

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Regulated Industries

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BILL: SB 1342

INTRODUCER: Senator Perry

SUBJECT: Licensure Requirements for Land Surveyors and Mappers

DATE: March 8, 2021

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Kraemer	Imhof	RI	<b>Pre-meeting</b>
2.			CM	
3.			RC	

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**I. Summary:**

SB 1342 revises the educational and experience requirements to be eligible to take the examination for a surveyor and mapper license issued by the Board of Professional Surveyors and Mappers within the Department of Agriculture and Consumer Services. The bill:

- Allows exiled foreign-trained professionals who have lawfully practiced the profession for three years to substitute their experience for the professional or occupational college degree that is required under current law.
- Reduces the required work experience as a subordinate to an actively practicing surveyor and mapper based on the level of the applicant's education.
- Creates additional license eligibility pathways for persons with an associate of arts degree, or an equivalent 60 credit hours, and persons with a high school diploma, or the equivalent.

Under the bill, for applicants to take the license examination with:

- A bachelor's degree or higher in surveying and mapping (or a similar program such as geomatics, geomatics engineering, and land surveying) from a college or university recognized by the board, the required work experience is reduced to two years or more from four years or more.
- A bachelor's degree or higher in a subject other than surveying and mapping from an accredited college or university, the required work experience is reduced to two years or more from six years or more.
- An associate of arts degree, or an equivalent 60 credit hours, the required work experience is four years or more. There is no accreditation requirement under the bill for institutions issuing degrees or offering credit hours, and there is no requirement for semester hours in the subject of surveying and mapping or other related subjects. Work experience obtained as part of educational coursework may not serve to meet the work experience requirement.

- A high school diploma, or the equivalent, the required work experience as a subordinate to an actively practicing surveyor and mapper is six years. Work experience obtained as part of educational coursework may not serve to meet the work experience requirement.

The bill also provides that applicants are eligible to take the licensure examination upon “proof of verifiable work experience in the active practice of surveying and mapping, which is of a nature indicating that the applicant was in responsible charge of the accuracy and correctness of the surveying and mapping work performed.”

See Section V, Fiscal Impact Statement.

The bill is effective July 1, 2021.

## **II. Present Situation:**

### **Land Surveying and Mapping**

Chapter 472, F.S., governs the practice of land surveying and mapping in Florida. The Secretary of the Department of Agriculture and Consumer Services (DACS)<sup>1</sup> appoints the nine members of the Board of Professional Surveyors and Mappers (board), subject to confirmation by the Florida Senate.<sup>2</sup> The DACS approves registrations, certificates, and licenses to those persons and businesses that meet all statutory and administrative requirements for licensure.<sup>3</sup> The board is authorized to adopt administrative rules to implement the act, subject to the prior approval of DACS.<sup>4</sup>

Licensed professional surveyors and mappers make exact measurements and determine property boundaries. They provide data relevant to the shape, contour, gravitation, location, elevation, or dimension of land or land features on or near the earth's surface for engineering, mapmaking, mining, land evaluation, construction, and other purposes.<sup>5</sup> There are nearly 2,490 surveyors and mappers with active licenses in the state.<sup>6</sup>

### **Licensing Examinations**

All applicants for licensure must be approved by the board to be eligible to take the licensure examination.<sup>7</sup> An applicant must be of good moral character<sup>8</sup> and satisfy the following educational and experience requirements to be eligible to take the licensure examination:

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<sup>1</sup> The regulation of professional surveyors and mappers was transferred in 2009 from the Department of Business and Professional Regulation to DACS. See Ch. 2009-66, ss. 1 to 30, Laws of Fla. (effective October 1, 2009).

<sup>2</sup> See s. 472.007, F.S.

<sup>3</sup> See ss. 472.006(10) and 472.015, F.S.

<sup>4</sup> See s. 472.008, F.S., and Fla. Admin. Code R. 5J-17.001 to 17.400.

<sup>5</sup> See Florida Department of Agriculture and Consumer Services, Business Services, *Surveyors and Mappers*, available at <https://www.fdacs.gov/Business-Services/Surveyors-and-Mappers> (last visited Mar. 4, 2021).

<sup>6</sup> See the search results for active licensees at <https://csapp.800helpfla.com/cspublicapp/businesssearch/businesssearch.aspx> (last visited Mar. 4, 2021).

<sup>7</sup> See s. 472.013, F.S.

<sup>8</sup> The term “good moral character means “a personal history of honesty, fairness, and respect for the rights of others and for the laws of this state and nation.” See s. 472.013(5)(a), F.S.

- A bachelor's degree in surveying and mapping or in a similarly titled program, with four or more years of work experience under a professional surveyor, with the applicant having been in responsible charge of the accuracy and correctness of the surveying work performed; or
- A bachelor's degree in a course of study other than surveying and mapping, with six or more years of work experience under a professional surveyor, and for five of those years, the applicant must have been in responsible charge of the accuracy and correctness of the surveying work performed.<sup>9</sup>

Applicants whose course of study was other than surveying and mapping, must meet an additional educational requirement of a minimum of 25 semester hours from a college or university approved by the board in surveying and mapping subjects, or in any combination of courses in civil engineering, surveying, mapping, mathematics, photogrammetry, forestry, or land law and the physical sciences.<sup>10</sup>

The board, by rule, is authorized to establish fees for examination.<sup>11</sup> The initial application and examination fee must not exceed \$125 plus the actual per applicant cost to DACS to purchase the examination from the National Council of Engineering Examiners or a similar national organization.<sup>12</sup> The examination fee must be sufficient to cover the cost of obtaining and administering the examination and is refundable if the applicant is found ineligible to sit for the examination; the application fee is nonrefundable.<sup>13</sup>

An exiled foreign-trained professional seeking to become a licensed surveyor and mapper is eligible to take the required examination if the exiled professional:

- Immigrated to the United States after leaving their home country because of political reasons, when the home country is located in the Western Hemisphere and does not have diplomatic relations with the United States;
- Applies to DACS and submits a fee;
- Was a resident of Florida immediately preceding the application;
- Demonstrates through submission of documentation to DACS that is verified by the applicant's respective professional association in exile, that the applicant graduated with an appropriate professional or occupational degree from a college or university, but DACS may not require documentation from the Republic of Cuba;
- Lawfully practiced land surveying and mapping for at least three years;
- Prior to 1980, successfully completed an approved course of study pursuant to chs. 74-105 and 75-177, Laws of Florida, relating to continuing education; and
- Presents a certificate demonstrating the successful completion of a board-approved continuing education program, which offers a course of study that will prepare the applicant for the examination.<sup>14</sup>

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<sup>9</sup> See s. 472.013(2), F.S.

<sup>10</sup> See s. 472.013(2)(b), F.S.

<sup>11</sup> See s. 472.011, F.S. and Fla. Admin. Code R. 5J-17.070.

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> See s. 472.0101(1), F.S.

Upon request of a person who meets the requirements for foreign-trained professionals and submits an examination fee, DACS must conduct a written practical examination, on behalf of the board, that tests the person's current ability to competently practice the profession in accordance with the actual practice of the profession.<sup>15</sup> The fees charged for the examinations must be established by DACS by rule for the board,<sup>16</sup> and must be sufficient to develop or to contract for the development of the examination and its administration, grading, and grade reviews.<sup>17</sup>

### **Licensure by Endorsement**

The board is required to certify an applicant as qualified for a license by endorsement if the applicant currently holds a valid license to practice surveying and mapping issued by another state or territory of the United States before July 1, 1999, and the applicant:

- Has passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by s. 472.013, F.S.; and has a specific experience record of at least eight years as a subordinate to a registered surveyor and mapper in the active practice of surveying and mapping, six years of which must be of a nature indicating that the applicant was in responsible charge of the accuracy and correctness of the surveying and mapping work performed; or
- Holds a valid license to practice surveying and mapping issued by another state or territory of the United States, if the criteria for issuance were substantially the same as the licensure criteria that existed in Florida at the time the license was issued.<sup>18</sup>

All applicants for licensure by endorsement must pass the Florida law and rules portion of the examination prior to licensure.<sup>19</sup>

### **III. Effect of Proposed Changes:**

**Section 1** of the bill amends s. 472.0101, F.S., relating to special examination and license provisions for an exiled professional seeking to practice as a licensed surveyor and mapper. Under the bill, three years of lawful experience as a surveyor and mapper may be substituted for the professional or occupational college degree that is required under current law.<sup>20</sup>

**Section 2** of the bill amends s. 472.013, F.S., to revise the educational and experience requirements for an applicant to be eligible to take the surveyor and mapper licensure examination. Surveying and mapping work experience obtained by an applicant must be of a nature to indicate the applicant was "in responsible charge of the accuracy and correctness" of the work.<sup>21</sup>

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<sup>15</sup> See s. 472.0101(2), F.S. DACS must treat documentary evidence submitted by an exiled professional who is eligible to take the examination as evidence of the applicant's preparation in the academic and preprofessional fundamentals, and DACS may not examine the applicant on such fundamentals. *Id.*

<sup>16</sup> See Fla. Admin. Code R. 5J-17.210.

<sup>17</sup> See s. 472.0101(3), F.S.

<sup>18</sup> See s. 472.015(5)(a), F.S.

<sup>19</sup> See s. 472.015(5)(b), F.S.

<sup>20</sup> *Supra*, note 15.

<sup>21</sup> See s. 472.013(2)(a) and (b), F.S.

The bill creates additional eligibility pathways for persons with an associate of arts degree, or an equivalent 60 credit hours, and persons with a high school diploma, or the equivalent. Under the bill, the length of an applicant's work experience as a subordinate to an actively practicing surveyor and mapper required to take the licensure examination varies by level of the applicant's education; for those applicants with:

- A bachelor's degree or higher in surveying and mapping (or a similar program such as geomatics,<sup>22</sup> geomatics engineering, and land surveying) from a college or university recognized by the board, the required work experience is reduced to two years or more from four years or more.
- A bachelor's degree or higher in a subject other than surveying and mapping from an accredited college or university, the required work experience is reduced to two years or more from six years or more. As required in current law, such applicants must also have completed a minimum of 25 semester hours in surveying and mapping subjects (or in any combination of courses in civil engineering, surveying, mapping, mathematics, photogrammetry, forestry, or land law and the physical sciences), from a college or university approved by the board.<sup>23</sup>
- An associate of arts degree, or an equivalent 60 credit hours, the required work experience is four years or more. There is no accreditation requirement for institutions issuing degrees or offering credit hours, and there is no requirement for semester hours in the subject of surveying and mapping or other related subjects. Work experience obtained as part of educational coursework may not serve to meet the work experience requirement.
- A high school diploma, or the equivalent, the required work experience as a subordinate to an actively practicing surveyor and mapper is six years. Work experience obtained as part of educational coursework may not serve to meet the work experience requirement.

The bill also provides that applicants are eligible to take the licensure examination upon "proof of verifiable work experience in the active practice of surveying and mapping, which is of a nature indicating that the applicant was in responsible charge of the accuracy and correctness of the surveying and mapping work performed." As noted by DACS, for this method of qualifying to take the licensure examination, there is no minimum educational prerequisite, no minimum amount of work experience required, and no requirement that such work experience have been acquired while licensed and in accordance with the laws of the jurisdiction in which the work experience occurred.<sup>24</sup>

As stated in **Section 3**, the bill is effective July 1, 2021.

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<sup>22</sup> The geomatics profession collects, manages, and analyzes geospatial data through ground surveying, photogrammetry, remote sensing, satellite positioning, inertial measurements, echo-sounding, and laser scanning. Geomatics students study geometry, statistics, boundary law, and surveying and mapping instrument usage. See *University of Florida Undergraduate Catalog, Colleges and Schools, College of Agricultural and Lifesciences, Geomatics Major*, available at [https://catalog.ufl.edu/UGRD/colleges-schools/UGAGL/GEM\\_BSGE/](https://catalog.ufl.edu/UGRD/colleges-schools/UGAGL/GEM_BSGE/) (last visited Mar. 4, 2021).

<sup>23</sup> See s. 472.013(2)(b), F.S.

<sup>24</sup> See Department of Agriculture and Consumer Services, *Agency Bill Analysis for SB 1342* at p. 2 (Feb. 24, 2021) (on file with the Senate Committee on Regulated Industries).

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

More applicants may seek licensure as a professional surveyor and mapper based on the reduced work experience requirements and lower education requirements to become eligible to take the licensure examination.

**C. Government Sector Impact:**

According to DACS, it is unable to estimate a fiscal impact for the bill on its operations.<sup>25</sup> In its analysis, DACS notes it is unknown if reduced requirements will increase the number of licenses; if so, DACS may require additional resources to process licenses applications despite the increase in licensing revenue.<sup>26</sup>

**VI. Technical Deficiencies:**

None.

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<sup>25</sup> See Department of Agriculture and Consumer Services, *Agency Bill Analysis for SB 1342* at p. 2 (Feb. 24, 2021) (on file with the Senate Committee on Regulated Industries).

<sup>26</sup> *Id.*

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 472.0101 and 472.013.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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