

1 A bill to be entitled
2 An act relating to landscape irrigation; creating s.
3 373.1861, F.S.; providing a short title; creating s.
4 373.1862, F.S.; providing legislative intent and
5 purpose; providing applicability; creating s.
6 373.1863, F.S.; defining terms; creating s. 373.1864,
7 F.S.; providing legislative findings; prohibiting a
8 person from taking certain actions regarding a
9 landscape irrigation system unless such person is a
10 licensed irrigation contractor or the property owner;
11 authorizing specified entities to adopt more stringent
12 standards for a property owner who installs a
13 landscape irrigation system; specifying that only a
14 licensed irrigation contractor may connect an
15 irrigation system to a water supply; providing
16 requirements for a licensed irrigation contractor to
17 obtain a landscape irrigation permit; requiring a
18 licensed irrigation contractor to create a landscape
19 irrigation plan design drawing; providing requirements
20 for such plan design drawings; providing requirements
21 for landscape irrigation plans; requiring a licensed
22 irrigation contractor to submit the landscape
23 irrigation system permit application and plan to
24 specified entities before building construction
25 commences; requiring a licensed irrigation contractor

26 to provide specified entities with certain information
27 before being issued a landscape irrigation permit;
28 creating s. 373.1865, F.S.; providing a purpose for
29 landscape irrigation system standards; requiring that
30 landscape irrigation systems be divided into specified
31 zones; providing requirements for such zones;
32 requiring that landscape irrigation systems be
33 designed to use the lowest quality water; providing
34 spacing requirements for landscape irrigation system
35 sprinklers; providing requirements for landscape
36 irrigation equipment, capacity, and accessories;
37 prohibiting high-volume irrigation areas from
38 exceeding a certain percentage of the total irrigated
39 area; authorizing the use of low-volume irrigation
40 areas in certain circumstances; prohibiting the
41 installation of risers; requiring a minimum distance
42 between distribution equipment and impervious
43 surfaces; requiring that landscape irrigation systems
44 use micro-irrigation in landscape beds under certain
45 circumstances; creating s. 373.1866, F.S.; creating a
46 landscape irrigation watering schedule; providing a
47 limitation for landscape irrigation watering;
48 providing a timeframe within which the owner of a new
49 irrigation system must adopt the watering schedule;
50 requiring a licensed irrigation contractor who

51 installs an irrigation system to provide the owners or
52 users of such system with certain information;
53 authorizing a local government to grant a variance
54 from the watering schedule under certain
55 circumstances; prohibiting a local government from
56 granting a variance under certain circumstances;
57 providing exceptions from landscape irrigation
58 watering schedules; providing requirements for a spray
59 sprinkler body; prohibiting a person from taking
60 certain actions regarding a sprinkler body, beginning
61 on a specified date; creating s. 373.1867, F.S.;
62 providing for the enforcement of the act; providing
63 for fines and penalties; providing that regular
64 maintenance and replacement of certain components is
65 not a violation of the act under certain
66 circumstances; prohibiting enforcement officials from
67 providing more than one written warning before
68 assessing a fine; authorizing a local government to
69 take certain action to enforce this section; creating
70 s. 373.1868, F.S.; providing for severability;
71 prohibiting a government entity from adopting or
72 attempting to enforce any law, rule, or regulation in
73 conflict with the act; creating s. 373.1869, F.S.;
74 authorizing the department to adopt rules to implement
75 the act; amending s. 373.62, F.S.; conforming

provisions to changes made by the act; deleting
obsolete provisions; conforming a provision to changes
made by the act; amending s. 489.105, F.S.; defining
the term "irrigation contractor"; amending s. 489.107,
F.S.; revising the membership of the Construction
Industry Licensing Board; conforming cross-references;
amending s. 489.111, F.S.; revising contractor
eligibility requirements for licensure; amending ss.
489.117, 489.118, and 489.141, F.S.; conforming cross-
references; providing an effective date.

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

**Section 1. Section 373.1861, Florida Statutes, is created
to read:**

373.1861 Short title.—Sections 373.1861-373.1869 may be
cited as the "Landscape Irrigation Standards and Watering
Restrictions Act."

**Section 2. Section 373.1862, Florida Statutes, is created
to read:**

373.1862 LEGISLATIVE INTENT AND PURPOSE; APPLICABILITY.—
(1) While an automatic landscape irrigation system is not
required, and a carefully designed landscape or a temporary
irrigation system may be considered for any property, it is the
intent and purpose of this act to:

101 (a) Implement procedures that promote water conservation
102 through more efficient use of landscape irrigation to improve
103 environmental quality; and

104 (b) Ensure efficient water use by establishing minimum
105 standards for landscape irrigation design which are considerate
106 of the climate, soil health, water resources, land use, and
107 resource planning of watershed districts in this state.

108 (2) Water use in landscape irrigation systems may be
109 reduced by providing for all of the following:

110 (a) The preservation of existing vegetation.

111 (b) The use of site-appropriate plant materials.

112 (c) The use of pervious paving materials.

113 (d) The use of water-efficient landscape irrigation.

114 (e) The use of applicable best management practices.

115 (f) The use of environmentally sensitive site development
116 concepts.

117 (3) This act applies to new commercial landscapes,
118 residential landscapes, institutional developments proposing to
119 install a landscape irrigation system, and any substantial
120 improvement or modification to an existing landscape irrigation
121 system which requires 50 percent or more of the irrigation
122 system to be replaced or altered.

123 (4) This act does not apply to irrigation systems for any
124 of the following:

125 (a) Agricultural production systems.

(b) Greenhouses.

(c) Nurseries.

(d) Cemeteries.

(e) Golf courses.

(f) Athletic fields, playgrounds, or intensive recreational areas.

(g) Vegetable gardens, fruit tree groves, or nut tree groves.

Section 3. Section 373.1863, Florida Statutes, is created to read:

373.1863 DEFINITIONS.—As used in this act, the term:

(1) "Address" means the house number of a physical location of a specific property. This includes rural route numbers but excludes post office box numbers. If a lot number in a mobile home park or similar community is used by the United States Postal Service to determine a delivery location, the lot number is the property's address. An even-numbered address means an address ending in the numbers 0, 2, 4, 6, or 8 or the letters A-M. An odd-numbered address means an address ending in the numbers 1, 3, 5, 7, or 9 or the letters N-Z.

(2) "Application rate" or "precipitation rate" means the rate at which water is applied to a given area by sprinklers or emitters, usually expressed as depth per unit of time.

(3) "Automatic irrigation controller" means a device that automatically turns an irrigation system, such as a lawn

151 sprinkler or drip irrigation system, on and off and is also
152 known as a clock or timer.

153 (4) "Bubbler" means an emission device that applies water
154 to the soil, discharging at least 0.5 to 2 gallons of water per
155 hour, but generally less than 60 gallons per hour.

156 (5) "Bubbler irrigation" means the application of water to
157 the soil surface at the plant root zone, discharging at least
158 0.5 to 2 gallons of water per hour, but generally less than 60
159 gallons per hour.

160 (6) "Check valve" means a device that permits water to
161 flow in one direction and is installed on any sprinkler where
162 low point drainage occurs or if the sprinkler is located lower
163 than the valve box.

164 (7) "Controller" means a timing mechanism that signals
165 automatic valves to open and close on a pre-set program or based
166 on sensor readings or its mounting box.

167 (8) "Coverage" means the way water is applied to an area.

168 (9) "Department" means the Department of Environmental
169 Protection or its successor agency.

170 (10) "Design pressure" means the pressure at which the
171 irrigation system or its components are designed to operate as
172 measured at the pump discharge or, if there is no pump, at the
173 entrance to the system.

174 (11) "Distribution pattern" means the water depth distance
175 relationship measured from a single emission device.

176 (12) "Distribution uniformity" means even application of
177 irrigation across a landscaped area, as expressed as a decimal
178 or percent value.

179 (13) "Drip irrigation" means the precise low-rate
180 application of water to the soil surface, beneath the soil
181 surface, or near the plant root zone around widely spaced plants
182 across a large area. Applications normally occur as small
183 streams or discrete continuous drops in the range of 0.5 to 2
184 gallons per hour.

185 (14) "Drip line emitter" means a tube that discharges
186 water from integrated and evenly spaced emitters, perforations,
187 or a porous wall.

188 (15) "Emission device" means a landscape irrigation system
189 component used to dispense irrigation water to the landscape at
190 a specific rate.

191 (16) "Emitter" means a device used to control irrigation
192 discharge from lateral pipes and a device used in micro-
193 irrigation systems.

194 (17) "Establishment" means the process by which newly
195 planted vegetation becomes self-sustaining and rooted in its new
196 location.

197 (18) "Florida Water Star" means a statewide certification
198 program, owned by the St. Johns River Water Management District,
199 for new and existing homes and commercial developments that meet
200 specific water-efficiency criteria for their respective

201 landscape and irrigation systems, as well as plumbing fixtures
202 and appliances.

203 (19) "Flow rate" means the measure of a volume of water
204 moving in a certain amount of time.

205 (20) "Head" means the exterior case or shell of a
206 sprinkler incorporating a means of connecting to a piping system
207 and designed to provide above-ground or overhead irrigation. The
208 head may also be known as a rotor, a spray head, a mist head, or
209 an impact sprinkler when referring to the type of emission used
210 interchangeably with and in conjunction with a sprinkler.

211 (21) "Head-to-head spacing" means spacing sprinkler heads
212 so the distance between sprinklers is equal to the sprinkler
213 head-rated throw radius.

214 (22) "Hydrozone" means a distinct grouping of plants with
215 similar water and climatic requirements which may be irrigated
216 within a common zone to conserve water, improve efficiency, and
217 avoid overwatering and underwatering.

218 (23) "Irrigation" means the intentional application of
219 water by artificial means to sustain plant growth or optimize
220 production.

221 (24) "Irrigation inspector" means a person responsible for
222 inspecting landscape irrigation systems and carrying out all of
223 the following duties:

224 (a) Making determinations regarding whether a landscape
225 irrigation system complies with all relevant requirements.

226 (b) Making determinations regarding whether the
227 appropriate backflow prevention device is installed.

228 (c) Providing test results to the water purveyor.

229 (d) Investigating and issuing findings for all complaints
230 alleging deficiency of a landscape irrigation system.

231 (25) "Landscape" means area that is planted with ground
232 covers, shrubs, trees, turf, or similar plant materials.

233 (26) "Landscape area" means the total site area less the
234 building footprint, impervious or paved surfaces, stormwater
235 control structures, or waterbodies. It includes any permeable
236 surface on a given lot or parcel which is covered with gardens,
237 landscape, mulch, or turfgrass.

238 (27) "Landscape irrigation" means the outside watering of
239 plants, such as shrubbery, trees, lawns, grass, ground covers,
240 plants, vines, gardens, and other such flora, which may be
241 situated in diverse locations, such as commercial and industrial
242 establishments, public and residential areas, public medians, or
243 rights-of-way.

244 (28) "Landscape irrigation plan" means a printed or drawn
245 plan for irrigation on a property with scaled dimensions which
246 identifies:

247 (a) Existing rights-of-way, easements, and other land
248 reservations;

249 (b) The water source that will be used for irrigation; and

250 (c) Irrigation specifications that include all of the

251 following information:

252 1. Pipe location, type, and size.

253 2. Sprinkler head location, including spacing to adjacent
254 sprinkler heads and structures.

255 3. Location of soil moisture sensor probes, if applicable.

256 4. Location and area of irrigation zones.

257 5. Sprinkler head type and application rate.

258 6. Micro-irrigation type and application rate.

259 7. Location of heads requiring check valves and their
260 respective valve sizes.

261 8. All relevant pressure regulations.

262 (29) "Landscape irrigation system" means a system of
263 delivering water to an area where it is needed, but not normally
264 present in necessary volume.

265 (30) "Lateral" means a water delivery pipeline that
266 supplies water from a manifold or header pipe downstream of a
267 control valve to irrigation emission devices.

268 (31) "Low-volume irrigation" means heads that emit less
269 than 0.5 gallons of water per minute.

270 (32) "Micro-bubbler" means a unit designed for micro-
271 irrigation applications requiring higher flow and coverage than
272 a spot emitter or drip, but a lower amount of water than a
273 standard bubbler.

274 (33) "Micro-irrigation" means the application of small
275 quantities of water directly on or below the soil surface or

276 plant root zone, in discrete drops, thin streams, or miniature
277 sprays, through emitters placed along lateral water delivery
278 pipes. Micro-irrigation encompasses a number of methods or
279 concepts, including drip irrigation, micro-bubblers, micro
280 sprays, subsurface irrigation, or low-volume or trickle
281 irrigation.

282 (34) "Micro-irrigation emission device" means an emission
283 device intended to discharge water in the form of drops or a
284 continuous stream at rates less than 30 gallons of water per
285 hour or 113.5 liters per hour at the largest area of coverage
286 available for the nozzle series when operated at 30 pounds per
287 square inch, except during flushing.

288 (35) "Micro-spray" means a micro-irrigation emission
289 device that uses small-diameter tubing and small orifice micro-
290 spray heads to limit water output and deliver water more
291 directly to the plant root zone by converting irrigation water
292 pressure to discharge water at a flow rate not exceeding 30
293 gallons per hour or 113.5 liters per hour at the largest area of
294 coverage available for the nozzle series when operated at 30
295 pounds per square inch. Micro-spraying includes the use of
296 micro-bubblers, micro-spinners, or micro-spray jets.

297 (36) "Nozzle" means the discharge opening or orifice of an
298 emission device used to control the volume, distribution
299 pattern, or droplet size of water discharge.

300 (37) "Nozzle throw diameter" means the entire measured

width of the throw of a sprinkler head.

(38) "Operating pressure" means the water pressure necessary to operate an emission device. Operating pressure may be described as any of the following:

(a) "Maximum operating pressure," meaning the highest manufacturer-recommended pressure to ensure proper operation of an emission device.

(b) "Minimum operating pressure," meaning the lowest manufacturer-recommended pressure to ensure proper operation of an emission device.

(c) "Recommended operating pressure," meaning the manufacturer's recommended pressure for operation of an emission device.

(39) "Operator/manager" means a person or an entity responsible for management of an irrigation system.

(40) "Orifice" means an opening with a closed perimeter through which water flows.

(41) "Person" means any person, firm, partnership, association, corporation, company, or organization.

(42) "Radius of throw" means the distance of throw for a circular wetting pattern.

(43) "Reclaimed water" means water that has been treated in municipal wastewater facilities, has received at least secondary treatment and basic disinfection, and is safe to use for irrigation and other permitted purposes.

326 (44) "Residential landscape irrigation" means the
327 irrigation of landscapes associated with any residential housing
328 unit having sanitary facilities and kitchen facilities designed
329 to accommodate one or more residents, including single-family
330 homes, multifamily housing units, and mobile homes.

331 (45) "Riser" means a threaded pipe to which sprinklers or
332 other emitters are attached for above-ground placement.

333 (46) "Rotor sprinkler" means a sprinkler that applies
334 water in a pattern to a defined landscape area by means of one
335 or more rotating streams.

336 (47) "Smart irrigation controller" means a device designed
337 to reduce outdoor water use by irrigating based on a plant's
338 watering needs. There are two basic types:

339 (a) Weather-based irrigation controllers, which use local
340 weather and landscape conditions to tailor watering schedules.

341 (b) Soil moisture-based irrigation controllers, which
342 monitor moisture levels in the soil to prevent irrigation when
343 water is not needed.

344 (48) "Spacing" means the distance between sprinklers or
345 other emitters.

346 (49) "Spray sprinkler" means a sprinkler that steadily
347 applies water in a pattern to a defined landscape area.

348 (50) "Sprinkler" means an emission device consisting of a
349 sprinkler body with one or more nozzles or orifices to convert
350 irrigation water pressure to high-velocity water discharge

351 through the atmosphere, discharging a minimum of 0.5 gallons per
352 minute or 1.9 liters per minute at the largest area of coverage
353 available for the nozzle series when operated at 30 pounds per
354 square inch or more with a full-circle wetting pattern.

355 (51) "Sprinkler body" means the exterior case or shell of
356 a sprinkler incorporating a means of connection to the piping
357 system, designed to convey water to a nozzle or an orifice. The
358 term includes, but is not limited to, all of the following:

359 (a) "Rotor sprinkler body," meaning a sprinkler body that
360 contains components to drive the rotation of the nozzle or
361 orifice during operation without an integral control valve.

362 (b) "Spray sprinkler body," meaning a sprinkler body that
363 does not contain components to drive the rotation of the nozzle
364 or orifice during operation without an integral control valve.

365 (c) "Valve-in-head sprinkler body," meaning a sprinkler
366 body that contains an integral control valve.

367 (52) "Substantial improvement or modification" means any
368 reconstruction, rehabilitation, addition, or other modification
369 of a structure, the cost of which equals or exceeds 50 percent
370 of the market value of the structure before the start of
371 construction of the modification. The term includes structures
372 that have incurred substantial damage, regardless of the actual
373 repair work performed. The term does not include any of the
374 following:

375 (a) Any project for improvement of a structure to correct

376 existing violations of state or local health, sanitary, or
377 safety code specifications which have been identified by the
378 local code enforcement official and which improvements are the
379 minimum necessary to assure safe living conditions.

380 (b) Any alteration of a historic structure, provided that
381 the alteration will not preclude the structure's continued
382 designation as an historic structure.

383 (53) "Subsurface irrigation" means a landscape irrigation
384 system equipped with water emitters and a delivery line
385 installed below the soil surface. Such system is designed to
386 distribute water to soils directly from under the surface to
387 prevent airborne drift and minimize runoff.

388 (54) "Supply" means the origin or source of the water used
389 in an landscape irrigation system.

390 (55) "Temporary establishment irrigation" means the short-
391 term use of irrigation for the establishment of new vegetation
392 which must be removed once the plants are established.

393 (56) "Throw" means the measured distance from the nozzle
394 or orifice of a sprinkler head to where the sprinkler deposits
395 water.

396 (57) "Turfgrass" means a groundcover surface of mowed
397 grass.

398 (58) "Valve" means a device used to control the flow of
399 water within a landscape irrigation system.

400 (59) "Weather-based irrigation controller" means a device

401 that uses climatic information to determine when the landscape
402 irrigation system operates by reducing or cancelling irrigation
403 in response to rainfalls, temperature, and other climatic
404 conditions.

405 (60) "Wetting area" means a wetting pattern created by an
406 emission device or multiple emission devices in a defined area.

407 **Section 4. Section 373.1864, Florida Statutes, is created**
408 **to read:**

409 373.1864 Legislative findings; landscape irrigation system
410 permit; plan design.—

411 (1) The Legislature finds that the landscape irrigation
412 system permit application procedures in this section provide an
413 economical, efficient, and safe method of reviewing proposed
414 landscape irrigation system plans and specifications before
415 installation, by:

416 (a) Requiring the evaluation of proposed plans for a
417 landscape irrigation system; and

418 (b) Ensuring that, if approved, the landscape irrigation
419 system is installed, maintained, and operated in a manner
420 consistent with a comprehensive plan pursuant to ss. 163.3177
421 and 163.3178 and the health, safety, and general welfare of
422 residents.

423 (2) A person may not install, maintain, alter, repair,
424 service, or inspect a landscape irrigation system, or consult on
425 these activities, unless the person is a licensed irrigation

contractor or the property owner. A local government or water management district may adopt more stringent requirements for a property owner who installs an irrigation system. Only a licensed irrigation contractor may connect a landscape irrigation system to a water supply.

(3) To obtain a landscape irrigation permit, a licensed irrigation contractor must submit an application to the appropriate local government or water management district which contains all of the following information:

(a) The licensed irrigation contractor's name, address, phone number, and e-mail address.

(b) The landscape irrigation contractor's license.

(c) A landscape irrigation plan with design drawings that identify all design elements, development materials, and proposed installation methods. Commercial, industrial, multifamily, and municipal buildings must meet any additional requirements provided in Appendix F of the Plumbing Volume of the Florida Building Code.

(d) An application fee paid to the appropriate local government or water management district.

(4) The licensed irrigation contractor shall create landscape irrigation plan design drawings that are clearly legible at a reasonable scale, display the entire site to be irrigated, and include all modifications. Such design drawings must show that there will not be any drainage from any emission

451 device when the irrigation system is turned off.

452 (5) (a) Landscape irrigation plans must provide
453 accommodations for smaller areas of sprinkler irrigation,
454 including irrigated turfgrass areas, irrigated landscape bed
455 areas, and unirrigated areas, to prevent direct spray onto
456 buildings, driveways, roadways, or other impervious hardscapes.

457 (b) Such irrigated areas less than 4 feet wide must be
458 irrigated with micro-irrigation or zone-appropriate spray heads.

459 (6) The licensed irrigation contractor must submit the
460 landscape irrigation system permit application and plan to the
461 appropriate local government or water management district before
462 building construction commences.

463 (7) Before a local government or water management district
464 may issue a landscape irrigation permit, the licensed irrigation
465 contractor must provide the local government or water management
466 district with all of the following:

467 (a) A Letter of Certification of Design for a Landscape
468 Irrigation System developed by the department certifying the
469 design is consistent with the requirements of this section and
470 signed by a landscape irrigation system professional.

471 (b) A Letter of Completion Certifying Compliance with
472 Design for a Landscape Irrigation System developed by the
473 department certifying installation is consistent with the design
474 and signed by a landscape irrigation system professional.

475 (c) Proof of certification by the Florida Water Star

476 certification program.

477 **Section 5. Section 373.1865, Florida Statutes, is created**
478 **to read:**

479 373.1865 Landscape irrigation system requirements.—

480 (1) PURPOSE.—The Legislature finds that the purpose of
481 landscape irrigation system standards is to ensure that
482 irrigation systems are designed for maximum efficiency and
483 uniformity in the irrigation zone and that systems prioritize
484 all of the following:

485 (a) Proper installation.

486 (b) Appropriate watering scheduling and run times
487 consistent with s. 373.1866.

488 (c) Regular maintenance by qualified entities.

489 (d) Irrigation for establishment, post-establishment
490 scheduling, and appropriate removal.

491 (2) LANDSCAPE IRRIGATION SYSTEM REQUIREMENTS.—

492 (a) A landscape irrigation system must be divided into
493 zones based on all of the following factors:

494 1. Available flow rate.

495 2. Cultural use of the area.

496 3. Type of vegetation irrigated, such as native plants,
497 shrubs, or turfgrass.

498 4. Type of sprinklers, including sprinklers with matching
499 precipitation rates.

500 5. Soil characteristics and slope.

501 6. Sun exposure.

502 (b) Spray heads and rotors may not be mixed in the same
503 zone, and bubblers for trees must be in separate zones.

504 (c) Turfgrass and landscape beds must be irrigated in
505 separate zones.

506 (d) Landscape irrigation systems must be designed to use
507 the lowest quality water that is available, is feasible to use,
508 and has been evaluated as suitable. This includes reclaimed
509 water and stormwater.

510 (3) SPRINKLER SPACING REQUIREMENTS.—Landscape irrigation
511 system sprinkler spacing must be designed and maintained in the
512 following manner:

513 (a) Sprinkler heads must be spaced at 50 percent of the
514 nozzle throw diameter from adjacent sprinkler heads in all
515 directions the nozzle throws. The respective local government
516 may allow a variance for areas where head-to-head spacing will
517 oversaturate the soil or lead to inefficient water use.

518 (b) Sprinklers must be spaced at least 12 inches from
519 buildings and 4 inches from impervious areas.

520 (c) Sprinkler heads for turfgrass areas must be designed
521 and maintained with:

522 1. A minimum 6-inch-high sprinkler body for St. Augustine,
523 Zoysia, or Bahia grasses.

524 2. A minimum 4-inch-high sprinkler body for Centipede,
525 Bermuda, or Seashore Paspalum grasses.

526 (d) Sprinkler inspections, conducted by an irrigation
527 inspector, must take place at least quarterly to avoid watering
528 of impervious surfaces.

529 (e) Rotors and sprays in turf areas must be spaced to
530 achieve head-to-head coverage.

531 (f) All sprinkler heads must be pressure-regulated at the
532 head or zone valve and set to manufacturer specifications.

533 (g) Landscape irrigation system pipes must maintain a
534 maximum of 5 feet per second water flow velocity for landscape
535 irrigation system integrity.

536 (4) LANDSCAPE IRRIGATION EQUIPMENT, CAPACITY, AND
537 ACCESSORIES.—Landscape irrigation systems must be equipped with
538 all of the following:

539 (a) The capacity to operate in the range of 30 to 40
540 pounds per square inch at each spray head or 40 to 50 pounds per
541 square inch at each rotor.

542 (b) Filter devices to ensure emitters maintain proper cast
543 and coverage.

544 (c) An irrigation controller or smart irrigation
545 controller that includes a weather-based irrigation controller.
546 Such controllers must have nonvolatile memory or battery backup
547 capacity that retains the irrigation schedule, set pursuant to
548 s. 373.1866, during and after power outages.

549 (5) ADDITIONAL REGULATIONS.—

550 (a) High-volume irrigation areas may not exceed 60 percent

551 of the total area to be irrigated. Low-volume irrigation areas
552 may be used in lieu of any high-volume irrigation area.

553 (b) Irrigation risers may not be installed.

554 (c) There must be a minimum of 4 inches between
555 distribution equipment, including sprinklers, pumps, valves, or
556 other components, and impervious surfaces.

557 (d) Landscape irrigation systems must use micro-irrigation
558 in landscape beds if supplemental irrigation is needed.

559 **Section 6. Section 373.1866, Florida Statutes, is created**
560 **to read:**

561 373.1866 Landscape irrigation watering schedule.—

562 (1) SCHEDULE.—

563 (a) When daylight saving time is in effect, landscape
564 irrigation may occur only in accordance with the following
565 irrigation schedule:

566 1. Residential landscape irrigation at odd-numbered
567 addresses or properties with no address may occur only on
568 Wednesday or Saturday and may not occur between 10 a.m. and 4
569 p.m.

570 2. Residential landscape irrigation at even-numbered
571 addresses may occur only on Thursday or Sunday and may not occur
572 between 10 a.m. and 4 p.m.

573 3. Nonresidential landscape irrigation may occur only on
574 Tuesday or Friday and may not occur between 10 a.m. and 4 p.m.

575 4. No more than 0.75 inches of water may be applied per

576 irrigation zone on any day that irrigation occurs, and such
577 irrigation may not occur for more than 1 hour per irrigation
578 zone on any day that irrigation occurs.

579 (b) When Eastern Standard Time is in effect, landscape
580 irrigation may occur only in accordance with the following
581 irrigation schedule:

582 1. Residential landscape irrigation at odd-numbered
583 addresses or properties with no address may occur only on
584 Saturday and may not occur between 10 a.m. and 4 p.m.

585 2. Residential landscape irrigation at even-numbered
586 addresses may occur only on Sunday and may not occur between 10
587 a.m. and 4 p.m.

588 3. Nonresidential landscape irrigation may occur only on
589 Tuesday and may not occur between 10 a.m. and 4 p.m.

590 4. No more than 0.75 inches of water may be applied per
591 irrigation zone on any day that irrigation occurs, and such
592 irrigation may not occur for more than 1 hour per irrigation
593 zone on any day that irrigation occurs.

594 (c) When Central Standard Time is in effect, landscape
595 irrigation may occur only in accordance with the following
596 irrigation schedule:

597 1. Residential landscape irrigation at odd-numbered
598 addresses or properties with no address may occur only on
599 Saturday and may not occur between 10 a.m. and 4 p.m.

600 2. Residential landscape irrigation at even-numbered

addresses may occur only on Sunday and may not occur between 10 a.m. and 4 p.m.

3. Nonresidential landscape irrigation may occur only on Tuesday and may not occur between 10 a.m. and 4 p.m.

4. No more than 0.75 inches of water may be applied per irrigation zone on any day that irrigation occurs, and such irrigation may not occur for more than 1 hour per irrigation zone on any day that irrigation occurs.

(d) Landscape irrigation watering may be limited to only that which may be necessary to meet the landscape's needs.

(e) The owner of a new irrigation system must adopt the watering schedule outlined in paragraphs (a), (b), and (c) within 60 days after such system is installed. The licensed irrigation contractor who installed such irrigation system must provide the property owner or user with all of the following post-construction and maintenance system information:

1. The irrigation system plan design drawings.
2. Maintenance activities and schedules.
3. The system's operational schedule.
4. Instructions for adjusting the system.
5. Water shut-off method.
6. The manufacturer's operational guide for the controller.

(2) VARIANCE FROM SPECIFIC DAY OF THE WEEK LIMITATIONS.—

(a) A local government may grant a variance from the

specific landscape irrigation watering schedule set forth in subsection (1) for any of the following reasons:

1. Strict adherence to the watering schedule would lead to unreasonable or unfair results in particular instances, provided that the applicant demonstrates with particularity that compliance with the schedule will result in a substantial economic, health, or other hardship on the applicant requesting the variance or those served by the applicant; or

2. A contiguous property is divided into different zones, such that each zone must be irrigated on different days than other zones of the property.

(b) A local government may not grant a variance to allow a single zone to be irrigated more than 2 days per week during daylight saving time or more than 1 day per week during Eastern Standard Time or Central Standard Time.

(3) EXCEPTIONS TO THE LANDSCAPE IRRIGATION WATERING SCHEDULE.—Landscape irrigation is subject to the following landscape irrigation watering schedule exceptions:

(a) Irrigation using a micro-spray, micro-jet, drip, or bubbler irrigation system is allowed at any time.

(b) Irrigation of a new landscape is allowed at any time of day on any day for the initial 30 days after installation and every other day for the next 30 days, for a total of one 60-day period, provided that the irrigation is limited to the minimum amount necessary for such landscape establishment.

651 (c) Watering-in of chemicals, including insecticides,
652 pesticides, fertilizers, fungicides, and herbicides, when
653 required by law or when recommended by the manufacturer or best
654 management practices, is allowed at any time of day on any day
655 within 24 hours after application. Watering-in of chemicals may
656 not exceed 0.25 inches of water per application, except as
657 otherwise required by law or recommended by the manufacturer or
658 best management practices.

659 (d) Irrigation systems may be operated at any time of day
660 on any day for maintenance and repair purposes, not to exceed 20
661 minutes per hour per zone.

662 (e) Irrigation using a handheld hose equipped with an
663 automatic shut-off nozzle is allowed at any time of day on any
664 day.

665 (f) Discharge of water from a water-to-air air-
666 conditioning unit or other water-dependent cooling system is not
667 restricted by this section.

668 (g) The use of water from a reclaimed water system is
669 allowed at any time. For the purposes of this paragraph, a
670 reclaimed water system includes systems in which the primary
671 source is reclaimed water, which may or may not be supplemented
672 from another source during peak demand periods.

673 (h) The use of recycled water from wet detention treatment
674 ponds for irrigation is allowed at any time, provided the ponds
675 are not augmented from any ground or off-site surface water or

676 public supply sources.

677 (4) ADDITIONAL REQUIREMENTS.—

678 (a) A spray sprinkler body that is not specifically
679 excluded from the scope of the United States Environmental
680 Protection Agency's WaterSense Specification for Spray Sprinkler
681 Bodies, Version 1.0 program must include an integral pressure
682 regulator and must meet the water efficiency and performance
683 criteria of the program.

684 (b) Beginning July 1, 2027, a person may not sell, offer
685 for sale, lease, or install for compensation a new spray
686 sprinkler body unless the product includes a mark, label, or tag
687 denoting that the product meets or exceeds water efficiency and
688 performance criteria described in paragraph (a).

689 **Section 7. Section 373.1867, Florida Statutes, is created**
690 **to read:**

691 373.1867 Enforcement and penalties.—

692 (1) A licensed irrigation contractor as defined in s.
693 489.105(3)(q) shall report landscape irrigation systems that are
694 not in compliance with this act to the irrigation inspector or
695 such personnel as designated by the respective local government.

696 (2) The department, in coordination with local
697 governments, shall authorize law enforcement personnel or other
698 government staff as the enforcement officials.

699 (a)1. Each violation of s. 373.1865 or s. 373.1866 is
700 subject to the following fines or penalties:

701 a. A written warning for a first violation.
702 b. A \$50 fine for a second violation.
703 c. A fine not to exceed \$500 for all subsequent
704 violations.

705 2. Funds generated by penalties imposed pursuant to
706 subparagraph 1. shall be used by the respective local government
707 for the administration and enforcement of this act and to
708 further water conservation activities.

709 (b) Regular maintenance and replacement of worn or broken
710 components which interrupts or inhibits the operation of a
711 landscape irrigation system is not a violation of this act if
712 such repairs are conducted within a reasonable time.

713 (c) Enforcement officials may not provide violators with
714 more than one written warning before assessing a fine.

715 (d) The appropriate local government may take any other
716 appropriate legal action, including, but not limited to,
717 injunctive action, to enforce this section.

718 **Section 8. Section 373.1868, Florida Statutes, is created**
719 **to read:**

720 373.1868 Severability; conflicting law, rules, or
721 regulations.—

722 (1) If any provision of this act or its application to any
723 person or circumstance is held to be invalid by a court of
724 competent jurisdiction, the invalidity does not affect other
725 provisions or applications of this act which can be given effect

without the invalid provision or application, and to this end the provisions of this act are severable.

(2) It is unlawful for any governmental entity to adopt or to attempt to enforce any law, rule, or regulation in conflict with the provisions of this act.

Section 9. Section 373.1869, Florida Statutes, is created to read:

373.1869 Rulemaking.—The department may adopt rules to implement this act.

Section 10. Section 373.62, Florida Statutes, is amended to read:

373.62 Water conservation; automatic sprinkler systems.—

(1) A licensed irrigation contractor ~~Any person~~ who purchases and installs an automatic landscape irrigation system shall ~~must~~ properly install, maintain, and operate technology that inhibits or interrupts operation of the system during periods of sufficient moisture.

(2) A licensed irrigation contractor who installs or performs work on an automatic landscape irrigation system shall ~~must~~ test for the correct operation of each inhibiting or interrupting device or switch on that system. If such devices or switches are not installed in the system or are not in proper operating condition, the licensed irrigation contractor must install new ones or repair the existing ones and confirm that each device or switch is in proper operating condition before

751 completing other work on the system.

752 ~~(3) The department shall create a model ordinance by~~
753 ~~January 15, 2010, that may be adopted and enforced by local~~
754 ~~governments. The ordinance must, at a minimum:~~

755 ~~(a) Require licensed contractors to report automatic~~
756 ~~landscape irrigation systems that are not in compliance with~~
757 ~~this section to the appropriate authority.~~

758 ~~(b) Provide penalties for licensed contractors who do not~~
759 ~~comply with this section. The minimum penalty must be \$50 for a~~
760 ~~first offense, \$100 for a second offense, and \$250 for a third~~
761 ~~or subsequent offense.~~

762
763 ~~Regular maintenance and replacement of worn or broken technology~~
764 ~~which interrupts or inhibits the operation of an automatic~~
765 ~~landscape irrigation system is not a violation of this section~~
766 ~~if such repairs are conducted within a reasonable time.~~

767 ~~(4) Local governments may adopt the model ordinance by~~
768 ~~October 1, 2010. Local governments that impose requirements that~~
769 ~~are more stringent than the model ordinance are exempt from~~
770 ~~adopting the ordinance.~~

771 ~~(5) Funds generated by penalties imposed under the~~
772 ~~ordinance shall be used by the local government for the~~
773 ~~administration and enforcement of this section and to further~~
774 ~~water conservation activities.~~

775 ~~(6)~~ For purposes of this section, a licensed irrigation

contractor includes an individual who holds a specific irrigation contractor's license issued by a county.

(4) (a) ~~(7) (a)~~ The Legislature recognizes that lawn and landscape irrigation systems use a substantial amount of the state's potable water. The Legislature finds that smart irrigation systems that use soil moisture sensors with remote monitoring and adjustment capabilities, if properly installed and monitored, provide more efficient irrigation and save substantially more water than conventional time-controlled irrigation systems. This is because smart irrigation systems apply water to lawns and plants only as necessary to maintain required soil moisture, thus minimizing the overwatering or unnecessary watering that occurs with conventional irrigation systems. However, in order for this technology to optimize the efficient application of water it cannot be subject to day or days-of-the-week watering restrictions. The Legislature, therefore, recognizes that enacting a statewide process to provide an exemption from local water restriction ordinances will accelerate the adoption of this water saving technology. Further, a uniform exemption process will streamline variance procedures and minimize delay in implementing such technology. The longer it takes to approve soil moisture sensor control systems, the more potable water is wasted. A uniform variance process will allow state residents to maintain their property and protect water resources while enjoying their landscapes.

(b) For purposes of this subsection, the term:

1. "Monitoring entity" means a local government, community development district created pursuant to chapter 190, a homeowners' association created pursuant to chapter 720, a condominium association created pursuant to chapter 718, a cooperative created pursuant to chapter 719, or a public or private utility.

2. "Soil moisture sensor" means a soil-based device that assesses the available plant soil moisture in order to minimize the unnecessary use of water and optimize the effectiveness of an irrigation system.

3. "Soil moisture sensor control system" is the collective term for an entire soil moisture sensor system that has remote monitoring and adjustment capability.

(c) A variance from day or days-of-the-week watering schedules pursuant to s. 373.1866 ~~restrictions~~, which includes ~~shall include~~ the maximum soil set point for different soil types within the monitoring entity's jurisdiction, must ~~shall~~ be granted by the applicable water management district for any residential, commercial, or recreational user within a monitoring entity's jurisdiction having a soil moisture sensor control system if the monitoring entity certifies that:

1. Each soil moisture sensor control system installed within its jurisdiction will have multiple soil sensors that conform to different soil types and slopes in order to optimize

826 water use for each user, adjust irrigation schedules based on
827 soil moisture requirements, and be installed by a licensed
828 contractor in a manner that is consistent with the Field Guide
829 to Soil Moisture Sensor Use in Florida by the University of
830 Florida IFAS Extension Program for Resource Efficient
831 Communities.

832 2. It has the ability to monitor the status of each
833 individual user's system and to remotely modify the system
834 settings for irrigation cycles and run times.

835 3. It will electronically post and update a list of active
836 users of soil moisture sensor control systems within its
837 jurisdiction on a monthly basis and provide Internet access to
838 such listing and the monitoring database to the water management
839 district and the local government.

840 4. It shall provide notice to a user of noncompliant
841 activity within 48 hours after such activity and, if the user
842 does not take corrective action within 48 hours after such
843 notice, it will remove the posted notice required in
844 subparagraph 5. and remove the user from the active users list
845 required by subparagraph 3.

846 5. It shall post a notice at each parcel that has
847 installed a compliant soil moisture sensor control system in
848 plain view from the nearest roadway stating: "Irrigating with
849 Smart Irrigation Controller," with the address of the parcel,
850 and shall remove the notice if the user is no longer being

monitored by the monitoring entity.

(d) Upon installation of a soil moisture sensor control system, the licensed contractor shall certify to the monitoring entity that subparagraphs (c)1. and (c)2. have been met.

1. The monitoring entity shall post the notice required by subparagraph (c)5. on the user's property and update the Internet listing of users of active soil moisture sensor control systems to include the new user.

2. On an annual basis a professional engineer licensed under chapter 471 or a professional landscape architect licensed under chapter 481 shall perform an annual maintenance review of all soil moisture sensor control systems within the monitoring entity's jurisdiction and certify to the monitoring entity which systems are properly operating and in compliance with paragraph (c). The monitoring entity shall update its Internet listing of users of active soil moisture sensor control systems based on the certification.

(e) Failure by the monitoring entity to ensure continual compliance with the condition of this variance shall be cause for the appropriate water management district to revoke the variance upon proper notice to the monitoring entity.

(f) The variance provided in this subsection applies to day or days-of-the-week schedules pursuant to s. 373.1866 ~~watering restrictions of the water management district as preempted by s. 373.217.~~ All other applicable local government

and water management district restrictions related to irrigation, including, but not limited to, a prohibition on irrigation and time-of-day watering requirements and water shortage or emergency orders issued pursuant to s. 373.246(2) and (7), remain applicable to the soil moisture sensor control system users within a monitoring entity's jurisdiction.

(g) This subsection does not require a property owner to install a soil moisture sensor control system. This subsection also does not prohibit a property owner from installing soil moisture sensors and seeking an individual variance from the applicable water management district even if such property is located within the jurisdiction of a monitoring entity that has been granted a variance pursuant to paragraph (c).

Section 11. Subsection (3) of section 489.105, Florida Statutes, is amended to read:

489.105 Definitions.—As used in this part:

(3) "Contractor" means the person who is qualified for, and is only responsible for, the project contracted for and means, except as exempted in this part, the person who, for compensation, undertakes to, submits a bid to, or does himself or herself or by others construct, repair, alter, remodel, add to, demolish, subtract from, or improve any building or structure, including related improvements to real estate, for others or for resale to others; and whose job scope is substantially similar to the job scope described in one of the

901 paragraphs of this subsection. For the purposes of regulation
902 under this part, the term "demolish" applies only to demolition
903 of steel tanks more than 50 feet in height; towers more than 50
904 feet in height; other structures more than 50 feet in height;
905 and all buildings or residences. Contractors are subdivided into
906 two divisions, Division I, consisting of those contractors
907 defined in paragraphs (a)-(c), and Division II, consisting of
908 those contractors defined in paragraphs (d)-(r) ~~(d)-(q)~~:

909 (a) "General contractor" means a contractor whose services
910 are unlimited as to the type of work which he or she may do, who
911 may contract for any activity requiring licensure under this
912 part, and who may perform any work requiring licensure under
913 this part, except as otherwise expressly provided in s. 489.113.

914 (b) "Building contractor" means a contractor whose
915 services are limited to construction of commercial buildings and
916 single-dwelling or multiple-dwelling residential buildings,
917 which do not exceed three stories in height, and accessory use
918 structures in connection therewith or a contractor whose
919 services are limited to remodeling, repair, or improvement of
920 any size building if the services do not affect the structural
921 members of the building.

922 (c) "Residential contractor" means a contractor whose
923 services are limited to construction, remodeling, repair, or
924 improvement of one-family, two-family, or three-family
925 residences not exceeding two habitable stories above no more

926 | than one uninhabitable story and accessory use structures in
927 | connection therewith.

928 | (d) "Sheet metal contractor" means a contractor whose
929 | services are unlimited in the sheet metal trade and who has the
930 | experience, knowledge, and skill necessary for the manufacture,
931 | fabrication, assembling, handling, erection, installation,
932 | dismantling, conditioning, adjustment, insulation, alteration,
933 | repair, servicing, or design, if not prohibited by law, of
934 | ferrous or nonferrous metal work of U.S. No. 10 gauge or its
935 | equivalent or lighter gauge and of other materials, including,
936 | but not limited to, fiberglass, used in lieu thereof and of air-
937 | handling systems, including the setting of air-handling
938 | equipment and reinforcement of same, the balancing of air-
939 | handling systems, and any duct cleaning and equipment sanitizing
940 | that requires at least a partial disassembling of the system.

941 | (e) "Roofing contractor" means a contractor whose services
942 | are unlimited in the roofing trade and who has the experience,
943 | knowledge, and skill to install, maintain, repair, alter,
944 | extend, or design, if not prohibited by law, and use materials
945 | and items used in the installation, maintenance, extension, and
946 | alteration of all kinds of roofing, waterproofing, and coating,
947 | except when coating is not represented to protect, repair,
948 | waterproof, stop leaks, or extend the life of the roof. The
949 | scope of work of a roofing contractor also includes all of the
950 | following and any related work: skylights; required roof-deck

951 attachments; any repair or replacement of wood roof sheathing or
952 fascia as needed during roof repair or replacement; and the
953 evaluation and enhancement of roof-to-wall connections for
954 structures with wood roof decking as described in Section 706 of
955 the Florida Building Code-Existing Building, provided that any
956 enhancement, which was properly installed and inspected in
957 accordance with the Office of Insurance Regulation uniform
958 mitigation verification inspection form, the Florida Building
959 Code, or project specific engineering that exceeds these
960 requirements, is done in conjunction with a roof covering
961 replacement or repair.

962 (f) "Class A air-conditioning contractor" means a
963 contractor whose services are unlimited in the execution of
964 contracts requiring the experience, knowledge, and skill to
965 install, maintain, repair, fabricate, alter, extend, or design,
966 if not prohibited by law, central air-conditioning,
967 refrigeration, heating, and ventilating systems, including duct
968 work in connection with a complete system if such duct work is
969 performed by the contractor as necessary to complete an air-
970 distribution system, boiler and unfired pressure vessel systems,
971 and all appurtenances, apparatus, or equipment used in
972 connection therewith, and any duct cleaning and equipment
973 sanitizing that requires at least a partial disassembling of the
974 system; to install, maintain, repair, fabricate, alter, extend,
975 or design, if not prohibited by law, piping, insulation of

976 pipes, vessels and ducts, pressure and process piping, and
977 pneumatic control piping; to replace, disconnect, or reconnect
978 power wiring on the line or load side of the dedicated existing
979 electrical disconnect switch on single phase electrical systems;
980 to repair or replace power wiring, disconnects, breakers, or
981 fuses for dedicated HVAC circuits with proper use of a circuit
982 breaker lock; to install, disconnect, and reconnect low voltage
983 heating, ventilating, and air-conditioning control wiring; and
984 to install a condensate drain from an air-conditioning unit to
985 an existing safe waste or other approved disposal other than a
986 direct connection to a sanitary system. The scope of work for
987 such contractor also includes any excavation work incidental
988 thereto, but does not include any work such as liquefied
989 petroleum or natural gas fuel lines within buildings, except for
990 disconnecting or reconnecting changeouts of liquefied petroleum
991 or natural gas appliances within buildings; potable water lines
992 or connections thereto; sanitary sewer lines; swimming pool
993 piping and filters; or electrical power wiring. A Class A air-
994 conditioning contractor may test and evaluate central air-
995 conditioning, refrigeration, heating, and ventilating systems,
996 including duct work; however, a mandatory licensing requirement
997 is not established for the performance of these specific
998 services.

999 (g) "Class B air-conditioning contractor" means a
1000 contractor whose services are limited to 25 tons of cooling and

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1001 500,000 Btu of heating in any one system in the execution of
1002 contracts requiring the experience, knowledge, and skill to
1003 install, maintain, repair, fabricate, alter, extend, or design,
1004 if not prohibited by law, central air-conditioning,
1005 refrigeration, heating, and ventilating systems, including duct
1006 work in connection with a complete system only to the extent
1007 such duct work is performed by the contractor as necessary to
1008 complete an air-distribution system being installed under this
1009 classification, and any duct cleaning and equipment sanitizing
1010 that requires at least a partial disassembling of the system; to
1011 install, maintain, repair, fabricate, alter, extend, or design,
1012 if not prohibited by law, piping and insulation of pipes,
1013 vessels, and ducts; to replace, disconnect, or reconnect power
1014 wiring on the line or load side of the dedicated existing
1015 electrical disconnect switch on single phase electrical systems;
1016 to repair or replace power wiring, disconnects, breakers, or
1017 fuses for dedicated HVAC circuits with proper use of a circuit
1018 breaker lock; to install, disconnect, and reconnect low voltage
1019 heating, ventilating, and air-conditioning control wiring; and
1020 to install a condensate drain from an air-conditioning unit to
1021 an existing safe waste or other approved disposal other than a
1022 direct connection to a sanitary system. The scope of work for
1023 such contractor also includes any excavation work incidental
1024 thereto, but does not include any work such as liquefied
1025 petroleum or natural gas fuel lines within buildings, except for

1026 disconnecting or reconnecting changeouts of liquefied petroleum
1027 or natural gas appliances within buildings; potable water lines
1028 or connections thereto; sanitary sewer lines; swimming pool
1029 piping and filters; or electrical power wiring. A Class B air-
1030 conditioning contractor may test and evaluate central air-
1031 conditioning, refrigeration, heating, and ventilating systems,
1032 including duct work; however, a mandatory licensing requirement
1033 is not established for the performance of these specific
1034 services.

1035 (h) "Class C air-conditioning contractor" means a
1036 contractor whose business is limited to the servicing of air-
1037 conditioning, heating, or refrigeration systems, including any
1038 duct cleaning and equipment sanitizing that requires at least a
1039 partial disassembling of the system, and whose certification or
1040 registration, issued pursuant to this part, was valid on October
1041 1, 1988. Only a person who was registered or certified as a
1042 Class C air-conditioning contractor as of October 1, 1988, shall
1043 be so registered or certified after October 1, 1988. However,
1044 the board shall continue to license and regulate those Class C
1045 air-conditioning contractors who held Class C licenses before
1046 October 1, 1988.

1047 (i) "Mechanical contractor" means a contractor whose
1048 services are unlimited in the execution of contracts requiring
1049 the experience, knowledge, and skill to install, maintain,
1050 repair, fabricate, alter, extend, or design, if not prohibited

1051 by law, central air-conditioning, refrigeration, heating, and
1052 ventilating systems, including duct work in connection with a
1053 complete system if such duct work is performed by the contractor
1054 as necessary to complete an air-distribution system, boiler and
1055 unfired pressure vessel systems, lift station equipment and
1056 piping, and all appurtenances, apparatus, or equipment used in
1057 connection therewith, and any duct cleaning and equipment
1058 sanitizing that requires at least a partial disassembling of the
1059 system; to install, maintain, repair, fabricate, alter, extend,
1060 or design, if not prohibited by law, piping, insulation of
1061 pipes, vessels and ducts, pressure and process piping, pneumatic
1062 control piping, gasoline tanks and pump installations and piping
1063 for same, standpipes, air piping, vacuum line piping, oxygen
1064 lines, nitrous oxide piping, ink and chemical lines, fuel
1065 transmission lines, liquefied petroleum gas lines within
1066 buildings, and natural gas fuel lines within buildings; to
1067 replace, disconnect, or reconnect power wiring on the line or
1068 load side of the dedicated existing electrical disconnect switch
1069 on single phase electrical systems; to repair or replace power
1070 wiring, disconnects, breakers, or fuses for dedicated HVAC
1071 circuits with proper use of a circuit breaker lock; to install,
1072 disconnect, and reconnect low voltage heating, ventilating, and
1073 air-conditioning control wiring; and to install a condensate
1074 drain from an air-conditioning unit to an existing safe waste or
1075 other approved disposal other than a direct connection to a

sanitary system. The scope of work for such contractor also includes any excavation work incidental thereto, but does not include any work such as potable water lines or connections thereto, sanitary sewer lines, swimming pool piping and filters, or electrical power wiring. A mechanical contractor may test and evaluate central air-conditioning, refrigeration, heating, and ventilating systems, including duct work; however, a mandatory licensing requirement is not established for the performance of these specific services.

(j) "Commercial pool/spa contractor" means a contractor whose scope of work involves, but is not limited to, the construction, repair, and servicing of any swimming pool, or hot tub or spa, whether public, private, or otherwise, regardless of use. The scope of work includes the installation, repair, or replacement of existing equipment, any cleaning or equipment sanitizing that requires at least a partial disassembling, excluding filter changes, and the installation of new pool/spa equipment, interior finishes, the installation of package pool heaters, the installation of all perimeter piping and filter piping, and the construction of equipment rooms or housing for pool/spa equipment, and also includes the scope of work of a swimming pool/spa servicing contractor. The scope of such work does not include direct connections to a sanitary sewer system or to potable water lines. The installation, construction, modification, or replacement of equipment permanently attached

1101 to and associated with the pool or spa for the purpose of water
1102 treatment or cleaning of the pool or spa requires licensure;
1103 however, the usage of such equipment for the purposes of water
1104 treatment or cleaning does not require licensure unless the
1105 usage involves construction, modification, or replacement of
1106 such equipment. Water treatment that does not require such
1107 equipment does not require a license. In addition, a license is
1108 not required for the cleaning of the pool or spa in a way that
1109 does not affect the structural integrity of the pool or spa or
1110 its associated equipment.

1111 (k) "Residential pool/spa contractor" means a contractor
1112 whose scope of work involves, but is not limited to, the
1113 construction, repair, and servicing of a residential swimming
1114 pool, or hot tub or spa, regardless of use. The scope of work
1115 includes the installation, repair, or replacement of existing
1116 equipment, any cleaning or equipment sanitizing that requires at
1117 least a partial disassembling, excluding filter changes, and the
1118 installation of new pool/spa equipment, interior finishes, the
1119 installation of package pool heaters, the installation of all
1120 perimeter piping and filter piping, and the construction of
1121 equipment rooms or housing for pool/spa equipment, and also
1122 includes the scope of work of a swimming pool/spa servicing
1123 contractor. The scope of such work does not include direct
1124 connections to a sanitary sewer system or to potable water
1125 lines. The installation, construction, modification, or

1126 replacement of equipment permanently attached to and associated
1127 with the pool or spa for the purpose of water treatment or
1128 cleaning of the pool or spa requires licensure; however, the
1129 usage of such equipment for the purposes of water treatment or
1130 cleaning does not require licensure unless the usage involves
1131 construction, modification, or replacement of such equipment.
1132 Water treatment that does not require such equipment does not
1133 require a license. In addition, a license is not required for
1134 the cleaning of the pool or spa in a way that does not affect
1135 the structural integrity of the pool or spa or its associated
1136 equipment.

1137 (1) "Swimming pool/spa servicing contractor" means a
1138 contractor whose scope of work involves, but is not limited to,
1139 the repair and servicing of a swimming pool, or hot tub or spa,
1140 whether public or private, or otherwise, regardless of use. The
1141 scope of work includes the repair or replacement of existing
1142 equipment, any cleaning or equipment sanitizing that requires at
1143 least a partial disassembling, excluding filter changes, and the
1144 installation of new pool/spa equipment, interior refinishing,
1145 the reinstallation or addition of pool heaters, the repair or
1146 replacement of all perimeter piping and filter piping, the
1147 repair of equipment rooms or housing for pool/spa equipment, and
1148 the substantial or complete draining of a swimming pool, or hot
1149 tub or spa, for the purpose of repair or renovation. The scope
1150 of such work does not include direct connections to a sanitary

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sewer system or to potable water lines. The installation, construction, modification, substantial or complete disassembly, or replacement of equipment permanently attached to and associated with the pool or spa for the purpose of water treatment or cleaning of the pool or spa requires licensure; however, the usage of such equipment for the purposes of water treatment or cleaning does not require licensure unless the usage involves construction, modification, substantial or complete disassembly, or replacement of such equipment. Water treatment that does not require such equipment does not require a license. In addition, a license is not required for the cleaning of the pool or spa in a way that does not affect the structural integrity of the pool or spa or its associated equipment.

(m) "Plumbing contractor" means a contractor whose services are unlimited in the plumbing trade and includes contracting business consisting of the execution of contracts requiring the experience, financial means, knowledge, and skill to install, maintain, repair, alter, extend, or, if not prohibited by law, design plumbing. A plumbing contractor may install, maintain, repair, alter, extend, or, if not prohibited by law, design the following without obtaining an additional local regulatory license, certificate, or registration: sanitary drainage or storm drainage facilities, water and sewer plants and substations, venting systems, public or private water supply

1176 systems, septic tanks, drainage and supply wells, swimming pool
1177 piping, irrigation systems, and solar heating water systems and
1178 all appurtenances, apparatus, or equipment used in connection
1179 therewith, including boilers and pressure process piping and
1180 including the installation of water, natural gas, liquefied
1181 petroleum gas and related venting, and storm and sanitary sewer
1182 lines. The scope of work of the plumbing contractor also
1183 includes the design, if not prohibited by law, and installation,
1184 maintenance, repair, alteration, or extension of air-piping,
1185 vacuum line piping, oxygen line piping, nitrous oxide piping,
1186 and all related medical gas systems; fire line standpipes and
1187 fire sprinklers if authorized by law; ink and chemical lines;
1188 fuel oil and gasoline piping and tank and pump installation,
1189 except bulk storage plants; and pneumatic control piping
1190 systems, all in a manner that complies with all plans,
1191 specifications, codes, laws, and regulations applicable. The
1192 scope of work of the plumbing contractor applies to private
1193 property and public property, including any excavation work
1194 incidental thereto, and includes the work of the specialty
1195 plumbing contractor. Such contractor shall subcontract, with a
1196 qualified contractor in the field concerned, all other work
1197 incidental to the work but which is specified as being the work
1198 of a trade other than that of a plumbing contractor. This
1199 definition does not limit the scope of work of any specialty
1200 contractor certified pursuant to s. 489.113(6) and does not

1201 require certification or registration under this part as a
1202 category I liquefied petroleum gas dealer, or category V LP gas
1203 installer, as defined in s. 527.01, who is licensed under
1204 chapter 527 or an authorized employee of a public natural gas
1205 utility or of a private natural gas utility regulated by the
1206 Public Service Commission when disconnecting and reconnecting
1207 water lines in the servicing or replacement of an existing water
1208 heater. A plumbing contractor may perform drain cleaning and
1209 clearing and install or repair rainwater catchment systems;
1210 however, a mandatory licensing requirement is not established
1211 for the performance of these specific services.

1212 (n) "Underground utility and excavation contractor" means
1213 a contractor whose services are limited to the construction,
1214 installation, and repair, on public or private property, whether
1215 accomplished through open excavations or through other means,
1216 including, but not limited to, directional drilling, auger
1217 boring, jacking and boring, trenchless technologies, wet and dry
1218 taps, grouting, and slip lining, of main sanitary sewer
1219 collection systems, main water distribution systems, storm sewer
1220 collection systems, and the continuation of utility lines from
1221 the main systems to a point of termination up to and including
1222 the meter location for the individual occupancy, sewer
1223 collection systems at property line on residential or single-
1224 occupancy commercial properties, or on multioccupancy properties
1225 at manhole or wye lateral extended to an invert elevation as

engineered to accommodate future building sewers, water distribution systems, or storm sewer collection systems at storm sewer structures. However, an underground utility and excavation contractor may install empty underground conduits in rights-of-way, easements, platted rights-of-way in new site development, and sleeves for parking lot crossings no smaller than 2 inches in diameter if each conduit system installed is designed by a licensed professional engineer or an authorized employee of a municipality, county, or public utility and the installation of such conduit does not include installation of any conductor wiring or connection to an energized electrical system. An underground utility and excavation contractor may not install piping that is an integral part of a fire protection system as defined in s. 633.102 beginning at the point where the piping is used exclusively for such system.

(o) "Solar contractor" means a contractor whose services consist of the installation, alteration, repair, maintenance, relocation, or replacement of solar panels for potable solar water heating systems, swimming pool solar heating systems, and photovoltaic systems and any appurtenances, apparatus, or equipment used in connection therewith, whether public, private, or otherwise, regardless of use. A contractor, certified or registered pursuant to this chapter, is not required to become a certified or registered solar contractor or to contract with a solar contractor in order to provide services enumerated in this

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paragraph that are within the scope of the services such contractors may render under this part.

(p) "Pollutant storage systems contractor" means a contractor whose services are limited to, and who has the experience, knowledge, and skill to install, maintain, repair, alter, extend, or design, if not prohibited by law, and use materials and items used in the installation, maintenance, extension, and alteration of, pollutant storage tanks. Any person installing a pollutant storage tank shall perform such installation in accordance with the standards adopted pursuant to s. 376.303.

(q) "Irrigation contractor" means a contractor whose services are unlimited in the landscape irrigation trade and who possesses the experience, knowledge, and skill necessary to sell, install, design, consult, maintain, alter, repair, or service an irrigation system, including the connection of such system to a private or public water supply. This includes system connection to water wells in unincorporated areas.

(r)~~(q)~~ "Specialty contractor" means a contractor whose scope of work and responsibility is limited to a particular phase of construction established in a category adopted by board rule and whose scope is limited to a subset of the activities described in one of the paragraphs of this subsection.

Section 12. Subsections (2) and (4) of section 489.107, Florida Statutes, are amended, and subsection (1) of that

section is republished, to read:

489.107 Construction Industry Licensing Board.—

(1) To carry out the provisions of this part, there is created within the department the Construction Industry Licensing Board. Members shall be appointed by the Governor, subject to confirmation by the Senate. Members shall be appointed for 4-year terms. A vacancy on the board shall be filled for the unexpired portion of the term in the same manner as the original appointment. No member shall serve more than two consecutive 4-year terms or more than 11 years on the board.

(2) The board shall consist of 19 ~~18~~ members, of whom:

(a) Four are primarily engaged in business as general contractors;

(b) Three are primarily engaged in business as building contractors or residential contractors, however, at least one building contractor and one residential contractor shall be appointed;

(c) One is primarily engaged in business as a roofing contractor;

(d) One is primarily engaged in business as a sheet metal contractor;

(e) One is primarily engaged in business as an air-conditioning contractor;

(f) One is primarily engaged in business as a mechanical contractor;

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1301 (g) One is primarily engaged in business as a pool
1302 contractor;

1303 (h) One is primarily engaged in business as a plumbing
1304 contractor;

1305 (i) One is primarily engaged in business as an underground
1306 utility and excavation contractor;

1307 (j) One is primarily engaged in business as a landscape
1308 irrigation contractor;

1309 (k)~~(j)~~ Two are consumer members who are not, and have
1310 never been, members or practitioners of a profession regulated
1311 by the board or members of any closely related profession; and

1312 (l)~~(k)~~ Two are building officials of a municipality or
1313 county.

1314 (4) The board shall be divided into two divisions,
1315 Division I and Division II.

1316 (a) Division I consists ~~is comprised~~ of the general
1317 contractor, building contractor, and residential contractor
1318 members of the board; one of the members appointed pursuant to
1319 paragraph (2) (k) ~~(2) (j)~~; and one of the members appointed
1320 pursuant to paragraph (2) (l) ~~(2) (k)~~. Division I has jurisdiction
1321 over the regulation of general contractors, building
1322 contractors, and residential contractors.

1323 (b) Division II consists ~~is comprised~~ of the roofing
1324 contractor, sheet metal contractor, air-conditioning contractor,
1325 mechanical contractor, pool contractor, plumbing contractor,

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1326 licensed irrigation contractor, and underground utility and
1327 excavation contractor members of the board; one of the members
1328 appointed pursuant to paragraph (2) (k) ~~(2) (j)~~; and one of the
1329 members appointed pursuant to paragraph (2) (l) ~~(2) (k)~~. Division
1330 II has jurisdiction over the regulation of contractors defined
1331 in s. 489.105(3) (d) - (g) ~~s. 489.105(3) (d) - (p)~~.

1332 (c) Jurisdiction for the regulation of specialty
1333 contractors defined in s. 489.105(3) (r) ~~s. 489.105(3) (q)~~ shall
1334 lie with the division having jurisdiction over the scope of work
1335 of the specialty contractor as defined by board rule.

1336 **Section 13. Subsection (2) of section 489.111, Florida**
1337 **Statutes, is amended to read:**

1338 489.111 Licensure by examination.—

1339 (2) A person shall be eligible for licensure by
1340 examination if the person:

1341 (a) Is 18 years of age;

1342 (b) Is of good moral character; and

1343 (c) Meets eligibility requirements according to one of the
1344 following criteria:

1345 1. Has received a baccalaureate degree from an accredited
1346 4-year college in the appropriate field of engineering,
1347 architecture, or building construction and has 1 year of proven
1348 experience in the category in which the person seeks to qualify.
1349 For the purpose of this part, a minimum of 2,000 person-hours
1350 shall be used in determining full-time equivalency. An applicant

1351 who is exempt from passing an examination under s. 489.113(1) is
1352 eligible for a license under this section.

1353 2. Has a total of at least 4 years of active experience as
1354 a worker who has learned the trade by serving an apprenticeship
1355 as a skilled worker who is able to command the rate of a
1356 mechanic in the particular trade or as a foreman who is in
1357 charge of a group of workers and usually is responsible to a
1358 superintendent or a contractor or his or her equivalent;
1359 provided, however, that at least 1 year of active experience
1360 shall be as a foreman.

1361 3. Has a combination of not less than 1 year of experience
1362 as a foreman and not less than 3 years of credits for any
1363 accredited college-level courses; has a combination of not less
1364 than 1 year of experience as a skilled worker, 1 year of
1365 experience as a foreman, and not less than 2 years of credits
1366 for any accredited college-level courses; or has a combination
1367 of not less than 2 years of experience as a skilled worker, 1
1368 year of experience as a foreman, and not less than 1 year of
1369 credits for any accredited college-level courses. All junior
1370 college or community college-level courses shall be considered
1371 accredited college-level courses.

1372 4.a. An active certified residential contractor is
1373 eligible to receive a certified building contractor license
1374 after passing or having previously passed the building
1375 contractors' examination if he or she possesses a minimum of 3

1376 years of proven experience in the classification in which he or
1377 she is certified.

1378 b. An active certified residential contractor is eligible
1379 to receive a certified general contractor license after passing
1380 or having previously passed the general contractors' examination
1381 if he or she possesses a minimum of 4 years of proven experience
1382 in the classification in which he or she is certified.

1383 c. An active certified building contractor is eligible to
1384 receive a certified general contractor license after passing or
1385 having previously passed the general contractors' examination if
1386 he or she possesses a minimum of 4 years of proven experience in
1387 the classification in which he or she is certified.

1388 5.a. An active certified air-conditioning Class C
1389 contractor is eligible to receive a certified air-conditioning
1390 Class B contractor license after passing or having previously
1391 passed the air-conditioning Class B contractors' examination if
1392 he or she possesses a minimum of 3 years of proven experience in
1393 the classification in which he or she is certified.

1394 b. An active certified air-conditioning Class C contractor
1395 is eligible to receive a certified air-conditioning Class A
1396 contractor license after passing or having previously passed the
1397 air-conditioning Class A contractors' examination if he or she
1398 possesses a minimum of 4 years of proven experience in the
1399 classification in which he or she is certified.

1400 c. An active certified air-conditioning Class B contractor

1401 is eligible to receive a certified air-conditioning Class A
1402 contractor license after passing or having previously passed the
1403 air-conditioning Class A contractors' examination if he or she
1404 possesses a minimum of 1 year of proven experience in the
1405 classification in which he or she is certified.

1406 6.a. An active certified swimming pool servicing
1407 contractor is eligible to receive a certified residential
1408 swimming pool contractor license after passing or having
1409 previously passed the residential swimming pool contractors'
1410 examination if he or she possesses a minimum of 3 years of
1411 proven experience in the classification in which he or she is
1412 certified.

1413 b. An active certified swimming pool servicing contractor
1414 is eligible to receive a certified commercial swimming pool
1415 contractor license after passing or having previously passed the
1416 swimming pool commercial contractors' examination if he or she
1417 possesses a minimum of 4 years of proven experience in the
1418 classification in which he or she is certified.

1419 c. An active certified residential swimming pool
1420 contractor is eligible to receive a certified commercial
1421 swimming pool contractor license after passing or having
1422 previously passed the commercial swimming pool contractors'
1423 examination if he or she possesses a minimum of 1 year of proven
1424 experience in the classification in which he or she is
1425 certified.

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

7. An applicant may submit an application to the department to take the irrigation contractors' examination after he or she satisfactorily completes 60 hours of instruction in courses related to the scope of work covered by that license and approved by the Construction Industry Licensing Board by rule.

Section 14. Paragraph (a) of subsection (4) of section 489.117, Florida Statutes, is amended to read:

489.117 Registration; specialty contractors.—

(4)(a)1. A person whose job scope does not substantially correspond to either the job scope of one of the contractor categories defined in s. 489.105(3)(a)–(o), or the job scope of one of the certified specialty contractor categories established by board rule, is not required to register with the board. A local government, as defined in s. 163.211, may not require a person to obtain a license, issued by the local government or the state, for a job scope which does not substantially

correspond to the job scope of one of the contractor categories defined in s. 489.105(3)(a)-(o) and (r) ~~s. 489.105(3)(a)-(o) and (r)~~ or authorized in s. 489.1455(1), or the job scope of one of the certified specialty contractor categories established pursuant to s. 489.113(6). A local government may not require a state or local license to obtain a permit for such job scopes. For purposes of this section, job scopes for which a local government may not require a license include, but are not limited to, painting; flooring; cabinetry; interior remodeling when the scope of the project does not include a task for which a state license is required; driveway or tennis court installation; handyman services; decorative stone, tile, marble, granite, or terrazzo installation; plastering; pressure washing; stuccoing; caulking; and canvas awning and ornamental iron installation.

2. A county that includes an area designated as an area of critical state concern under s. 380.05 may offer a license for any job scope which requires a contractor license under this part if the county imposed such a licensing requirement before January 1, 2021.

3. A local government may continue to offer a license for veneer, including aluminum or vinyl gutters, siding, soffit, or fascia; rooftop painting, coating, and cleaning above three stories in height; or fence installation and erection if the local government imposed such a licensing requirement before

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January 1, 2021.

4. A local government may not require a license as a prerequisite to submit a bid for public works projects if the work to be performed does not require a license under general law.

Section 15. Subsection (1) of section 489.118, Florida Statutes, is amended to read:

489.118 Certification of registered contractors; grandfathering provisions.—The board shall, upon receipt of a completed application and appropriate fee, issue a certificate in the appropriate category to any contractor registered under this part who makes application to the board and can show that he or she meets each of the following requirements:

(1) Currently holds a valid registered local license in one of the contractor categories defined in s. 489.105(3)(a)-(q) ~~s. 489.105(3)(a)-(p)~~.

Section 16. Subsection (2) of section 489.141, Florida Statutes, is amended to read:

489.141 Conditions for recovery; eligibility.—

(2) A claimant is not qualified to make a claim for recovery from the recovery fund if:

(a) The claimant is the spouse of the judgment debtor or licensee or a personal representative of such spouse;

(b) The claimant is a licensee who acted as the contractor in the transaction that is the subject of the claim;

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1501 (c) The claim is based upon a construction contract in
1502 which the licensee was acting with respect to the property owned
1503 or controlled by the licensee;

1504 (d) The claim is based upon a construction contract in
1505 which the contractor did not hold a valid and current license at
1506 the time of the construction contract;

1507 (e) The claimant was associated in a business relationship
1508 with the licensee other than the contract at issue; or

1509 (f) The claimant had entered into a contract with a
1510 licensee to perform a scope of work described in s.
1511 489.105(3)(d)-(r) ~~s. 489.105(3)(d)-(e)~~ before July 1, 2016.

1512 **Section 17.** This act shall take effect July 1, 2026.