2284 489.115 Certification and registration; endorsement;
2285 reciprocity; renewals; continuing education.—

2286 (3) The board shall certify as qualified for certification
2287 by endorsement any applicant who:

2288 (a) Meets the requirements for certification as set forth
2289 in this section; has passed a national, regional, state, or
2290 United States territorial licensing examination that is
2291 substantially equivalent to the examination required by this

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2292 part; and has satisfied the requirements set forth in s.
2293 489.111;

2294 (b) Holds a valid license to practice contracting issued by
2295 another state or territory of the United States, if the criteria
2296 for issuance of such license were substantially equivalent to
2297 Florida's current certification criteria; ~~or~~

2298 (c) Holds a valid, current license to practice contracting
2299 issued by another state or territory of the United States, if
2300 the state or territory has entered into a reciprocal agreement
2301 with the board for the recognition of contractor licenses issued
2302 in that state, based on criteria for the issuance of such
2303 licenses that are substantially equivalent to the criteria for
2304 certification in this state; or

2305 (d) Has held a valid, current license to practice
2306 contracting issued by another state or territory of the United
2307 States for at least 10 years before the date of application and
2308 is applying for the same or similar license in this state,
2309 subject to subsections (5)-(9). The board may consider whether
2310 such applicant has had a license to practice contracting
2311 revoked, suspended, or otherwise acted against by the licensing
2312 authority of another state, territory, or country. Such
2313 application must be made either when the license in another
2314 state or territory is active or within 2 years after such
2315 license was last active. Division I contractors and roofing
2316 contractors must complete a 2-hour course on the Florida
2317 Building Code which includes information on wind mitigation
2318 techniques. The required courses may be completed online.

2319 Section 82. Subsection (5) of section 489.511, Florida
2320 Statutes, is amended to read:

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2321 489.511 Certification; application; examinations;
2322 endorsement.—

2323 (5) The board shall certify as qualified for certification
2324 by endorsement any individual applying for certification who:

2325 (a) Meets the requirements for certification as set forth
2326 in this section; has passed a national, regional, state, or
2327 United States territorial licensing examination that is
2328 substantially equivalent to the examination required by this
2329 part; and has satisfied the requirements set forth in s.
2330 489.521; ~~or~~

2331 (b) Holds a valid license to practice electrical or alarm
2332 system contracting issued by another state or territory of the
2333 United States, if the criteria for issuance of such license was
2334 substantially equivalent to the certification criteria that
2335 existed in this state at the time the certificate was issued; or

2336 (c) Has held a valid, current license to practice
2337 electrical or alarm system contracting issued by another state
2338 or territory of the United States for at least 10 years before
2339 the date of application and is applying for the same or similar
2340 license in this state, subject to ss. 489.510 and 489.521(3)(a)
2341 and subparagraph (1)(b)1. Such application must be made either
2342 when the license in another state or territory is active or
2343 within 2 years after such license was last active. Electrical
2344 contractors and alarm system contractors must complete a 2-hour
2345 course on the Florida Building Code which includes information
2346 on wind mitigation techniques. The required courses may be
2347 completed online.

2348 Section 83. Subsection (3) and paragraph (b) of subsection
2349 (4) of section 489.517, Florida Statutes, are amended to read:

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2350 489.517 Renewal of certificate or registration; continuing
2351 education.—

2352 (3) (a) Each certificateholder or registrant licensed as a
2353 specialty contractor or an alarm system contractor shall provide
2354 proof, in a form established by rule of the board, that the
2355 certificateholder or registrant has completed at least 7 ~~14~~
2356 classroom hours of at least 50 minutes each of continuing
2357 education courses during each biennium since the issuance or
2358 renewal of the certificate or registration. The board shall by
2359 rule establish criteria for the approval of continuing education
2360 courses and providers and may by rule establish criteria for
2361 accepting alternative nonclassroom continuing education on an
2362 hour-for-hour basis.

2363 (b) Each certificateholder or registrant licensed as an
2364 electrical contractor shall provide proof, in a form established
2365 by rule of the board, that the certificateholder or registrant
2366 has completed at least 11 classroom hours of at least 50 minutes
2367 each of continuing education courses during each biennium since
2368 the issuance or renewal of the certificate or registration. The
2369 board shall by rule establish criteria for the approval of
2370 continuing education courses and providers and may by rule
2371 establish criteria for accepting alternative nonclassroom
2372 continuing education on an hour-for-hour basis.

2373 (4)

2374 (b)1. For licensed specialty contractors or alarm system
2375 contractors, of the 7 ~~14~~ classroom hours of continuing education
2376 required, at least 1 hour ~~7 hours~~ must be on technical subjects,
2377 1 hour on workers' compensation, 1 hour on workplace safety, 1
2378 hour on business practices, and ~~for alarm system contractors and~~

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2379 ~~electrical contractors engaged in alarm system contracting,~~ 2
2380 hours on false alarm prevention.

2381 2. For licensed electrical contractors, of the minimum 11
2382 classroom hours of continuing education required, at least 7
2383 hours must be on technical subjects, 1 hour on workers'
2384 compensation, 1 hour on workplace safety, and 1 hour on business
2385 practices. Electrical contractors engaged in alarm system
2386 contracting must also complete 2 hours on false alarm
2387 prevention.

2388 Section 84. Paragraph (b) of subsection (1) of section
2389 489.518, Florida Statutes, is amended to read:

2390 489.518 Alarm system agents.—

2391 (1) A licensed electrical or alarm system contractor may
2392 not employ a person to perform the duties of a burglar alarm
2393 system agent unless the person:

2394 (b) Has successfully completed a minimum of 14 hours of
2395 training within 90 days after employment, to include basic alarm
2396 system electronics in addition to related training including
2397 CCTV and access control training, with at least 2 hours of
2398 training in the prevention of false alarms. Such training shall
2399 be from a board-approved provider, and the employee or applicant
2400 for employment shall provide proof of successful completion to
2401 the licensed employer. The board shall by rule establish
2402 criteria for the approval of training courses and providers and
2403 may by rule establish criteria for accepting alternative
2404 nonclassroom education on an hour-for-hour basis. The board
2405 shall approve providers that conduct training in other than the
2406 English language. The board shall establish a fee for the
2407 approval of training providers or courses, not to exceed \$60.

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2408 Qualified employers may conduct training classes for their
2409 employees, with board approval.

2410 Section 85. Section 492.104, Florida Statutes, is amended
2411 to read:

2412 492.104 Rulemaking authority.—The Board of Professional
2413 Geologists has authority to adopt rules pursuant to ss.
2414 120.536(1) and 120.54 to implement this chapter. Every licensee
2415 shall be governed and controlled by this chapter and the rules
2416 adopted by the board. The board is authorized to set, by rule,
2417 fees for application, examination, ~~certificate of authorization,~~
2418 late renewal, initial licensure, and license renewal. These fees
2419 may ~~should~~ not exceed the cost of implementing the application,
2420 examination, initial licensure, and license renewal or other
2421 administrative process and shall be established as follows:

2422 (1) The application fee shall not exceed \$150 and shall be
2423 nonrefundable.

2424 (2) The examination fee shall not exceed \$250, and the fee
2425 may be apportioned to each part of a multipart examination. The
2426 examination fee shall be refundable in whole or part if the
2427 applicant is found to be ineligible to take any portion of the
2428 licensure examination.

2429 (3) The initial license fee shall not exceed \$100.

2430 (4) The biennial renewal fee shall not exceed \$150.

2431 ~~(5) The fee for a certificate of authorization shall not~~
2432 ~~exceed \$350 and the fee for renewal of the certificate shall not~~
2433 ~~exceed \$350.~~

2434 (5)~~(6)~~ The fee for reactivation of an inactive license may
2435 ~~shall~~ not exceed \$50.

2436 (6)~~(7)~~ The fee for a provisional license may ~~shall~~ not

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2437 exceed \$400.

2438 ~~(7)-(8)~~ The fee for application, examination, and licensure
2439 for a license by endorsement is ~~shall be~~ as provided in this
2440 section for licenses in general.

2441 Section 86. Subsection (1) of section 492.108, Florida
2442 Statutes, is amended to read:

2443 492.108 Licensure by endorsement; requirements; fees.-

2444 (1) The department shall issue a license by endorsement to
2445 any applicant who, upon applying to the department and remitting
2446 an application fee, has been certified by the board that he or
2447 she:

2448 (a) Has met the qualifications for licensure in s.
2449 492.105(1)(b)-(e) and:-

2450 1.~~(b)~~ Is the holder of an active license in good standing
2451 in a state, trust, territory, or possession of the United
2452 States.

2453 2.~~(e)~~ Was licensed through written examination in at least
2454 one state, trust, territory, or possession of the United States,
2455 the examination requirements of which have been approved by the
2456 board as substantially equivalent to or more stringent than
2457 those of this state, and has received a score on such
2458 examination which is equal to or greater than the score required
2459 by this state for licensure by examination.

2460 3.~~(d)~~ Has taken and successfully passed the laws and rules
2461 portion of the examination required for licensure as a
2462 professional geologist in this state.

2463 (b) Has held a valid license to practice geology in another
2464 state, trust, territory, or possession of the United States for
2465 at least 10 years before the date of application and has

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2466 successfully completed a state, regional, national, or other
2467 examination that is equivalent to or more stringent than the
2468 examination required by the department. If such applicant has
2469 met the requirements for a license by endorsement except
2470 successful completion of an examination that is equivalent to or
2471 more stringent than the examination required by the board, such
2472 applicant may take the examination required by the board. Such
2473 application must be submitted to the board while the applicant
2474 holds a valid license in another state or territory or within 2
2475 years after the expiration of such license.

2476 Section 87. Section 492.111, Florida Statutes, is amended
2477 to read:

2478 492.111 Practice of professional geology by a firm,
2479 corporation, or partnership; ~~certificate of authorization.~~—The
2480 practice of, or offer to practice, professional geology by
2481 individual professional geologists licensed under the provisions
2482 of this chapter through a firm, corporation, or partnership
2483 offering geological services to the public through individually
2484 licensed professional geologists as agents, employees, officers,
2485 or partners thereof is permitted subject to the provisions of
2486 this chapter, if provided that:

2487 (1) At all times that it offers geological services to the
2488 public, the firm, corporation, or partnership is qualified by
2489 ~~has on file with the department the name and license number of~~
2490 one or more individuals who hold a current, active license as a
2491 professional geologist in the state and are serving as a
2492 geologist of record for the firm, corporation, or partnership. A
2493 geologist of record may be any principal officer or employee of
2494 such firm or corporation, or any partner or employee of such

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2495 partnership, who holds a current, active license as a
2496 professional geologist in this state, or any other Florida-
2497 licensed professional geologist with whom the firm, corporation,
2498 or partnership has entered into a long-term, ongoing
2499 relationship, as defined by rule of the board, to serve as one
2500 of its geologists of record. ~~It shall be the responsibility of~~
2501 ~~the firm, corporation, or partnership and~~ The geologist of
2502 record shall ~~to~~ notify the department of any changes in the
2503 relationship or identity of that geologist of record within 30
2504 days after such change.

2505 ~~(2) The firm, corporation, or partnership has been issued a~~
2506 ~~certificate of authorization by the department as provided in~~
2507 ~~this chapter. For purposes of this section, a certificate of~~
2508 ~~authorization shall be required of any firm, corporation,~~
2509 ~~partnership, association, or person practicing under a~~
2510 ~~fictitious name and offering geological services to the public;~~
2511 ~~except that, when an individual is practicing professional~~
2512 ~~geology in her or his own name, she or he shall not be required~~
2513 ~~to obtain a certificate of authorization under this section.~~
2514 ~~Such certificate of authorization shall be renewed every 2~~
2515 ~~years.~~

2516 (2)~~(3)~~ All final geological papers or documents involving
2517 the practice of the profession of geology which have been
2518 prepared or approved for the use of such firm, corporation, or
2519 partnership, for delivery to any person for public record with
2520 the state, shall be dated and bear the signature and seal of the
2521 professional geologist or professional geologists who prepared
2522 or approved them.

2523 (3)~~(4)~~ Except as provided in s. 558.0035, the fact that a

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2524 licensed professional geologist practices through a corporation
2525 or partnership does not relieve the registrant from personal
2526 liability for negligence, misconduct, or wrongful acts committed
2527 by her or him. The partnership and all partners are jointly and
2528 severally liable for the negligence, misconduct, or wrongful
2529 acts committed by their agents, employees, or partners while
2530 acting in a professional capacity. Any officer, agent, or
2531 employee of a corporation is personally liable and accountable
2532 only for negligent acts, wrongful acts, or misconduct committed
2533 by her or him or committed by any person under her or his direct
2534 supervision and control, while rendering professional services
2535 on behalf of the corporation. The personal liability of a
2536 shareholder of a corporation, in her or his capacity as
2537 shareholder, may be no greater than that of a shareholder-
2538 employee of a corporation incorporated under chapter 607. The
2539 corporation is liable up to the full value of its property for
2540 any negligent acts, wrongful acts, or misconduct committed by
2541 any of its officers, agents, or employees while they are engaged
2542 on behalf of the corporation in the rendering of professional
2543 services.

2544 ~~(5) The firm, corporation, or partnership desiring a~~
2545 ~~certificate of authorization shall file with the department an~~
2546 ~~application therefor, upon a form to be prescribed by the~~
2547 ~~department, accompanied by the required application fee.~~

2548 ~~(6) The department may refuse to issue a certificate of~~
2549 ~~authorization if any facts exist which would entitle the~~
2550 ~~department to suspend or revoke an existing certificate of~~
2551 ~~authorization or if the department, after giving persons~~
2552 ~~involved a full and fair hearing, determines that any of the~~

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2553 ~~officers or directors of said firm or corporation, or partners~~
2554 ~~of said partnership, have violated the provisions of s. 492.113.~~

2555 Section 88. Subsection (4) of section 492.113, Florida
2556 Statutes, is amended to read:

2557 492.113 Disciplinary proceedings.—

2558 (4) The department shall reissue the license of a
2559 disciplined professional geologist ~~or business~~ upon
2560 certification by the board that the disciplined person has
2561 complied with ~~all of~~ the terms and conditions set forth in the
2562 final order.

2563 Section 89. Section 492.115, Florida Statutes, is amended
2564 to read:

2565 492.115 Roster of licensed professional geologists.—A
2566 roster showing the names and places of business or residence of
2567 all licensed professional geologists and all properly qualified
2568 firms, corporations, or partnerships practicing holding
2569 ~~certificates of authorization to practice~~ professional geology
2570 in the state shall be prepared annually by the department. A
2571 copy of this roster must be made available to ~~shall be~~
2572 ~~obtainable by~~ each licensed professional geologist and each
2573 firm, corporation, or partnership qualified by a professional
2574 geologist holding a certificate of authorization, and copies
2575 thereof shall be placed on file with the department.

2576 Section 90. Section 509.102, Florida Statutes, is created
2577 to read:

2578 509.102 Mobile food dispensing vehicles; preemption.—

2579 (1) As used in this section, the term "mobile food
2580 dispensing vehicle" means any vehicle that is a public food
2581 service establishment and that is self-propelled or otherwise

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2582 movable from place to place and includes self-contained
 2583 utilities, including, but not limited to, gas, water,
 2584 electricity, or liquid waste disposal.

2585 (2) Regulation of mobile food dispensing vehicles involving
 2586 licenses, registrations, permits, and fees is preempted to the
 2587 state. A municipality, county, or other local governmental
 2588 entity may not require a separate license, registration, or
 2589 permit other than the license required under s. 509.241, or
 2590 require the payment of any license, registration, or permit fee
 2591 other than the fee required under s. 509.251, as a condition for
 2592 the operation of a mobile food dispensing vehicle within the
 2593 entity's jurisdiction. A municipality, county, or other local
 2594 governmental entity may not prohibit mobile food dispensing
 2595 vehicles from operating within the entirety of the entity's
 2596 jurisdiction.

2597 (3) This section may not be construed to affect a
 2598 municipality, county, or other local governmental entity's
 2599 authority to regulate the operation of mobile food dispensing
 2600 vehicles other than the regulations described in subsection (2).

2601 Section 91. Paragraph (i) of subsection (2) of section
 2602 548.003, Florida Statutes, is amended to read:

2603 548.003 Florida State Boxing Commission.—

2604 (2) The Florida State Boxing Commission, as created by
 2605 subsection (1), shall administer the provisions of this chapter.
 2606 The commission has authority to adopt rules pursuant to ss.
 2607 120.536(1) and 120.54 to implement the provisions of this
 2608 chapter and to implement each of the duties and responsibilities
 2609 conferred upon the commission, including, but not limited to:

2610 ~~(i) Designation and duties of a knockdown timekeeper.~~

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2611 Section 92. Subsection (1) of section 548.017, Florida
2612 Statutes, is amended to read:

2613 548.017 Participants, managers, and other persons required
2614 to have licenses.—

2615 (1) A participant, manager, trainer, second, ~~timekeeper,~~
2616 referee, judge, ~~announcer,~~ physician, matchmaker, or promoter
2617 must be licensed before directly or indirectly acting in such
2618 capacity in connection with any match involving a participant. A
2619 physician approved by the commission must be licensed pursuant
2620 to chapter 458 or chapter 459, must maintain an unencumbered
2621 license in good standing, and must demonstrate satisfactory
2622 medical training or experience in boxing, or a combination of
2623 both, to the executive director before working as the ringside
2624 physician.

2625 Section 93. Paragraph (d) of subsection (1) of section
2626 553.5141, Florida Statutes, is amended to read:

2627 553.5141 Certifications of conformity and remediation
2628 plans.—

2629 (1) For purposes of this section:

2630 (d) "Qualified expert" means:

2631 1. An engineer licensed pursuant to chapter 471.

2632 2. A certified general contractor licensed pursuant to
2633 chapter 489.

2634 3. A certified building contractor licensed pursuant to
2635 chapter 489.

2636 4. A building code administrator licensed pursuant to
2637 chapter 468.

2638 5. A building inspector licensed pursuant to chapter 468.

2639 6. A plans examiner licensed pursuant to chapter 468.

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2640 7. An interior designer registered ~~licensed~~ pursuant to
2641 chapter 481.

2642 8. An architect licensed pursuant to chapter 481.

2643 9. A landscape architect licensed pursuant to chapter 481.

2644 10. Any person who has prepared a remediation plan related
2645 to a claim under Title III of the Americans with Disabilities
2646 Act, 42 U.S.C. s. 12182, that has been accepted by a federal
2647 court in a settlement agreement or court proceeding, or who has
2648 been qualified as an expert in Title III of the Americans with
2649 Disabilities Act, 42 U.S.C. s. 12182, by a federal court.

2650 Section 94. Effective January 1, 2021, subsection (1) of
2651 section 553.74, Florida Statutes, is amended to read:

2652 553.74 Florida Building Commission.—

2653 (1) The Florida Building Commission is created and located
2654 within the Department of Business and Professional Regulation
2655 for administrative purposes. Members are appointed by the
2656 Governor subject to confirmation by the Senate. The commission
2657 is composed of 19 ~~27~~ members, consisting of the following
2658 members:

2659 (a) One architect licensed pursuant to chapter 481 with at
2660 least 5 years of experience in the design and construction of
2661 buildings designated for Group E or Group I occupancies by the
2662 Florida Building Code ~~registered to practice in this state and~~
2663 ~~actively engaged in the profession~~. The American Institute of
2664 Architects, Florida Section, is encouraged to recommend a list
2665 of candidates for consideration.

2666 (b) One structural engineer registered to practice in this
2667 state and actively engaged in the profession. The Florida
2668 Engineering Society is encouraged to recommend a list of

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2669 candidates for consideration.

2670 (c) One air-conditioning contractor, ~~or~~ mechanical
2671 contractor, or mechanical engineer certified to do business in
2672 this state and actively engaged in the profession. The Florida
2673 Air Conditioning Contractors Association, the Florida
2674 Refrigeration and Air Conditioning Contractors Association, ~~and~~
2675 the Mechanical Contractors Association of Florida, and the
2676 Florida Engineering Society are encouraged to recommend a list
2677 of candidates for consideration.

2678 (d) One electrical contractor or electrical engineer
2679 certified to do business in this state and actively engaged in
2680 the profession. The Florida Association of Electrical
2681 Contractors, ~~and~~ the National Electrical Contractors
2682 Association, Florida Chapter, and the Florida Engineering
2683 Society are encouraged to recommend a list of candidates for
2684 consideration.

2685 ~~(e) One member from fire protection engineering or~~
2686 ~~technology who is actively engaged in the profession. The~~
2687 ~~Florida Chapter of the Society of Fire Protection Engineers and~~
2688 ~~the Florida Fire Marshals and Inspectors Association are~~
2689 ~~encouraged to recommend a list of candidates for consideration.~~

2690 ~~(e)-(f)~~ One certified general contractor or one certified
2691 building contractor certified to do business in this state and
2692 actively engaged in the profession. The Associated Builders and
2693 Contractors of Florida, the Florida Associated General
2694 Contractors Council, the Florida Home Builders Association, and
2695 the Union Contractors Association are encouraged to recommend a
2696 list of candidates for consideration.

2697 ~~(f)-(g)~~ One plumbing contractor licensed to do business in

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2698 this state and actively engaged in the profession. The Florida
2699 Association of Plumbing, Heating, and Cooling Contractors is
2700 encouraged to recommend a list of candidates for consideration.

2701 (g)~~(h)~~ One roofing or sheet metal contractor certified to
2702 do business in this state and actively engaged in the
2703 profession. The Florida Roofing, Sheet Metal, and Air
2704 Conditioning Contractors Association and the Sheet Metal and Air
2705 Conditioning Contractors' National Association are encouraged to
2706 recommend a list of candidates for consideration.

2707 (h)~~(i)~~ One certified residential contractor licensed to do
2708 business in this state and actively engaged in the profession.
2709 The Florida Home Builders Association is encouraged to recommend
2710 a list of candidates for consideration.

2711 (i)~~(j)~~ Three members who are municipal, county, or district
2712 codes enforcement officials, one of whom is also a fire
2713 official. The Building Officials Association of Florida and the
2714 Florida Fire Marshals and Inspectors Association are encouraged
2715 to recommend a list of candidates for consideration.

2716 ~~(k) One member who represents the Department of Financial
2717 Services.~~

2718 ~~(l) One member who is a county codes enforcement official.
2719 The Building Officials Association of Florida is encouraged to
2720 recommend a list of candidates for consideration.~~

2721 (j)~~(m)~~ One member of a Florida-based organization of
2722 persons with disabilities or a nationally chartered organization
2723 of persons with disabilities with chapters in this state which
2724 complies with or is certified to be compliant with the
2725 requirements of the Americans with Disabilities Act of 1990, as
2726 amended.

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2727 (k)~~(n)~~ One member of the manufactured buildings industry
2728 who is licensed to do business in this state and is actively
2729 engaged in the industry. The Florida Manufactured Housing
2730 Association is encouraged to recommend a list of candidates for
2731 consideration.

2732 ~~(o) One mechanical or electrical engineer registered to
2733 practice in this state and actively engaged in the profession.
2734 The Florida Engineering Society is encouraged to recommend a
2735 list of candidates for consideration.~~

2736 ~~(p) One member who is a representative of a municipality or
2737 a charter county. The Florida League of Cities and the Florida
2738 Association of Counties are encouraged to recommend a list of
2739 candidates for consideration.~~

2740 (l)~~(q)~~ One member of the building products manufacturing
2741 industry who is authorized to do business in this state and is
2742 actively engaged in the industry. The Florida Building Material
2743 Association, the Florida Concrete and Products Association, and
2744 the Fenestration Manufacturers Association are encouraged to
2745 recommend a list of candidates for consideration.

2746 (m)~~(r)~~ One member who is a representative of the building
2747 owners and managers industry who is actively engaged in
2748 commercial building ownership or management. The Building Owners
2749 and Managers Association is encouraged to recommend a list of
2750 candidates for consideration.

2751 (n)~~(s)~~ One member who is a representative of the insurance
2752 industry. The Florida Insurance Council is encouraged to
2753 recommend a list of candidates for consideration.

2754 ~~(t) One member who is a representative of public education.~~

2755 (o)~~(u)~~ One member who is a swimming pool contractor

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2756 licensed to do business in this state and actively engaged in
2757 the profession. The Florida Swimming Pool Association and the
2758 United Pool and Spa Association are encouraged to recommend a
2759 list of candidates for consideration.

2760 (p)~~(v)~~ One member who is a representative of the green
2761 building industry and who is a third-party commission agent, a
2762 Florida board member of the United States Green Building Council
2763 or Green Building Initiative, a professional who is accredited
2764 under the International Green Construction Code (IGCC), or a
2765 professional who is accredited under Leadership in Energy and
2766 Environmental Design (LEED).

2767 (q)~~(w)~~ One member who is a representative of a natural gas
2768 distribution system and who is actively engaged in the
2769 distribution of natural gas in this state. The Florida Natural
2770 Gas Association is encouraged to recommend a list of candidates
2771 for consideration.

2772 ~~(x) One member who is a representative of the Department of
2773 Agriculture and Consumer Services' Office of Energy. The
2774 Commissioner of Agriculture is encouraged to recommend a list of
2775 candidates for consideration.~~

2776 ~~(y) One member who shall be the chair.~~

2777 Section 95. Subsections (5) and (6) are added to section
2778 823.15, Florida Statutes, to read:

2779 823.15 Dogs and cats released from animal shelters or
2780 animal control agencies; sterilization requirement.—

2781 (5) Employees, agents, or contractors of a public or
2782 private animal shelter, a humane organization, or an animal
2783 control agency operated by a humane organization or by a county,
2784 municipality, or other incorporated political subdivision may

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2785 implant dogs and cats with radio frequency identification
2786 microchips as part of their work with such public or private
2787 animal shelter, humane organization, or animal control agency.

2788 (6) Notwithstanding s. 474.2165, employees, agents, or
2789 contractors of a public or private animal shelter, a humane
2790 organization, or an animal control agency operated by a humane
2791 organization or by a county, municipality, or other incorporated
2792 political subdivision may contact the owner of record listed on
2793 a radio frequency identification microchip to verify pet
2794 ownership.

2795 Section 96. Subsection (7) of section 558.002, Florida
2796 Statutes, is amended to read:

2797 558.002 Definitions.—As used in this chapter, the term:

2798 (7) "Design professional" means a person, as defined in s.
2799 1.01, who is licensed in this state as an architect, interior
2800 designer, a landscape architect, an engineer, a surveyor, or a
2801 geologist or who is a registered interior designer, as defined
2802 in s. 481.203.

2803 Section 97. Subsection (3) of section 559.25, Florida
2804 Statutes, is amended to read:

2805 559.25 Exemptions.—The provisions of this part shall not
2806 apply to or affect the following persons:

2807 ~~(3) Duly licensed auctioneers, selling at auction.~~

2808 Section 98. Paragraphs (h) and (k) of subsection (2) of
2809 section 287.055, Florida Statutes, are amended to read:

2810 287.055 Acquisition of professional architectural,
2811 engineering, landscape architectural, or surveying and mapping
2812 services; definitions; procedures; contingent fees prohibited;
2813 penalties.—

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2814 (2) DEFINITIONS.—For purposes of this section:

2815 (h) A “design-build firm” means a partnership, corporation,
2816 or other legal entity that:

2817 1. Is certified under s. 489.119 to engage in contracting
2818 through a certified or registered general contractor or a
2819 certified or registered building contractor as the qualifying
2820 agent; or

2821 2. Is qualified ~~certified~~ under s. 471.023 to practice or
2822 to offer to practice engineering; qualified ~~certified~~ under s.
2823 481.219 to practice or to offer to practice architecture; or
2824 qualified ~~certified~~ under s. 481.319 to practice or to offer to
2825 practice landscape architecture.

2826 (k) A “design criteria professional” means a firm that is
2827 qualified ~~who holds a current certificate of registration~~ under
2828 chapter 481 to practice architecture or landscape architecture
2829 or a firm who holds a current certificate as a registered
2830 engineer under chapter 471 to practice engineering and who is
2831 employed by or under contract to the agency for the providing of
2832 professional architect services, landscape architect services,
2833 or engineering services in connection with the preparation of
2834 the design criteria package.

2835 Section 99. Except as otherwise expressly provided in this
2836 act, this act shall take effect July 1, 2020.