

By Senator Rodriguez

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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

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30 absences is void; requiring council members to serve
31 without compensation; providing an exception;
32 providing an effective date.
33

34 Be It Enacted by the Legislature of the State of Florida:
35

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,

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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

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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
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.

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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.