

1                                   A bill to be entitled  
2           An act relating to the Architect Education Minority  
3           Assistance Program; creating s. 481.2095, F.S.;;  
4           creating the program within the Department of Business  
5           and Professional Regulation; providing a purpose for  
6           the program; requiring the Architect Education  
7           Minority Assistance Advisory Council to assist the  
8           Board of Architecture and Interior Design with  
9           administering the program; providing funding  
10          requirements for scholarships provided under the  
11          program; requiring that funds be deposited into a  
12          specified account in the Professional Regulation Trust  
13          Fund; capping the amount of funds that the department  
14          may spend annually on the program; requiring that  
15          funds for scholarships be disbursed twice each year;  
16          authorizing the Chief Financial Officer to invest  
17          funds in the program account in a specified manner;  
18          requiring that all earned interest from such  
19          investments be credited to the program account;  
20          requiring the board to adopt rules; specifying that  
21          certain determinations made by the board are not  
22          agency actions for the purposes of the Administrative  
23          Procedure Act; prohibiting a person or his or her  
24          agent from knowingly filing documents with the board  
25          which contain false information or material

26 misstatements of fact; providing criminal penalties;  
 27 creating the council within the department; providing  
 28 requirements for council membership; specifying that  
 29 the council membership of a member with certain  
 30 absences is void; requiring council members to serve  
 31 without compensation; providing an exception;  
 32 providing an effective date.  
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34 Be It Enacted by the Legislature of the State of Florida:  
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36 Section 1. Section 481.2095, Florida Statutes, is created  
 37 to read:

38 481.2095 The Architect Education Minority Assistance  
 39 Program; Architect Education Minority Assistance Advisory  
 40 Council.—

41 (1) The Architect Education Minority Assistance Program is  
 42 created within the department for the purpose of providing  
 43 scholarships to minority persons as defined in s. 288.703 who  
 44 are residents of this state and who are students enrolled in  
 45 their fifth year of an architectural education program  
 46 accredited by the National Architecture Accrediting Board at an  
 47 institution in this state. The Architect Education Minority  
 48 Assistance Advisory Council created in subsection (6) shall  
 49 assist the board in administering the program.

50 (2) All funds used to provide scholarships under the

51 program must be derived from a portion of existing license fees  
52 established under s. 481.207, not to exceed \$10 per license, and  
53 must be deposited into the Professional Regulation Trust Fund in  
54 a separate account maintained for that purpose. The department  
55 may spend up to \$200,000 per year from such account for the  
56 program but may not allocate overhead charges to the account.  
57 Funds for scholarships must be disbursed twice each year as  
58 recommended by the advisory council and approved by the board,  
59 based on eligibility criteria adopted by board rule and a  
60 comparative evaluation of all applicants. The Chief Financial  
61 Officer may invest funds in the program account, subject to the  
62 same limitations that apply to the investment of other state  
63 funds, and all interest earned thereon must be credited to the  
64 program account.

65 (3) The board shall adopt rules to administer the program,  
66 including rules relating to the following:

67 (a) Eligibility criteria for receipt of a scholarship,  
68 which, at a minimum, must include the following factors:

69 1. Financial need;

70 2. Status as a minority person as defined in s. 288.703;

71 and

72 3. Scholastic ability and performance.

73 (b) Scholarship application procedures.

74 (c) Scholarship amounts, the timeframe for payments or  
75 partial payments, and criteria governing how scholarship funds

76 may be spent by the recipient.

77 (d) The total amount of scholarship funds which can be  
 78 awarded each year.

79 (e) The minimum balance that must be maintained in the  
 80 program account.

81 (4) Determinations made by the board regarding recipients  
 82 of scholarship funds are not agency actions for purposes of  
 83 chapter 120.

84 (5) A person or his or her agent may not knowingly file  
 85 with the board any notice, statement, or other document that is  
 86 false or that contains any material misstatement of fact. A  
 87 person who violates this subsection commits a misdemeanor of the  
 88 second degree, punishable as provided in s. 775.082 or s.  
 89 775.083.

90 (6) The Architect Education Minority Assistance Advisory  
 91 Council, an advisory council as defined in s. 20.03(7), is  
 92 created within the department to assist the board in  
 93 administering the program. Except as otherwise provided in this  
 94 section, the advisory council shall operate in a manner  
 95 consistent with s. 20.052. The council membership must be  
 96 diverse and representative of minority persons as defined in s.  
 97 288.703.

98 (a) The council shall consist of five architects licensed  
 99 under this chapter appointed by the board. Of the five council  
 100 members, one must be a board member, who shall serve as chair of

HB 1015

2022

101 the council; two must be representatives of the American  
102 Institute of Architects, Florida Section; one must be a  
103 representative of the National Organization of Minority  
104 Architects; and one must be appointed as a member-at-large. At  
105 least one member of the council must be a woman.

106 (b) The board shall determine the terms for initial  
107 appointments, which must be staggered, and appointments  
108 thereafter.

109 (c) Any vacancy on the council must be filled in the same  
110 manner as the initial appointment. Any member appointed to fill  
111 a vacancy of an unexpired term shall be appointed for the  
112 remainder of that term.

113 (d) The council membership of any member who has three  
114 consecutive absences or absences constituting 50 percent or more  
115 of the council's meetings within any 12-month period is void and  
116 the member's position is deemed vacant.

117 (e) Council members shall serve without compensation, and  
118 any necessary and actual expenses incurred by a member while  
119 engaged in the business of the council must be borne by such  
120 member or by the organization or agency such member represents.  
121 However, a board member who serves as a member of the council  
122 must be compensated in accordance with ss. 112.061 and  
123 455.207(4).

124 Section 2. This act shall take effect July 1, 2022.