

By Senator Albritton

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1 A bill to be entitled
2 An act relating to the deregulation of professions and
3 occupations; providing a short title; amending s.
4 20.165, F.S.; renaming the Board of Architecture and
5 Interior Design as the Board of Architecture within
6 the Department of Business and Professional
7 Regulation; amending s. 326.004, F.S.; deleting the
8 requirement that a yacht broker maintain a separate
9 license for each branch office; deleting the
10 requirement that the Division of Florida Condominiums,
11 Timeshares, and Mobile Homes establish a fee; amending
12 s. 447.02, F.S.; conforming provisions to changes made
13 by the act; repealing s. 447.04, F.S., relating to
14 licensure and permit requirements for business agents;
15 repealing s. 447.041, F.S., relating to hearings for
16 persons or labor organizations denied licensure as a
17 business agent; repealing s. 447.045, F.S., relating
18 to confidential information obtained during the
19 application process; repealing s. 447.06, F.S.,
20 relating to required registration of labor
21 organizations; amending s. 447.09, F.S.; deleting
22 certain prohibited actions relating to the right of
23 franchise of a member of a labor organization;
24 repealing s. 447.12, F.S., relating to registration
25 fees; repealing s. 447.16, F.S., relating to
26 applicability; amending s. 447.305, F.S.; deleting a
27 provision that requires notification of registrations
28 and renewals to the Department of Business and
29 Professional Regulation; amending s. 455.213, F.S.;

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30 requiring the department or a board to enter into
31 reciprocal licensing agreements with other states
32 under certain circumstances; providing requirements;
33 amending s. 456.072, F.S.; specifying that the failure
34 to repay certain student loans is not considered a
35 failure to perform a statutory or legal obligation for
36 which certain disciplinary action can be taken;
37 conforming provisions to changes made by the act;
38 repealing s. 456.0721, F.S., relating to health care
39 practitioners who are in default on student loan or
40 scholarship obligations; amending s. 456.074, F.S.;
41 deleting a provision relating to the suspension of a
42 license issued by the Department of Health for
43 defaulting on certain student loans; amending s.
44 468.385, F.S.; revising requirements relating to
45 businesses auctioning or offering to auction property
46 in this state; amending s. 468.603, F.S.; revising
47 which inspectors are included in the definition of the
48 term "categories of building code inspectors";
49 amending s. 468.613, F.S.; providing for waiver of
50 specified requirements for certification under certain
51 circumstances; amending s. 468.8314, F.S.; requiring
52 an applicant for a license by endorsement to maintain
53 a specified insurance policy; requiring the department
54 to certify an applicant who holds a specified license
55 issued by another state or territory of the United
56 States under certain circumstances; amending s.
57 469.006, F.S.; providing additional licensure
58 requirements for asbestos abatement consulting or

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59 contracting as a partnership, corporation, business
60 trust, or other legal entity; amending s. 469.009,
61 F.S.; conforming provisions to changes made by the
62 act; amending s. 471.015, F.S.; revising licensure
63 requirements for engineers who hold specified licenses
64 in another state; amending s. 473.308, F.S.; deleting
65 continuing education requirements for license by
66 endorsement for certified public accountants; amending
67 s. 474.202, F.S.; revising the definition of the term
68 "limited-service veterinary medical practice" to
69 include certain procedures; amending s. 474.207, F.S.;
70 revising education requirements for licensure by
71 examination; amending s. 474.217, F.S.; requiring the
72 department to issue a license by endorsement to
73 certain applicants who successfully complete a
74 specified examination; amending s. 476.114, F.S.;
75 revising training requirements for licensure as a
76 barber; amending s. 476.144, F.S.; requiring the
77 department to certify as qualified for licensure by
78 endorsement an applicant who is licensed to practice
79 barbering in another state; amending s. 477.013, F.S.;
80 revising the definition of the term "hair braiding";
81 repealing s. 477.0132, F.S., relating to registration
82 for hair braiding, hair wrapping, and body wrapping;
83 amending s. 477.0135, F.S.; providing additional
84 exemptions from license or registration requirements
85 for specified occupations or practices; amending s.
86 477.019, F.S.; deleting a provision prohibiting the
87 Board of Cosmetology from asking for proof of certain

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88 educational hours under certain circumstances;
89 revising requirements for certification of licensure
90 by endorsement for a certain applicant to engage in
91 the practice of cosmetology; conforming provisions to
92 changes made by the act; amending s. 477.0201, F.S.;
93 providing requirements for registration as a
94 specialist; amending s. 477.026, F.S.; conforming
95 provisions to changes made by the act; amending s.
96 477.0263, F.S.; providing that certain cosmetology
97 services may be performed in a location other than a
98 licensed salon under certain circumstances; amending
99 ss. 477.0265 and 477.029, F.S.; conforming provisions
100 to changes made by the act; amending s. 481.201, F.S.;
101 deleting legislative findings relating to the practice
102 of interior design; amending s. 481.203, F.S.;
103 revising and deleting definitions; amending s.
104 481.205, F.S.; renaming the Board of Architecture and
105 Interior Design as the Board of Architecture; revising
106 membership of the board; conforming provisions to
107 changes made by the act; amending ss. 481.207 and
108 481.209, F.S.; conforming provisions to changes made
109 by the act; amending s. 481.213, F.S.; revising
110 requirements for certification of licensure by
111 endorsement for a certain licensee to engage in the
112 practice of architecture; conforming provisions to
113 changes made by the act; amending s. 481.2131, F.S.;
114 requiring certain interior designers to include proof
115 of completed specified examination requirements when
116 submitting documents for the issuance of a building

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117 permit; providing that a license or registration is
118 not required for specified persons to practice;
119 amending s. 481.215, F.S.; conforming provisions to
120 changes made by the act; revising requirements
121 relating to the renewal of an interior designer
122 license; specifying that the Board of Architecture
123 shall only approve certain continuing education;
124 providing exceptions; amending s. 481.217, F.S.;
125 conforming provisions to changes made by the act;
126 amending s. 481.219, F.S.; deleting provisions
127 permitting the practice of or offer to practice
128 interior design through certain business
129 organizations; deleting provisions requiring
130 certificates of authorization for certain business
131 organizations offering interior design services to the
132 public; requiring a licensee or applicant in the
133 practice of architecture to qualify as a business
134 organization; providing requirements; amending s.
135 481.221, F.S.; conforming provisions to changes made
136 by the act; requiring registered architects and
137 certain business organizations to display certain
138 license numbers in specified advertisements; providing
139 an exception; amending ss. 481.222 and 481.223, F.S.;
140 conforming provisions to changes made by the act;
141 repealing s. 481.2251, F.S., relating to disciplinary
142 proceedings against registered interior designers;
143 amending ss. 481.229 and 481.231, F.S.; conforming
144 provisions to changes made by the act; amending s.
145 481.303, F.S.; deleting the definition of the term

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146 "certificate of authorization"; amending s. 481.310,
147 F.S.; providing that an applicant who holds certain
148 degrees is not required to demonstrate 1 year of
149 practical experience for licensure; amending s.
150 481.311, F.S.; revising requirements for certification
151 of licensure by endorsement for a certain applicant to
152 engage in the practice of landscape architecture;
153 amending s. 481.317, F.S.; conforming provisions to
154 changes made by the act; amending s. 481.319, F.S.;
155 deleting the requirement for a certificate of
156 authorization; authorizing landscape architects to
157 practice in the name of a corporation or partnership;
158 amending s. 481.321, F.S.; requiring a landscape
159 architect to display a certain certificate number in
160 specified advertisements; amending s. 481.329, F.S.;
161 conforming a cross-reference; amending s. 489.103,
162 F.S.; revising certain contract prices for exemption;
163 amending s. 489.111, F.S.; revising provisions
164 relating to eligibility for licensure; amending s.
165 489.115, F.S.; requiring the Construction Industry
166 Licensing Board to certify any applicant who holds a
167 specified license to practice contracting issued by
168 another state or territory of the United States under
169 certain circumstances; amending s. 489.511, F.S.;
170 requiring the board to certify as qualified for
171 certification by endorsement any applicant who holds a
172 specified license to practice electrical or alarm
173 system contracting issued by another state or
174 territory of the United States under certain

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175 circumstances; amending s. 489.517, F.S.; providing a
176 reduction in certain continuing education hours
177 required for registered contractors; amending s.
178 489.518, F.S.; requiring a person to have completed a
179 specified amount of training within a certain time
180 period to perform the duties of an alarm system agent;
181 amending s. 548.003, F.S.; deleting the requirement
182 that the Florida State Boxing Commission adopt rules
183 relating to a knockdown timekeeper; amending s.
184 548.017, F.S.; deleting the licensure requirement for
185 a timekeeper or an announcer; amending s. 553.5141,
186 F.S.; conforming provisions to changes made by the
187 act; amending s. 553.74, F.S.; revising the membership
188 and qualifications of the Florida Building Commission;
189 amending ss. 553.79, 558.002, 559.25, and 287.055,
190 F.S.; conforming provisions to changes made by the
191 act; providing effective dates.

192
193 Be It Enacted by the Legislature of the State of Florida:

194
195 Section 1. This act may be cited as the "Occupational
196 Freedom and Opportunity Act."

197 Section 2. Paragraph (a) of subsection (4) of section
198 20.165, Florida Statutes, is amended to read:

199 20.165 Department of Business and Professional Regulation.—
200 There is created a Department of Business and Professional
201 Regulation.

202 (4) (a) The following boards and programs are established
203 within the Division of Professions:

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- 204 1. Board of Architecture ~~and Interior Design~~, created under
205 part I of chapter 481.
- 206 2. Florida Board of Auctioneers, created under part VI of
207 chapter 468.
- 208 3. Barbers' Board, created under chapter 476.
- 209 4. Florida Building Code Administrators and Inspectors
210 Board, created under part XII of chapter 468.
- 211 5. Construction Industry Licensing Board, created under
212 part I of chapter 489.
- 213 6. Board of Cosmetology, created under chapter 477.
- 214 7. Electrical Contractors' Licensing Board, created under
215 part II of chapter 489.
- 216 8. Board of Employee Leasing Companies, created under part
217 XI of chapter 468.
- 218 9. Board of Landscape Architecture, created under part II
219 of chapter 481.
- 220 10. Board of Pilot Commissioners, created under chapter
221 310.
- 222 11. Board of Professional Engineers, created under chapter
223 471.
- 224 12. Board of Professional Geologists, created under chapter
225 492.
- 226 13. Board of Veterinary Medicine, created under chapter
227 474.
- 228 14. Home inspection services licensing program, created
229 under part XV of chapter 468.
- 230 15. Mold-related services licensing program, created under
231 part XVI of chapter 468.
- 232 Section 3. Subsection (13) of section 326.004, Florida

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233 Statutes, is amended to read:

234 326.004 Licensing.—

235 (13) Each broker must maintain a principal place of
236 business in this state and may establish branch offices in the
237 state. ~~A separate license must be maintained for each branch~~
238 ~~office. The division shall establish by rule a fee not to exceed~~
239 ~~\$100 for each branch office license.~~

240 Section 4. Subsection (3) of section 447.02, Florida
241 Statutes, is amended to read:

242 447.02 Definitions.—The following terms, when used in this
243 chapter, shall have the meanings ascribed to them in this
244 section:

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

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

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

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

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

251 Section 9. Subsections (6) and (8) of section 447.09,
252 Florida Statutes, are amended to read:

253 447.09 Right of franchise preserved; penalties.—It shall be
254 unlawful for any person:

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

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

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

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

261 Section 12. Subsection (4) of section 447.305, Florida

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262 Statutes, is amended to read:

263 447.305 Registration of employee organization.—

264 ~~(4) Notification of registrations and renewals of~~
265 ~~registration shall be furnished at regular intervals by the~~
266 ~~commission to the Department of Business and Professional~~
267 ~~Regulation.~~

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

270 455.213 General licensing provisions.—

271 (14) The department or a board must enter into a reciprocal
272 licensing agreement with other states if the practice act within
273 the purview of this chapter permits such agreement. If a
274 reciprocal licensing agreement exists or if the department or
275 board has determined another state's licensing requirements or
276 examinations to be substantially equivalent or more stringent to
277 those under the practice act, the department or board must post
278 on its website which jurisdictions have such reciprocal
279 licensing agreements or substantially similar licenses.

280 Section 14. Paragraph (k) of subsection (1) of section
281 456.072, Florida Statutes, is amended to read:

282 456.072 Grounds for discipline; penalties; enforcement.—

283 (1) The following acts shall constitute grounds for which
284 the disciplinary actions specified in subsection (2) may be
285 taken:

286 (k) Failing to perform any statutory or legal obligation
287 placed upon a licensee. For purposes of this section, failing to
288 repay a student loan issued or guaranteed by the state or the
289 Federal Government in accordance with the terms of the loan is
290 not or failing to comply with service scholarship obligations

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291 ~~shall be considered a failure to perform a statutory or legal~~
292 ~~obligation, and the minimum disciplinary action imposed shall be~~
293 ~~a suspension of the license until new payment terms are agreed~~
294 ~~upon or the scholarship obligation is resumed, followed by~~
295 ~~probation for the duration of the student loan or remaining~~
296 ~~scholarship obligation period, and a fine equal to 10 percent of~~
297 ~~the defaulted loan amount. Fines collected shall be deposited~~
298 ~~into the Medical Quality Assurance Trust Fund.~~

299 Section 15. Section 456.0721, Florida Statutes, is
300 repealed.

301 Section 16. Subsection (4) of section 456.074, Florida
302 Statutes, is amended to read:

303 456.074 Certain health care practitioners; immediate
304 suspension of license.-

305 ~~(4) Upon receipt of information that a Florida-licensed~~
306 ~~health care practitioner has defaulted on a student loan issued~~
307 ~~or guaranteed by the state or the Federal Government, the~~
308 ~~department shall notify the licensee by certified mail that he~~
309 ~~or she shall be subject to immediate suspension of license~~
310 ~~unless, within 45 days after the date of mailing, the licensee~~
311 ~~provides proof that new payment terms have been agreed upon by~~
312 ~~all parties to the loan. The department shall issue an emergency~~
313 ~~order suspending the license of any licensee who, after 45 days~~
314 ~~following the date of mailing from the department, has failed to~~
315 ~~provide such proof. Production of such proof shall not prohibit~~
316 ~~the department from proceeding with disciplinary action against~~
317 ~~the licensee pursuant to s. 456.073.~~

318 Section 17. Paragraph (b) of subsection (7) of section
319 468.385, Florida Statutes, is amended to read:

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320 468.385 Licenses required; qualifications; examination.-

321 (7)

322 (b) A ~~No~~ business may not shall auction or offer to auction
323 any property in this state unless it is owned by an auctioneer
324 who is licensed as an auction business by the department board
325 or is exempt from licensure under this act. Each application for
326 licensure must shall include the names of the owner and the
327 business, the business mailing address and location, and any
328 other information which the board may require. The owner of an
329 auction business shall report to the board within 30 days of any
330 change in this required information.

331 Section 18. Paragraph (f) of subsection (5) of section
332 468.603, Florida Statutes, is amended to read:

333 468.603 Definitions.—As used in this part:

334 (5) "Categories of building code inspectors" include the
335 following:

336 (f) "Residential One and two family dwelling inspector"
337 means a person who is qualified to inspect and determine that
338 one-family, two-family, or three-family residences not exceeding
339 two habitable stories above no more than one uninhabitable story
340 and accessory use structures in connection therewith ~~one and two~~
341 ~~family dwellings and accessory structures~~ are constructed in
342 accordance with the provisions of the governing building,
343 plumbing, mechanical, accessibility, and electrical codes.

344 Section 19. Section 468.613, Florida Statutes, is amended
345 to read:

346 468.613 Certification by endorsement.—The board shall
347 examine other certification or training programs, as applicable,
348 upon submission to the board for its consideration of an

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349 application for certification by endorsement. The board shall
350 waive its examination, qualification, education, or training
351 requirements, to the extent that such examination,
352 qualification, education, or training requirements of the
353 applicant are determined by the board to be comparable with
354 those established by the board. The board shall waive its
355 examination, qualification, education, or training requirements
356 if an applicant for certification by endorsement is at least 18
357 years of age; is of good moral character; has held a valid
358 building administrator, inspector, plans examiner, or the
359 equivalent, certification issued by another state or territory
360 of the United States for at least 10 years before the date of
361 application; and has successfully passed an applicable
362 examination administered by the International Code Council. Such
363 application must be made either when the license in another
364 state or territory is active or within 2 years after such
365 license was last active.

366 Section 20. Subsection (3) of section 468.8314, Florida
367 Statutes, is amended to read:

368 468.8314 Licensure.—

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

373 (a) Holds a valid license to practice home inspection
374 services in another state or territory of the United States,
375 whose educational requirements are substantially equivalent to
376 those required by this part; and has passed a national,
377 regional, state, or territorial licensing examination that is

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378 substantially equivalent to the examination required by this
379 part; or

380 (b) Has held a valid license to practice home inspection
381 services issued by another state or territory of the United
382 States for at least 10 years before the date of application.
383 Such application must be made either when the license in another
384 state or territory is active or within 2 years after such
385 license was last active.

386 Section 21. Paragraphs (a) and (e) of subsection (2),
387 subsection (3), paragraph (b) of subsection (4), and subsection
388 (6) of section 469.006, Florida Statutes, are amended to read:

389 469.006 Licensure of business organizations; qualifying
390 agents.—

391 (2) (a) If the applicant proposes to engage in consulting or
392 contracting as a partnership, corporation, business trust, or
393 other legal entity, or in any name other than the applicant's
394 legal name, ~~the legal entity must apply for licensure through a~~
395 ~~qualifying agent or the individual applicant must~~ qualify ~~apply~~
396 ~~for licensure under the~~ business organization ~~fictitious name.~~

397 (e) ~~A~~ The ~~license, when issued upon application of a~~
398 ~~business organization,~~ must be in the name of the qualifying
399 agent ~~business organization,~~ and the name of the business
400 organization ~~qualifying agent~~ must be noted on the license
401 ~~thereon.~~ If there is a change in any information that is
402 required to be stated on the application, the qualifying agent
403 ~~business organization~~ shall, within 45 days after such change
404 occurs, mail the correct information to the department.

405 (3) The qualifying agent must ~~shall~~ be licensed under this
406 chapter in order for the business organization to be qualified

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407 ~~licensed~~ in the category of the business conducted for which the
408 qualifying agent is licensed. If any qualifying agent ceases to
409 be affiliated with such business organization, the agent shall
410 so inform the department. In addition, if such qualifying agent
411 is the only licensed individual affiliated with the business
412 organization, the business organization shall notify the
413 department of the termination of the qualifying agent and has
414 ~~shall have~~ 60 days after ~~from~~ the date of termination of the
415 qualifying agent's affiliation with the business organization ~~in~~
416 ~~which~~ to employ another qualifying agent. The business
417 organization may not engage in consulting or contracting until a
418 qualifying agent is employed, unless the department has granted
419 a temporary nonrenewable license to the financially responsible
420 officer, the president, the sole proprietor, a partner, or, in
421 the case of a limited partnership, the general partner, who
422 assumes all responsibilities of a primary qualifying agent for
423 the entity. This temporary license only allows ~~shall only allow~~
424 the entity to proceed with incomplete contracts.

425 (4)

426 (b) Upon a favorable determination by the department, after
427 investigation of the financial responsibility, credit, and
428 business reputation of the qualifying agent and the new business
429 organization, the department shall issue, without any
430 examination, a new license in the qualifying agent's business
431 ~~organization's~~ name, and the name of the business organization
432 ~~qualifying agent~~ shall be noted thereon.

433 (6) Each qualifying agent shall pay the department an
434 amount equal to the original fee for licensure ~~of a new business~~
435 ~~organization.~~ if the qualifying agent for a business

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436 organization desires to qualify additional business
437 organizations.7 The department shall require the agent to
438 present evidence of supervisory ability and financial
439 responsibility of each such organization. Allowing a licensee to
440 qualify more than one business organization must ~~shall~~ be
441 conditioned upon the licensee showing that the licensee has both
442 the capacity and intent to adequately supervise each business
443 organization. The department may ~~shall~~ not limit the number of
444 business organizations that ~~which~~ the licensee may qualify
445 except upon the licensee's failure to provide such information
446 as is required under this subsection or upon a finding that the
447 ~~such~~ information or evidence ~~as is~~ supplied is incomplete or
448 unpersuasive in showing the licensee's capacity and intent to
449 comply with the requirements of this subsection. A qualification
450 for an additional business organization may be revoked or
451 suspended upon a finding by the department that the licensee has
452 failed in the licensee's responsibility to adequately supervise
453 the operations of the business organization. Failure to
454 adequately supervise the operations of a business organization
455 is ~~shall be~~ grounds for denial to qualify additional business
456 organizations.

457 Section 22. Subsection (1) of section 469.009, Florida
458 Statutes, is amended to read:

459 469.009 License revocation, suspension, and denial of
460 issuance or renewal.—

461 (1) The department may revoke, suspend, or deny the
462 issuance or renewal of a license; reprimand, censure, or place
463 on probation any contractor, consultant, or financially
464 responsible officer, ~~or business organization~~; require financial

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465 restitution to a consumer; impose an administrative fine not to
466 exceed \$5,000 per violation; require continuing education; or
467 assess costs associated with any investigation and prosecution
468 if the contractor or consultant, or business organization or
469 officer or agent thereof, is found guilty of any of the
470 following acts:

471 (a) Willfully or deliberately disregarding or violating the
472 health and safety standards of the Occupational Safety and
473 Health Act of 1970, the Construction Safety Act, the National
474 Emission Standards for Asbestos, the Environmental Protection
475 Agency Asbestos Abatement Projects Worker Protection Rule, the
476 Florida Statutes or rules promulgated thereunder, or any
477 ordinance enacted by a political subdivision of this state.

478 (b) Violating any provision of chapter 455.

479 (c) Failing in any material respect to comply with the
480 provisions of this chapter or any rule promulgated hereunder.

481 (d) Acting in the capacity of an asbestos contractor or
482 asbestos consultant under any license issued under this chapter
483 except in the name of the licensee as set forth on the issued
484 license.

485 (e) Proceeding on any job without obtaining all applicable
486 approvals, authorizations, permits, and inspections.

487 (f) Obtaining a license by fraud or misrepresentation.

488 (g) Being convicted or found guilty of, or entering a plea
489 of nolo contendere to, regardless of adjudication, a crime in
490 any jurisdiction which directly relates to the practice of
491 asbestos consulting or contracting or the ability to practice
492 asbestos consulting or contracting.

493 (h) Knowingly violating any building code, lifesafety code,

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494 or county or municipal ordinance relating to the practice of
495 asbestos consulting or contracting.

496 (i) Performing any act which assists a person or entity in
497 engaging in the prohibited unlicensed practice of asbestos
498 consulting or contracting, if the licensee knows or has
499 reasonable grounds to know that the person or entity was
500 unlicensed.

501 (j) Committing mismanagement or misconduct in the practice
502 of contracting that causes financial harm to a customer.
503 Financial mismanagement or misconduct occurs when:

504 1. Valid liens have been recorded against the property of a
505 contractor's customer for supplies or services ordered by the
506 contractor for the customer's job; the contractor has received
507 funds from the customer to pay for the supplies or services; and
508 the contractor has not had the liens removed from the property,
509 by payment or by bond, within 75 days after the date of such
510 liens;

511 2. The contractor has abandoned a customer's job and the
512 percentage of completion is less than the percentage of the
513 total contract price paid to the contractor as of the time of
514 abandonment, unless the contractor is entitled to retain such
515 funds under the terms of the contract or refunds the excess
516 funds within 30 days after the date the job is abandoned; or

517 3. The contractor's job has been completed, and it is shown
518 that the customer has had to pay more for the contracted job
519 than the original contract price, as adjusted for subsequent
520 change orders, unless such increase in cost was the result of
521 circumstances beyond the control of the contractor, was the
522 result of circumstances caused by the customer, or was otherwise

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523 permitted by the terms of the contract between the contractor
524 and the customer.

525 (k) Being disciplined by any municipality or county for an
526 act or violation of this chapter.

527 (l) Failing in any material respect to comply with the
528 provisions of this chapter, or violating a rule or lawful order
529 of the department.

530 (m) Abandoning an asbestos abatement project in which the
531 asbestos contractor is engaged or under contract as a
532 contractor. A project may be presumed abandoned after 20 days if
533 the contractor terminates the project without just cause and
534 without proper notification to the owner, including the reason
535 for termination; if the contractor fails to reasonably secure
536 the project to safeguard the public while work is stopped; or if
537 the contractor fails to perform work without just cause for 20
538 days.

539 (n) Signing a statement with respect to a project or
540 contract falsely indicating that the work is bonded; falsely
541 indicating that payment has been made for all subcontracted
542 work, labor, and materials which results in a financial loss to
543 the owner, purchaser, or contractor; or falsely indicating that
544 workers' compensation and public liability insurance are
545 provided.

546 (o) Committing fraud or deceit in the practice of asbestos
547 consulting or contracting.

548 (p) Committing incompetency or misconduct in the practice
549 of asbestos consulting or contracting.

550 (q) Committing gross negligence, repeated negligence, or
551 negligence resulting in a significant danger to life or property

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552 in the practice of asbestos consulting or contracting.

553 (r) Intimidating, threatening, coercing, or otherwise
554 discouraging the service of a notice to owner under part I of
555 chapter 713 or a notice to contractor under chapter 255 or part
556 I of chapter 713.

557 (s) Failing to satisfy, within a reasonable time, the terms
558 of a civil judgment obtained against the licensee, or the
559 business organization qualified by the licensee, relating to the
560 practice of the licensee's profession.

561

562 For the purposes of this subsection, construction is considered
563 to be commenced when the contract is executed and the contractor
564 has accepted funds from the customer or lender.

565 Section 23. Subsection (5) of section 471.015, Florida
566 Statutes, is amended to read:

567 471.015 Licensure.—

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

574 (b) The board shall deem that an applicant who seeks
575 licensure by endorsement has passed an examination substantially
576 equivalent to the fundamentals examination and the principles
577 and practices examination when such applicant has held a valid
578 professional engineer's license in another state for 15 ~~25~~ years
579 ~~and has had 30 years of continuous professional-level~~
580 ~~engineering experience.~~

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581 Section 24. Subsection (7) of section 473.308, Florida
582 Statutes, is amended to read:

583 473.308 Licensure.—

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

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

592 ~~2. Has completed such continuing education courses as the~~
593 ~~board deems appropriate, within the limits for each applicable~~
594 ~~2-year period as set forth in s. 473.312, but at least such~~
595 ~~courses as are equivalent to the continuing education~~
596 ~~requirements for a Florida certified public accountant licensed~~
597 ~~in this state during the 2 years immediately preceding her or~~
598 ~~his application for licensure by endorsement; or~~

599 (b)~~1.a.~~ Holds a valid license to practice public accounting
600 issued by another state or territory of the United States, if
601 the criteria for issuance of such license were substantially
602 equivalent to the licensure criteria that existed in this state
603 at the time the license was issued;

604 2.b. Holds a valid license to practice public accounting
605 issued by another state or territory of the United States but
606 the criteria for issuance of such license did not meet the
607 requirements of sub-subparagraph a.; has met the requirements of
608 this section for education, work experience, and good moral
609 character; and has passed a national, regional, state, or

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610 territorial licensing examination that is substantially
611 equivalent to the examination required by s. 473.306; or
612 ~~3.e.~~ Holds a valid license to practice public accounting
613 issued by another state or territory of the United States for at
614 least 10 years before the date of application; has passed a
615 national, regional, state, or territorial licensing examination
616 that is substantially equivalent to the examination required by
617 s. 473.306; and has met the requirements of this section for
618 good moral character; ~~and~~

619 ~~2. Has completed continuing education courses that are~~
620 ~~equivalent to the continuing education requirements for a~~
621 ~~Florida certified public accountant licensed in this state~~
622 ~~during the 2 years immediately preceding her or his application~~
623 ~~for licensure by endorsement.~~

624 Section 25. Subsection (6) of section 474.202, Florida
625 Statutes, is amended to read:

626 474.202 Definitions.—As used in this chapter:

627 (6) "Limited-service veterinary medical practice" means
628 offering or providing veterinary services at any location that
629 has a primary purpose other than that of providing veterinary
630 medical service at a permanent or mobile establishment permitted
631 by the board; provides veterinary medical services for privately
632 owned animals that do not reside at that location; operates for
633 a limited time; and provides limited types of veterinary medical
634 services, including vaccinations or immunizations against
635 disease, preventative procedures for parasitic control, and
636 microchipping.

637 Section 26. Paragraph (b) of subsection (2) of section
638 474.207, Florida Statutes, is amended to read:

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639 474.207 Licensure by examination.—

640 (2) The department shall license each applicant who the
641 board certifies has:

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

645 2. Graduated from a college of veterinary medicine listed
646 in the American Veterinary Medical Association Roster of
647 Veterinary Colleges of the World and obtained a certificate from
648 the Education Commission for Foreign Veterinary Graduates or the
649 Program for the Assessment of Veterinary Education Equivalence.

650

651 The department shall not issue a license to any applicant who is
652 under investigation in any state or territory of the United
653 States or in the District of Columbia for an act which would
654 constitute a violation of this chapter until the investigation
655 is complete and disciplinary proceedings have been terminated,
656 at which time the provisions of s. 474.214 shall apply.

657 Section 27. Subsection (1) of section 474.217, Florida
658 Statutes, is amended to read:

659 474.217 Licensure by endorsement.—

660 (1) The department shall issue a license by endorsement to
661 any applicant who, upon applying to the department and remitting
662 a fee set by the board, demonstrates to the board that she or
663 he:

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

667 (b)1. ~~Either~~ Holds, and has held for the 3 years

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668 immediately preceding the application for licensure, a valid,
 669 active license to practice veterinary medicine in another state
 670 of the United States, the District of Columbia, or a territory
 671 of the United States, provided that the applicant has
 672 successfully completed a state, regional, national, or other
 673 examination that is equivalent to or more stringent than the
 674 examination required by the board ~~requirements for licensure in~~
 675 ~~the issuing state, district, or territory are equivalent to or~~
 676 ~~more stringent than the requirements of this chapter; or~~

677 2. Meets the qualifications of s. 474.207(2) (b) and has
 678 successfully completed a state, regional, national, or other
 679 examination which is equivalent to or more stringent than the
 680 examination given by the department and has passed the board's
 681 clinical competency examination or another clinical competency
 682 examination specified by rule of the board.

683 Section 28. Subsection (2) of section 476.114, Florida
 684 Statutes, is amended to read:

685 476.114 Examination; prerequisites.—

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

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

689 (b) Pays the required application fee; and

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

694 2. Has received a minimum of 900 ~~1,200~~ hours of training in
 695 sanitation, safety, and laws and rules, as established by the
 696 board, which shall include, but shall not be limited to, the

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697 equivalent of completion of services directly related to the
698 practice of barbering at one of the following:

- 699 a. A school of barbering licensed pursuant to chapter 1005;
700 b. A barbering program within the public school system; or
701 c. A government-operated barbering program in this state.
702

703 The board shall establish by rule procedures whereby the school
704 or program may certify that a person is qualified to take the
705 required examination after the completion of a minimum of 600
706 ~~1,000~~ actual school hours. If the person passes the examination,
707 she or he shall have satisfied this requirement; but if the
708 person fails the examination, she or he shall not be qualified
709 to take the examination again until the completion of the full
710 requirements provided by this section.

711 Section 29. Subsection (5) of section 476.144, Florida
712 Statutes, is amended to read:

713 476.144 Licensure.—

714 (5) The board shall certify as qualified for licensure by
715 endorsement as a barber in this state an applicant who holds a
716 current active license to practice barbering in another state.

717 The board shall adopt rules specifying procedures for the
718 licensure by endorsement of practitioners desiring to be
719 licensed in this state who hold a current active license in
720 another ~~state or~~ country and who have met qualifications
721 substantially similar to, equivalent to, or greater than the
722 qualifications required of applicants from this state.

723 Section 30. Subsection (9) of section 477.013, Florida
724 Statutes, is amended to read:

725 477.013 Definitions.—As used in this chapter:

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726 (9) "Hair braiding" means the weaving or interweaving of
727 natural human hair or commercial hair, including the use of hair
728 extensions or wefts, for compensation without cutting, coloring,
729 permanent waving, relaxing, removing, or chemical treatment ~~and~~
730 ~~does not include the use of hair extensions or wefts.~~

731 Section 31. Section 477.0132, Florida Statutes, is
732 repealed.

733 Section 32. Subsections (7) through (11) are added to
734 section 477.0135, Florida Statutes, to read:

735 477.0135 Exemptions.—

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

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

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

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

748 (11) A license or registration is not required for a person
749 whose occupation or practice is confined solely to makeup
750 application.

751 Section 33. Subsections (6) and (7) of section 477.019,
752 Florida Statutes, are amended to read:

753 477.019 Cosmetologists; qualifications; licensure;
754 supervised practice; license renewal; endorsement; continuing

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755 education.—

756 (6) The board shall certify as qualified for licensure by
757 endorsement as a cosmetologist in this state an applicant who
758 holds a current active license to practice cosmetology in
759 another state and who has completed a 2-hour course approved by
760 the board on human immunodeficiency virus and acquired immune
761 deficiency syndrome. ~~The board may not require proof of~~
762 ~~educational hours if the license was issued in a state that~~
763 ~~requires 1,200 or more hours of prelicensure education and~~
764 ~~passage of a written examination. This subsection does not apply~~
765 ~~to applicants who received their license in another state~~
766 ~~through an apprenticeship program.~~

767 (7) (a) The board shall prescribe by rule continuing
768 education requirements intended to ensure protection of the
769 public through updated training of licensees and registered
770 specialists, not to exceed 10 ~~16~~ hours biennially, as a
771 condition for renewal of a license or registration as a
772 specialist under this chapter. Continuing education courses
773 shall include, but not be limited to, the following subjects as
774 they relate to the practice of cosmetology: human
775 immunodeficiency virus and acquired immune deficiency syndrome;
776 Occupational Safety and Health Administration regulations;
777 workers' compensation issues; state and federal laws and rules
778 as they pertain to cosmetologists, cosmetology, salons,
779 specialists, specialty salons, and booth renters; chemical
780 makeup as it pertains to hair, skin, and nails; and
781 environmental issues. Courses given at cosmetology conferences
782 may be counted toward the number of continuing education hours
783 required if approved by the board.

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784 (b) ~~Any person whose occupation or practice is confined~~
785 ~~solely to hair braiding, hair wrapping, or body wrapping is~~
786 ~~exempt from the continuing education requirements of this~~
787 ~~subsection.~~

788 ~~(c)~~ The board may, by rule, require any licensee in
789 violation of a continuing education requirement to take a
790 refresher course or refresher course and examination in addition
791 to any other penalty. The number of hours for the refresher
792 course may not exceed 48 hours.

793 Section 34. Subsection (1) of section 477.0201, Florida
794 Statutes, is amended to read:

795 477.0201 Specialty registration; qualifications;
796 registration renewal; endorsement.—

797 (1) Any person is qualified for registration as a
798 specialist in any ~~one or more of the specialty practice~~
799 ~~practices~~ within the practice of cosmetology under this chapter
800 who:

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

803 (b) Has received a certificate of completion for: ~~in a~~

804 1. One hundred and fifty hours of training, as established
805 by the board, which shall focus primarily on sanitation and
806 safety, to practice specialties as defined in s. 477.013(6) (a)
807 and (b); specialty pursuant to s. 477.013(6)

808 2. One hundred and sixty five hours of training, as
809 established by the board, which shall focus primarily on
810 sanitation and safety, to practice the specialty as defined in
811 s. 477.013(6) (c); or

812 3. Three hundred hours of training, as established by the

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813 board, which shall focus primarily on sanitation and safety, to
 814 practice the specialties as defined in s. 477.013(6)(a)-(c).

815 (c) The certificate of completion specified in paragraph
 816 (b) must be from one of the following:

- 817 1. A school licensed pursuant to s. 477.023.
- 818 2. A school licensed pursuant to chapter 1005 or the
- 819 equivalent licensing authority of another state.
- 820 3. A specialty program within the public school system.
- 821 4. A specialty division within the Cosmetology Division of
- 822 the Florida School for the Deaf and the Blind, provided the
- 823 training programs comply with minimum curriculum requirements
- 824 established by the board.

825 Section 35. Paragraph (f) of subsection (1) of section
 826 477.026, Florida Statutes, is amended to read:

827 477.026 Fees; disposition.—

828 (1) The board shall set fees according to the following
 829 schedule:

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

832 Section 36. Subsection (4) of section 477.0263, Florida
 833 Statutes, is amended, and subsection (5) is added to that
 834 section, to read:

835 477.0263 Cosmetology services to be performed in licensed
 836 salon; exceptions.—

837 (4) Pursuant to rules adopted by the board, any cosmetology
 838 or specialty service may be performed in a location other than a
 839 licensed salon when the service is performed in connection with
 840 a special event and is performed by a person ~~who is employed by~~
 841 ~~a licensed salon and~~ who holds the proper license or specialty

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842 registration. ~~An appointment for the performance of any such~~
843 ~~service in a location other than a licensed salon must be made~~
844 ~~through a licensed salon.~~

845 (5) Hair shampooing, hair cutting, hair arranging, nail
846 polish removal, nail filing, nail buffing, and nail cleansing
847 may be performed in a location other than a licensed salon when
848 the service is performed by a person who holds the proper
849 license.

850 Section 37. Paragraph (f) of subsection (1) of section
851 477.0265, Florida Statutes, is amended to read:

852 477.0265 Prohibited acts.—

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

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

858 Section 38. Paragraph (a) of subsection (1) of section
859 477.029, Florida Statutes, is amended to read:

860 477.029 Penalty.—

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

862 (a) Hold himself or herself out as a cosmetologist or
863 ~~specialist, hair wrapper, hair braider, or body wrapper~~ unless
864 duly licensed or registered, or otherwise authorized, as
865 provided in this chapter.

866 Section 39. Section 481.201, Florida Statutes, is amended
867 to read:

868 481.201 Purpose.—The primary legislative purpose for
869 enacting this part is to ensure that every architect practicing
870 in this state meets minimum requirements for safe practice. It

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871 is the legislative intent that architects who fall below minimum
872 competency or who otherwise present a danger to the public shall
873 be prohibited from practicing in this state. ~~The Legislature~~
874 ~~further finds that it is in the interest of the public to limit~~
875 ~~the practice of interior design to interior designers or~~
876 ~~architects who have the design education and training required~~
877 ~~by this part or to persons who are exempted from the provisions~~
878 ~~of this part.~~

879 Section 40. Section 481.203, Florida Statutes, is amended
880 to read:

881 481.203 Definitions.—As used in this part, the term:

882 (3)~~(1)~~ "Board" means the Board of Architecture ~~and Interior~~
883 ~~Design.~~

884 (7)~~(2)~~ "Department" means the Department of Business and
885 Professional Regulation.

886 (1)~~(3)~~ "Architect" or "registered architect" means a
887 natural person who is licensed under this part to engage in the
888 practice of architecture.

889 (5)~~(4)~~ "Certificate of registration" means a license issued
890 by the department to a natural person to engage in the practice
891 of architecture or interior design.

892 (4)~~(5)~~ "Business organization" means a partnership, a
893 limited liability company, a corporation, or an individual
894 operating under a fictitious name ~~"Certificate of authorization"~~
895 ~~means a certificate issued by the department to a corporation or~~
896 ~~partnership to practice architecture or interior design.~~

897 (2)~~(6)~~ "Architecture" means the rendering or offering to
898 render services in connection with the design and construction
899 of a structure or group of structures which have as their

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900 principal purpose human habitation or use, and the utilization
901 of space within and surrounding such structures. These services
902 include planning, providing preliminary study designs, drawings
903 and specifications, job-site inspection, and administration of
904 construction contracts.

905 (15)~~(7)~~ "Townhouse" is a single-family dwelling unit not
906 exceeding three stories in height which is constructed in a
907 series or group of attached units with property lines separating
908 such units. Each townhouse shall be considered a separate
909 building and shall be separated from adjoining townhouses by the
910 use of separate exterior walls meeting the requirements for zero
911 clearance from property lines as required by the type of
912 construction and fire protection requirements; or shall be
913 separated by a party wall; or may be separated by a single wall
914 meeting the following requirements:

915 (a) Such wall shall provide not less than 2 hours of fire
916 resistance. Plumbing, piping, ducts, or electrical or other
917 building services shall not be installed within or through the
918 2-hour wall unless such materials and methods of penetration
919 have been tested in accordance with the Standard Building Code.

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

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

927 (10)~~(8)~~ "Interior design" means designs, consultations,
928 studies, drawings, specifications, and administration of design

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929 construction contracts relating to nonstructural interior
930 elements of a building or structure. "Interior design" includes,
931 but is not limited to, reflected ceiling plans, space planning,
932 furnishings, and the fabrication of nonstructural elements
933 within and surrounding interior spaces of buildings. "Interior
934 design" specifically excludes the design of or the
935 responsibility for architectural and engineering work, except
936 for specification of fixtures and their location within interior
937 spaces. As used in this subsection, "architectural and
938 engineering interior construction relating to the building
939 systems" includes, but is not limited to, construction of
940 structural, mechanical, plumbing, heating, air-conditioning,
941 ventilating, electrical, or vertical transportation systems, or
942 construction which materially affects lifesafety systems
943 pertaining to firesafety protection such as fire-rated
944 separations between interior spaces, fire-rated vertical shafts
945 in multistory structures, fire-rated protection of structural
946 elements, smoke evacuation and compartmentalization, emergency
947 ingress or egress systems, and emergency alarm systems.

948 ~~(9) "Registered interior designer" or "interior designer"~~
949 ~~means a natural person who is licensed under this part.~~

950 (11) ~~(10)~~ "Nonstructural element" means an element which
951 does not require structural bracing and which is something other
952 than a load-bearing wall, load-bearing column, or other load-
953 bearing element of a building or structure which is essential to
954 the structural integrity of the building.

955 (12) ~~(11)~~ "Reflected ceiling plan" means a ceiling design
956 plan which is laid out as if it were projected downward and
957 which may include lighting and other elements.

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958 (14)~~(12)~~ "Space planning" means the analysis, programming,
959 or design of spatial requirements, including preliminary space
960 layouts and final planning.

961 (6)~~(13)~~ "Common area" means an area that is held out for
962 use by all tenants or owners in a multiple-unit dwelling,
963 including, but not limited to, a lobby, elevator, hallway,
964 laundry room, clubhouse, or swimming pool.

965 (8)~~(14)~~ "Diversified interior design experience" means
966 experience which substantially encompasses the various elements
967 of interior design services set forth under the definition of
968 "interior design" in subsection (10)~~(8)~~.

969 (9)~~(15)~~ "Interior decorator services" includes the
970 selection or assistance in selection of surface materials,
971 window treatments, wallcoverings, paint, floor coverings,
972 surface-mounted lighting, surface-mounted fixtures, and loose
973 furnishings not subject to regulation under applicable building
974 codes.

975 (13)~~(16)~~ "Responsible supervising control" means the
976 exercise of direct personal supervision and control throughout
977 the preparation of documents, instruments of service, or any
978 other work requiring the seal and signature of a licensee under
979 this part.

980 Section 41. Subsection (1) and paragraph (a) of subsection
981 (3) of section 481.205, Florida Statutes, are amended to read:

982 481.205 Board of Architecture ~~and Interior Design~~.-

983 (1) The Board of Architecture ~~and Interior Design~~ is
984 created within the Department of Business and Professional
985 Regulation. The board shall consist of seven ~~11~~ members. Five
986 members must be registered architects who have been engaged in

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987 the practice of architecture for at least 5 years; ~~three members~~
988 ~~must be registered interior designers who have been offering~~
989 ~~interior design services for at least 5 years and who are not~~
990 ~~also registered architects;~~ and two ~~three~~ members must be
991 laypersons who are not, and have never been, architects,
992 ~~interior designers,~~ or members of any closely related profession
993 or occupation. At least one member of the board must be 60 years
994 of age or older.

995 (3) (a) Notwithstanding the provisions of ss. 455.225,
996 455.228, and 455.32, the duties and authority of the department
997 to receive complaints and investigate and discipline persons
998 licensed under this part, including the ability to determine
999 legal sufficiency and probable cause; to initiate proceedings
1000 and issue final orders for summary suspension or restriction of
1001 a license pursuant to s. 120.60(6); to issue notices of
1002 noncompliance, notices to cease and desist, subpoenas, and
1003 citations; to retain legal counsel, investigators, or
1004 prosecutorial staff in connection with the licensed practice of
1005 architecture ~~and interior design;~~ and to investigate and deter
1006 the unlicensed practice of architecture ~~and interior design~~ as
1007 provided in s. 455.228 are delegated to the board. All
1008 complaints and any information obtained pursuant to an
1009 investigation authorized by the board are confidential and
1010 exempt from s. 119.07(1) as provided in s. 455.225(2) and (10).

1011 Section 42. Section 481.207, Florida Statutes, is amended
1012 to read:

1013 481.207 Fees.—The board, by rule, may establish ~~separate~~
1014 fees for architects ~~and interior designers,~~ to be paid for
1015 applications, examination, reexamination, licensing and renewal,

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1016 delinquency, reinstatement, and recordmaking and recordkeeping.
1017 The examination fee shall be in an amount that covers the cost
1018 of obtaining and administering the examination and shall be
1019 refunded if the applicant is found ineligible to sit for the
1020 examination. The application fee is nonrefundable. The fee for
1021 initial application and examination for architects ~~and interior~~
1022 ~~designers~~ may not exceed \$775 plus the actual per applicant cost
1023 to the department for purchase of the examination from the
1024 National Council of Architectural Registration Boards ~~or the~~
1025 ~~National Council of Interior Design Qualifications,~~
1026 ~~respectively,~~ or similar national organizations. The biennial
1027 renewal fee for architects may not exceed \$200. ~~The biennial~~
1028 ~~renewal fee for interior designers may not exceed \$500.~~ The
1029 delinquency fee may not exceed the biennial renewal fee
1030 established by the board for an active license. The board shall
1031 establish fees that are adequate to ensure the continued
1032 operation of the board and to fund the proportionate expenses
1033 incurred by the department which are allocated to the regulation
1034 of architects ~~and interior designers~~. Fees shall be based on
1035 department estimates of the revenue required to implement this
1036 part and the provisions of law with respect to the regulation of
1037 architects ~~and interior designers~~.

1038 Section 43. Section 481.209, Florida Statutes, is amended
1039 to read:

1040 481.209 Examinations.—

1041 ~~(1)~~ A person desiring to be licensed as a registered
1042 architect by initial examination shall apply to the department,
1043 complete the application form, and remit a nonrefundable
1044 application fee. The department shall license any applicant who

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1045 the board certifies:

1046 ~~(a) has passed the licensure examination prescribed by~~
1047 ~~board rule; and~~

1048 ~~(b) is a graduate of a school or college of architecture~~
1049 ~~with a program accredited by the National Architectural~~
1050 ~~Accreditation Board.~~

1051 ~~(2) A person desiring to be licensed as a registered~~
1052 ~~interior designer shall apply to the department for licensure.~~
1053 ~~The department shall administer the licensure examination for~~
1054 ~~interior designers to each applicant who has completed the~~
1055 ~~application form and remitted the application and examination~~
1056 ~~fees specified in s. 481.207 and who the board certifies:~~

1057 ~~(a) Is a graduate from an interior design program of 5~~
1058 ~~years or more and has completed 1 year of diversified interior~~
1059 ~~design experience;~~

1060 ~~(b) Is a graduate from an interior design program of 4~~
1061 ~~years or more and has completed 2 years of diversified interior~~
1062 ~~design experience;~~

1063 ~~(c) Has completed at least 3 years in an interior design~~
1064 ~~curriculum and has completed 3 years of diversified interior~~
1065 ~~design experience; or~~

1066 ~~(d) Is a graduate from an interior design program of at~~
1067 ~~least 2 years and has completed 4 years of diversified interior~~
1068 ~~design experience.~~

1069
1070 ~~Subsequent to October 1, 2000, for the purpose of having the~~
1071 ~~educational qualification required under this subsection~~
1072 ~~accepted by the board, the applicant must complete his or her~~
1073 ~~education at a program, school, or college of interior design~~

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1074 ~~whose curriculum has been approved by the board as of the time~~
1075 ~~of completion. Subsequent to October 1, 2003, all of the~~
1076 ~~required amount of educational credits shall have been obtained~~
1077 ~~in a program, school, or college of interior design whose~~
1078 ~~curriculum has been approved by the board, as of the time each~~
1079 ~~educational credit is gained. The board shall adopt rules~~
1080 ~~providing for the review and approval of programs, schools, and~~
1081 ~~colleges of interior design and courses of interior design study~~
1082 ~~based on a review and inspection by the board of the curriculum~~
1083 ~~of programs, schools, and colleges of interior design in the~~
1084 ~~United States, including those programs, schools, and colleges~~
1085 ~~accredited by the Foundation for Interior Design Education~~
1086 ~~Research. The board shall adopt rules providing for the review~~
1087 ~~and approval of diversified interior design experience required~~
1088 ~~by this subsection.~~

1089 Section 44. Subsections (1) through (4) of section 481.213,
1090 Florida Statutes, are amended to read:

1091 481.213 Licensure.—

1092 (1) The department shall license any applicant who the
1093 board certifies is qualified for licensure and who has paid the
1094 initial licensure fee. ~~Licensure as an architect under this~~
1095 ~~section shall be deemed to include all the rights and privileges~~
1096 ~~of licensure as an interior designer under this section.~~

1097 (2) The board shall certify for licensure by examination
1098 any applicant who passes the prescribed licensure examination
1099 and satisfies the requirements of ss. 481.209 and 481.211, ~~for~~
1100 ~~architects, or the requirements of s. 481.209, for interior~~
1101 ~~designers.~~

1102 (3) The board shall certify as qualified for a license by

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1103 endorsement as an architect ~~or as an interior designer~~ an
1104 applicant who:

1105 (a) Qualifies to take the prescribed licensure examination,
1106 and has passed the prescribed licensure examination or a
1107 substantially equivalent examination in another jurisdiction, as
1108 set forth in s. 481.209 for architects ~~or interior designers, as~~
1109 ~~applicable~~, and has satisfied the internship requirements set
1110 forth in s. 481.211 for architects;

1111 (b) Holds a valid license to practice architecture ~~or~~
1112 ~~interior design~~ issued by another jurisdiction of the United
1113 States, if the criteria for issuance of such license were
1114 substantially equivalent to the licensure criteria that existed
1115 in this state at the time the license was issued; ~~provided,~~
1116 ~~however, that an applicant who has been licensed for use of the~~
1117 ~~title "interior design" rather than licensed to practice~~
1118 ~~interior design shall not qualify hereunder; or~~

1119 (c) Has passed the prescribed licensure examination and
1120 holds a valid certificate issued by the National Council of
1121 Architectural Registration Boards, and holds a valid license to
1122 practice architecture issued by another state or jurisdiction of
1123 the United States.

1124
1125 An architect who is licensed in another state who seeks
1126 qualification for license by endorsement under this subsection
1127 must complete a class approved by the board on the Florida
1128 Building Code.

1129 (4) The board may refuse to certify any applicant who has
1130 violated any of the provisions of s. 481.223, or s. 481.225, ~~or~~
1131 ~~s. 481.2251~~, as applicable.

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1132 Section 45. Section 481.2131, Florida Statutes, is amended
1133 to read:

1134 481.2131 Interior design; practice requirements; ~~disclosure~~
1135 ~~of compensation for professional services.-~~

1136 (1) ~~A registered interior designer is authorized to perform~~
1137 ~~"interior design" as defined in s. 481.203. Interior design~~
1138 ~~documents prepared by a registered interior designer shall~~
1139 ~~contain a statement that the document is not an architectural or~~
1140 ~~engineering study, drawing, specification, or design and is not~~
1141 ~~to be used for construction of any load-bearing columns, load-~~
1142 ~~bearing framing or walls of structures, or issuance of any~~
1143 ~~building permit, except as otherwise provided by law. Interior~~
1144 ~~design documents that are prepared and sealed by an a registered~~
1145 ~~interior designer must may, if required by a permitting body, be~~
1146 ~~accepted by the permitting body be submitted for the issuance of~~
1147 ~~a building permit for interior construction excluding design of~~
1148 ~~any structural, mechanical, plumbing, heating, air-conditioning,~~
1149 ~~ventilating, electrical, or vertical transportation systems or~~
1150 ~~that materially affect lifesafety systems pertaining to~~
1151 ~~firesafety protection such as fire-rated separations between~~
1152 ~~interior spaces, fire-rated vertical shafts in multistory~~
1153 ~~structures, fire-rated protection of structural elements, smoke~~
1154 ~~evacuation and compartmentalization, emergency ingress or egress~~
1155 ~~systems, and emergency alarm systems. Interior design documents~~
1156 ~~submitted for the issuance of a building permit by an individual~~
1157 ~~performing interior design services who is not a licensed~~
1158 ~~architect must include written proof that such individual has~~
1159 ~~successfully passed the qualification examination prescribed by~~
1160 ~~either the National Council for Interior Design Qualification or~~

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1161 the California Council for Interior Design Certification. All
1162 drawings, plans, specifications, or reports prepared or issued
1163 by the interior designer and filed for public record shall bear
1164 the signature of the interior designer who prepared or approved
1165 the document and the date on which they were signed. The
1166 signature and date shall be evidence of the authenticity of that
1167 to which they are affixed. Final plans, specifications, or
1168 reports prepared or issued by an interior designer may be
1169 transmitted electronically and may be electronically signed by
1170 the interior designer.

1171 (2) A license or registration is not required for a person
1172 whose occupation or practice is confined to interior design or
1173 interior decorator services ~~An interior designer shall, before~~
1174 ~~entering into a contract, verbal or written, clearly determine~~
1175 ~~the scope and nature of the project and the method or methods of~~
1176 ~~compensation. The interior designer may offer professional~~
1177 ~~services to the client as a consultant, specifier, or supplier~~
1178 ~~on the basis of a fee, percentage, or markup. The interior~~
1179 ~~designer shall have the responsibility of fully disclosing to~~
1180 ~~the client the manner in which all compensation is to be paid.~~
1181 ~~Unless the client knows and agrees, the interior designer shall~~
1182 ~~not accept any form of compensation from a supplier of goods and~~
1183 ~~services in cash or in kind.~~

1184 Section 46. Subsections (3) and (5) of section 481.215,
1185 Florida Statutes, are amended to read:

1186 481.215 Renewal of license.—

1187 (3) A ~~No~~ license renewal may not shall be issued to an
1188 architect ~~or an interior designer~~ by the department until the
1189 licensee submits proof satisfactory to the department that,

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1190 during the 2 years before ~~prior to~~ application for renewal, the
1191 licensee participated per biennium in not less than 20 hours of
1192 at least 50 minutes each per biennium of continuing education
1193 approved by the board. The board shall approve only continuing
1194 education that builds upon the basic knowledge of architecture
1195 ~~or interior design~~. The board may make exception from the
1196 requirements of continuing education in emergency or hardship
1197 cases.

1198 ~~(5) The board shall require, by rule adopted pursuant to~~
1199 ~~ss. 120.536(1) and 120.54, a specified number of hours in~~
1200 ~~specialized or advanced courses, approved by the Florida~~
1201 ~~Building Commission, on any portion of the Florida Building~~
1202 ~~Code, adopted pursuant to part IV of chapter 553, relating to~~
1203 ~~the licensee's respective area of practice.~~

1204 Section 47. Subsection (1) of section 481.217, Florida
1205 Statutes, is amended to read:

1206 481.217 Inactive status.—

1207 (1) The board may prescribe by rule continuing education
1208 requirements as a condition of reactivating a license. The rules
1209 may not require more than one renewal cycle of continuing
1210 education to reactivate a license for a registered architect ~~or~~
1211 ~~interior designer. For interior design, the board may approve~~
1212 ~~only continuing education that builds upon the basic knowledge~~
1213 ~~of interior design.~~

1214 Section 48. Section 481.219, Florida Statutes, is amended
1215 to read:

1216 481.219 Qualification of business organizations
1217 ~~certification of partnerships, limited liability companies, and~~
1218 ~~corporations.—~~

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1219 (1) A licensee may ~~The practice of or the offer to practice~~
1220 ~~architecture or interior design by licensees~~ through a qualified
1221 business organization that offers ~~corporation, limited liability~~
1222 ~~company, or partnership offering architectural or interior~~
1223 ~~design services to the public, or by a corporation, limited~~
1224 ~~liability company, or partnership offering architectural or~~
1225 ~~interior design services to the public through licensees under~~
1226 ~~this part as agents, employees, officers, or partners, is~~
1227 ~~permitted, subject to the provisions of this section.~~

1228 (2) If a licensee or an applicant proposes to engage in the
1229 practice of architecture as a business organization, the
1230 licensee or applicant shall qualify the business organization
1231 upon approval of the board ~~For the purposes of this section, a~~
1232 ~~certificate of authorization shall be required for a~~
1233 ~~corporation, limited liability company, partnership, or person~~
1234 ~~practicing under a fictitious name, offering architectural~~
1235 ~~services to the public jointly or separately. However, when an~~
1236 ~~individual is practicing architecture in her or his own name,~~
1237 ~~she or he shall not be required to be certified under this~~
1238 ~~section. Certification under this subsection to offer~~
1239 ~~architectural services shall include all the rights and~~
1240 ~~privileges of certification under subsection (3) to offer~~
1241 ~~interior design services.~~

1242 (3) (a) A business organization may not engage in the
1243 practice of architecture unless its qualifying agent is a
1244 registered architect under this part. A qualifying agent who
1245 terminates an affiliation with a qualified business organization
1246 shall immediately notify the department of such termination. If
1247 such qualifying agent is the only qualifying agent for that

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1248 business organization, the business organization must be
1249 qualified by another qualifying agent within 60 days after the
1250 termination. Except as provided in paragraph (b), the business
1251 organization may not engage in the practice of architecture
1252 until it is qualified by another qualifying agent.

1253 (b) In the event a qualifying agent ceases employment with
1254 a qualified business organization, the executive director or the
1255 chair of the board may authorize another registered architect
1256 employed by the business organization to temporarily serve as
1257 its qualifying agent for a period of no more than 60 days. The
1258 business organization is not authorized to operate beyond such
1259 period under this chapter absent replacement of the qualifying
1260 agent who has ceased employment.

1261 (c) A qualifying agent shall notify the department in
1262 writing before engaging in the practice of architecture in her
1263 or his own name or in affiliation with a different business
1264 organization, and she or he or such business organization shall
1265 supply the same information to the department as required of
1266 applicants under this part.

1267 ~~(3) For the purposes of this section, a certificate of~~
1268 ~~authorization shall be required for a corporation, limited~~
1269 ~~liability company, partnership, or person operating under a~~
1270 ~~fictitious name, offering interior design services to the public~~
1271 ~~jointly or separately. However, when an individual is practicing~~
1272 ~~interior design in her or his own name, she or he shall not be~~
1273 ~~required to be certified under this section.~~

1274 (4) All final construction documents and instruments of
1275 service which include drawings, specifications, plans, reports,
1276 or other papers or documents that involve ~~involving~~ the practice

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1277 of architecture which are prepared or approved for the use of
1278 the business organization ~~corporation, limited liability~~
1279 ~~company, or partnership~~ and filed for public record within the
1280 state must ~~shall~~ bear the signature and seal of the licensee who
1281 prepared or approved them and the date on which they were
1282 sealed.

1283 (5) ~~All drawings, specifications, plans, reports, or other~~
1284 ~~papers or documents prepared or approved for the use of the~~
1285 ~~corporation, limited liability company, or partnership by an~~
1286 ~~interior designer in her or his professional capacity and filed~~
1287 ~~for public record within the state shall bear the signature and~~
1288 ~~seal of the licensee who prepared or approved them and the date~~
1289 ~~on which they were sealed.~~

1290 (6) ~~The department shall issue a certificate of~~
1291 ~~authorization to any applicant who the board certifies as~~
1292 ~~qualified for a certificate of authorization and who has paid~~
1293 ~~the fee set in s. 481.207.~~

1294 (7) The board shall allow a licensee or ~~certify an~~
1295 ~~applicant to qualify one or more business organizations as~~
1296 ~~qualified for a certificate of authorization to offer~~
1297 ~~architectural or interior design services, or to use a~~
1298 fictitious name to offer such services, if provided that:

1299 (a) ~~one or more of the principal officers of the~~
1300 ~~corporation or limited liability company, or one or more~~
1301 ~~partners of the partnership, and all personnel of the~~
1302 ~~corporation, limited liability company, or partnership who act~~
1303 ~~in its behalf in this state as architects, are registered as~~
1304 ~~provided by this part; or~~

1305 (b) ~~One or more of the principal officers of the~~

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1306 ~~corporation or one or more partners of the partnership, and all~~
1307 ~~personnel of the corporation, limited liability company, or~~
1308 ~~partnership who act in its behalf in this state as interior~~
1309 ~~designers, are registered as provided by this part.~~

1310 ~~(8) The department shall adopt rules establishing a~~
1311 ~~procedure for the biennial renewal of certificates of~~
1312 ~~authorization.~~

1313 ~~(9) The department shall renew a certificate of~~
1314 ~~authorization upon receipt of the renewal application and~~
1315 ~~biennial renewal fee.~~

1316 ~~(6) (10)~~ Each qualifying agent who qualifies a business
1317 organization, partnership, limited liability company, or and
1318 corporation certified under this section shall notify the
1319 department within 30 days after of any change in the information
1320 contained in the application upon which the qualification
1321 certification is based. Any registered architect or interior
1322 designer who qualifies the business organization shall ensure
1323 corporation, limited liability company, or partnership as
1324 provided in subsection (7) shall be responsible for ensuring
1325 responsible supervising control of projects of the business
1326 organization entity and shall notify the department of the upon
1327 termination of her or his employment with a business
1328 organization qualified partnership, limited liability company,
1329 or corporation certified under this section shall notify the
1330 department of the termination within 30 days after such
1331 termination.

1332 ~~(7) (11)~~ A business organization is not No corporation,
1333 limited liability company, or partnership shall be relieved of
1334 responsibility for the conduct or acts of its agents, employees,

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1335 or officers by reason of its compliance with this section.
1336 However, except as provided in s. 558.0035, the architect who
1337 signs and seals the construction documents and instruments of
1338 service is ~~shall be~~ liable for the professional services
1339 performed, and the interior designer who signs and seals the
1340 interior design drawings, plans, or specifications shall be
1341 liable for the professional services performed.

1342 ~~(12) Disciplinary action against a corporation, limited~~
1343 ~~liability company, or partnership shall be administered in the~~
1344 ~~same manner and on the same grounds as disciplinary action~~
1345 ~~against a registered architect or interior designer,~~
1346 ~~respectively.~~

1347 ~~(8) (13) Nothing in This section may not shall~~ be construed
1348 to mean that a certificate of registration to practice
1349 architecture must ~~or interior design shall~~ be held by a business
1350 organization ~~corporation, limited liability company, or~~
1351 ~~partnership. Nothing in This section does not prohibit a~~
1352 business organization from offering ~~prohibits corporations,~~
1353 ~~limited liability companies, and partnerships from joining~~
1354 ~~together to offer architectural, engineering, interior design,~~
1355 ~~surveying and mapping, and landscape architectural services, or~~
1356 ~~any combination of such services, to the public if the business~~
1357 organization, ~~provided that each corporation, limited liability~~
1358 ~~company, or partnership otherwise meets the requirements of law.~~

1359 ~~(14) Corporations, limited liability companies, or~~
1360 ~~partnerships holding a valid certificate of authorization to~~
1361 ~~practice architecture shall be permitted to use in their title~~
1362 ~~the term "interior designer" or "registered interior designer."~~

1363 Section 49. Present subsections (4), (6), (8), (10), (11),

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1364 and (12) of section 481.221, Florida Statutes, are redesignated
1365 as subsections (3), (4), (5), (6), (7), and (8), respectively,
1366 and present subsections (3), (5), (7), (9), (10), (11), and (12)
1367 of that section are amended, to read:

1368 481.221 Seals; display of certificate number.—

1369 ~~(3) The board shall adopt a rule prescribing the distinctly~~
1370 ~~different seals to be used by registered interior designers~~
1371 ~~holding valid certificates of registration. Each registered~~
1372 ~~interior designer shall obtain a seal as prescribed by the~~
1373 ~~board, and all drawings, plans, specifications, or reports~~
1374 ~~prepared or issued by the registered interior designer and being~~
1375 ~~filed for public record shall bear the signature and seal of the~~
1376 ~~registered interior designer who prepared or approved the~~
1377 ~~document and the date on which they were sealed. The signature,~~
1378 ~~date, and seal shall be evidence of the authenticity of that to~~
1379 ~~which they are affixed. Final plans, specifications, or reports~~
1380 ~~prepared or issued by a registered interior designer may be~~
1381 ~~transmitted electronically and may be signed by the registered~~
1382 ~~interior designer, dated, and sealed electronically with the~~
1383 ~~seal in accordance with ss. 668.001-668.006.~~

1384 ~~(5) No registered interior designer shall affix, or permit~~
1385 ~~to be affixed, her or his seal or signature to any plan,~~
1386 ~~specification, drawing, or other document which depicts work~~
1387 ~~which she or he is not competent or licensed to perform.~~

1388 ~~(7) No registered interior designer shall affix her or his~~
1389 ~~signature or seal to any plans, specifications, or other~~
1390 ~~documents which were not prepared by her or him or under her or~~
1391 ~~his responsible supervising control or by another registered~~
1392 ~~interior designer and reviewed, approved, or modified and~~

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1393 ~~adopted by her or him as her or his own work according to rules~~
1394 ~~adopted by the board.~~

1395 ~~(9) Studies, drawings, specifications, and other related~~
1396 ~~documents prepared by a registered interior designer in~~
1397 ~~providing interior design services shall be of a sufficiently~~
1398 ~~high standard to clearly and accurately indicate all essential~~
1399 ~~parts of the work to which they refer.~~

1400 ~~(6)~~(10) Each registered architect must ~~or interior~~
1401 ~~designer, and each corporation, limited liability company, or~~
1402 ~~partnership holding a certificate of authorization, shall~~
1403 include her or his license ~~its certificate~~ number in any
1404 newspaper, telephone directory, or other advertising medium used
1405 by the registered licensee ~~architect, interior designer,~~
1406 ~~corporation, limited liability company, or partnership. Each~~
1407 business organization must include the license number of the
1408 registered architect who serves as the qualifying agent for that
1409 business organization in any newspaper, telephone directory, or
1410 other advertising medium used by the business organization, but
1411 is not required to display the license numbers of other
1412 registered architects employed by the business organization ~~A~~
1413 ~~corporation, limited liability company, or partnership is not~~
1414 ~~required to display the certificate number of individual~~
1415 ~~registered architects or interior designers employed by or~~
1416 ~~working within the corporation, limited liability company, or~~
1417 ~~partnership.~~

1418 ~~(7)~~(11) When the certificate of registration of a
1419 registered architect ~~or interior designer~~ has been revoked or
1420 suspended by the board, the registered architect ~~or interior~~
1421 ~~designer~~ shall surrender her or his seal to the secretary of the

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1422 board within a period of 30 days after the revocation or
1423 suspension has become effective. If the certificate of the
1424 registered architect ~~or interior designer~~ has been suspended for
1425 a period of time, her or his seal shall be returned to her or
1426 him upon expiration of the suspension period.

1427 (8)~~(12)~~ A person may not sign and seal by any means any
1428 final plan, specification, or report after her or his
1429 certificate of registration has expired or is suspended or
1430 revoked. A registered architect ~~or interior designer~~ whose
1431 certificate of registration is suspended or revoked shall,
1432 within 30 days after the effective date of the suspension or
1433 revocation, surrender her or his seal to the executive director
1434 of the board and confirm in writing to the executive director
1435 the cancellation of the registered architect's ~~or interior~~
1436 ~~designer's~~ electronic signature in accordance with ss. 668.001-
1437 668.006. When a registered architect's ~~or interior designer's~~
1438 certificate of registration is suspended for a period of time,
1439 her or his seal shall be returned upon expiration of the period
1440 of suspension.

1441 Section 50. Section 481.222, Florida Statutes, is amended
1442 to read:

1443 481.222 Architects performing building code inspection
1444 services.—Notwithstanding any other provision of law, a person
1445 who is currently licensed to practice as an architect under this
1446 part may provide building code inspection services described in
1447 s. 468.603(5) and (8) to a local government or state agency upon
1448 its request, without being certified by the Florida Building
1449 Code Administrators and Inspectors Board under part XII of
1450 chapter 468. With respect to the performance of such building

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1451 code inspection services, the architect is subject to the
1452 disciplinary guidelines of this part and s. 468.621(1)(c)-(h).
1453 Any complaint processing, investigation, and discipline that
1454 arise out of an architect's performance of building code
1455 inspection services shall be conducted by the Board of
1456 Architecture ~~and Interior Design~~ rather than the Florida
1457 Building Code Administrators and Inspectors Board. An architect
1458 may not perform plans review as an employee of a local
1459 government upon any job that the architect or the architect's
1460 company designed.

1461 Section 51. Section 481.223, Florida Statutes, is amended
1462 to read:

1463 481.223 Prohibitions; penalties; injunctive relief.—

1464 (1) A person may not knowingly:

1465 (a) Practice architecture unless the person is an architect
1466 or a registered architect; however, a licensed architect who has
1467 been licensed by the board and who chooses to relinquish or not
1468 to renew his or her license may use the title "Architect,
1469 Retired" but may not otherwise render any architectural
1470 services.

1471 ~~(b) Practice interior design unless the person is a~~
1472 ~~registered interior designer unless otherwise exempted herein;~~
1473 ~~however, an interior designer who has been licensed by the board~~
1474 ~~and who chooses to relinquish or not to renew his or her license~~
1475 ~~may use the title "Interior Designer, Retired" but may not~~
1476 ~~otherwise render any interior design services.~~

1477 (b)(e) Use the name or title "architect" or "registered
1478 architect," ~~or "interior designer" or "registered interior~~
1479 ~~designer,"~~ or words to that effect, when the person is not then

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1480 the holder of a valid license issued pursuant to this part.

1481 (c)~~(d)~~ Present as his or her own the license of another.

1482 (d)~~(e)~~ Give false or forged evidence to the board or a
1483 member thereof.

1484 (e)~~(f)~~ Use or attempt to use an architect ~~or interior~~
1485 ~~designer~~ license that has been suspended, revoked, or placed on
1486 inactive or delinquent status.

1487 (f)~~(g)~~ Employ unlicensed persons to practice architecture
1488 ~~or interior design~~.

1489 (g)~~(h)~~ Conceal information relative to violations of this
1490 part.

1491 (2) Any person who violates any provision of subsection (1)
1492 commits a misdemeanor of the first degree, punishable as
1493 provided in s. 775.082 or s. 775.083.

1494 (3) (a) Notwithstanding chapter 455 or any other law to the
1495 contrary, an affected person may maintain an action for
1496 injunctive relief to restrain or prevent a person from violating
1497 paragraph (1) (a) or paragraph (1) (b), ~~or paragraph (1) (c)~~. The
1498 prevailing party is entitled to actual costs and attorney's
1499 fees.

1500 (b) For purposes of this subsection, the term "affected
1501 person" means a person directly affected by the actions of a
1502 person suspected of violating paragraph (1) (a) or paragraph
1503 (1) (b), ~~or paragraph (1) (c)~~ and includes, but is not limited to,
1504 the department, any person who received services from the
1505 alleged violator, or any private association composed primarily
1506 of members of the profession the alleged violator is practicing
1507 or offering to practice or holding himself or herself out as
1508 qualified to practice.

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1509 Section 52. Section 481.2251, Florida Statutes, is
1510 repealed.

1511 Section 53. Subsections (5) through (8) of section 481.229,
1512 Florida Statutes, are amended to read:

1513 481.229 Exceptions; exemptions from licensure.—

1514 ~~(5) (a) Nothing contained in this part shall prevent a~~
1515 ~~registered architect or a partnership, limited liability~~
1516 ~~company, or corporation holding a valid certificate of~~
1517 ~~authorization to provide architectural services from performing~~
1518 ~~any interior design service or from using the title "interior~~
1519 ~~designer" or "registered interior designer."~~

1520 ~~(b) Notwithstanding any other provision of this part, all~~
1521 ~~persons licensed as architects under this part shall be~~
1522 ~~qualified for interior design licensure upon submission of a~~
1523 ~~completed application for such license and a fee not to exceed~~
1524 ~~\$30. Such persons shall be exempt from the requirements of s.~~
1525 ~~481.209(2). For architects licensed as interior designers,~~
1526 ~~satisfaction of the requirements for renewal of licensure as an~~
1527 ~~architect under s. 481.215 shall be deemed to satisfy the~~
1528 ~~requirements for renewal of licensure as an interior designer~~
1529 ~~under that section. Complaint processing, investigation, or~~
1530 ~~other discipline-related legal costs related to persons licensed~~
1531 ~~as interior designers under this paragraph shall be assessed~~
1532 ~~against the architects' account of the Regulatory Trust Fund.~~

1533 ~~(c) Notwithstanding any other provision of this part, any~~
1534 ~~corporation, partnership, or person operating under a fictitious~~
1535 ~~name which holds a certificate of authorization to provide~~
1536 ~~architectural services shall be qualified, without fee, for a~~
1537 ~~certificate of authorization to provide interior design services~~

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1538 upon submission of a completed application therefor. For
1539 corporations, partnerships, and persons operating under a
1540 fictitious name which hold a certificate of authorization to
1541 provide interior design services, satisfaction of the
1542 requirements for renewal of the certificate of authorization to
1543 provide architectural services under s. 481.219 shall be deemed
1544 to satisfy the requirements for renewal of the certificate of
1545 authorization to provide interior design services under that
1546 section.

1547 ~~(6) This part shall not apply to:~~

1548 ~~(a) A person who performs interior design services or~~
1549 ~~interior decorator services for any residential application,~~
1550 ~~provided that such person does not advertise as, or represent~~
1551 ~~himself or herself as, an interior designer. For purposes of~~
1552 ~~this paragraph, "residential applications" includes all types of~~
1553 ~~residences, including, but not limited to, residence buildings,~~
1554 ~~single-family homes, multifamily homes, townhouses, apartments,~~
1555 ~~condominiums, and domestic outbuildings appurtenant to one-~~
1556 ~~family or two-family residences. However, "residential~~
1557 ~~applications" does not include common areas associated with~~
1558 ~~instances of multiple-unit dwelling applications.~~

1559 ~~(b) An employee of a retail establishment providing~~
1560 ~~"interior decorator services" on the premises of the retail~~
1561 ~~establishment or in the furtherance of a retail sale or~~
1562 ~~prospective retail sale, provided that such employee does not~~
1563 ~~advertise as, or represent himself or herself as, an interior~~
1564 ~~designer.~~

1565 ~~(7) Nothing in this part shall be construed as authorizing~~
1566 ~~or permitting an interior designer to engage in the business of,~~

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1567 ~~or to act as, a contractor within the meaning of chapter 489,~~
1568 ~~unless registered or certified as a contractor pursuant to~~
1569 ~~chapter 489.~~

1570 (5)~~(8)~~ A manufacturer of commercial food service equipment
1571 or the manufacturer's representative, distributor, or dealer or
1572 an employee thereof, who prepares designs, specifications, or
1573 layouts for the sale or installation of such equipment is exempt
1574 from licensure as an architect ~~or interior designer~~, if:

1575 (a) The designs, specifications, or layouts are not used
1576 for construction or installation that may affect structural,
1577 mechanical, plumbing, heating, air conditioning, ventilating,
1578 electrical, or vertical transportation systems.

1579 (b) The designs, specifications, or layouts do not
1580 materially affect lifesafety systems pertaining to firesafety
1581 protection, smoke evacuation and compartmentalization, and
1582 emergency ingress or egress systems.

1583 (c) Each design, specification, or layout document prepared
1584 by a person or entity exempt under this subsection contains a
1585 statement on each page of the document that the designs,
1586 specifications, or layouts are not architectural, ~~interior~~
1587 ~~design~~, or engineering designs, specifications, or layouts and
1588 not used for construction unless reviewed and approved by a
1589 licensed architect or engineer.

1590 Section 54. Subsection (1) of section 481.231, Florida
1591 Statutes, is amended to read:

1592 481.231 Effect of part locally.—

1593 (1) ~~Nothing in~~ This part does not ~~shall be construed to~~
1594 repeal, amend, limit, or otherwise affect any specific provision
1595 of any local building code or zoning law or ordinance that has

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1596 been duly adopted, now or hereafter enacted, which is more
1597 restrictive, with respect to the services of registered
1598 architects ~~or registered interior designers~~, than the provisions
1599 of this part; ~~provided, however, that a licensed architect shall~~
1600 ~~be deemed licensed as an interior designer for purposes of~~
1601 ~~offering or rendering interior design services to a county,~~
1602 ~~municipality, or other local government or political~~
1603 ~~subdivision.~~

1604 Section 55. Section 481.303, Florida Statutes, is amended
1605 to read:

1606 481.303 Definitions.—As used in this chapter, the term:

1607 (1) "Board" means the Board of Landscape Architecture.

1608 (3) ~~(2)~~ "Department" means the Department of Business and
1609 Professional Regulation.

1610 (6) ~~(3)~~ "Registered landscape architect" means a person who
1611 holds a license to practice landscape architecture in this state
1612 under the authority of this act.

1613 (2) ~~(4)~~ "Certificate of registration" means a license issued
1614 by the department to a natural person to engage in the practice
1615 of landscape architecture.

1616 ~~(5) "Certificate of authorization" means a license issued~~
1617 ~~by the department to a corporation or partnership to engage in~~
1618 ~~the practice of landscape architecture.~~

1619 (4) ~~(6)~~ "Landscape architecture" means professional
1620 services, including, but not limited to, the following:

1621 (a) Consultation, investigation, research, planning,
1622 design, preparation of drawings, specifications, contract
1623 documents and reports, responsible construction supervision, or
1624 landscape management in connection with the planning and

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1625 development of land and incidental water areas, including the
1626 use of Florida-friendly landscaping as defined in s. 373.185,
1627 where, and to the extent that, the dominant purpose of such
1628 services or creative works is the preservation, conservation,
1629 enhancement, or determination of proper land uses, natural land
1630 features, ground cover and plantings, or naturalistic and
1631 aesthetic values;

1632 (b) The determination of settings, grounds, and approaches
1633 for and the siting of buildings and structures, outdoor areas,
1634 or other improvements;

1635 (c) The setting of grades, shaping and contouring of land
1636 and water forms, determination of drainage, and provision for
1637 storm drainage and irrigation systems where such systems are
1638 necessary to the purposes outlined herein; and

1639 (d) The design of such tangible objects and features as are
1640 necessary to the purpose outlined herein.

1641 (5)~~(7)~~ "Landscape design" means consultation for and
1642 preparation of planting plans drawn for compensation, including
1643 specifications and installation details for plant materials,
1644 soil amendments, mulches, edging, gravel, and other similar
1645 materials. Such plans may include only recommendations for the
1646 conceptual placement of tangible objects for landscape design
1647 projects. Construction documents, details, and specifications
1648 for tangible objects and irrigation systems shall be designed or
1649 approved by licensed professionals as required by law.

1650 Section 56. Section 481.310, Florida Statutes, is amended
1651 to read:

1652 481.310 Practical experience requirement.—Beginning October
1653 1, 1990, every applicant for licensure as a registered landscape

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1654 architect shall demonstrate, prior to licensure, 1 year of
1655 practical experience in landscape architectural work. An
1656 applicant who holds a master of landscape architecture degree
1657 and a bachelor's degree in a related field is not required to
1658 demonstrate 1 year of practical experience in landscape
1659 architectural work to obtain licensure. The board shall adopt
1660 rules providing standards for the required experience. An
1661 applicant who qualifies for examination pursuant to s.
1662 481.309(1)(b)1. may obtain the practical experience after
1663 completing the required professional degree. Experience used to
1664 qualify for examination pursuant to s. 481.309(1)(b)2. may not
1665 be used to satisfy the practical experience requirement under
1666 this section.

1667 Section 57. Subsections (3) and (4) of section 481.311,
1668 Florida Statutes, are amended, to read:

1669 481.311 Licensure.—

1670 (3) The board shall certify as qualified for a license by
1671 endorsement an applicant who:

1672 ~~(a) Qualifies to take the examination as set forth in s.~~
1673 ~~481.309; and has passed a national, regional, state, or~~
1674 ~~territorial licensing examination which is substantially~~
1675 ~~equivalent to the examination required by s. 481.309; or~~

1676 ~~(b) holds a valid license to practice landscape~~
1677 ~~architecture issued by another state or territory of the United~~
1678 ~~States, if the criteria for issuance of such license were~~
1679 ~~substantially identical to the licensure criteria which existed~~
1680 ~~in this state at the time the license was issued.~~

1681 ~~(4) The board shall certify as qualified for a certificate~~
1682 ~~of authorization any applicant corporation or partnership who~~

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1683 ~~satisfies the requirements of s. 481.319.~~

1684 Section 58. Subsection (2) of section 481.317, Florida
1685 Statutes, is amended to read:

1686 481.317 Temporary certificates.-

1687 ~~(2) Upon approval by the board and payment of the fee set~~
1688 ~~in s. 481.307, the department shall grant a temporary~~
1689 ~~certificate of authorization for work on one specified project~~
1690 ~~in this state for a period not to exceed 1 year to an out-of-~~
1691 ~~state corporation, partnership, or firm, provided one of the~~
1692 ~~principal officers of the corporation, one of the partners of~~
1693 ~~the partnership, or one of the principals in the fictitiously~~
1694 ~~named firm has obtained a temporary certificate of registration~~
1695 ~~in accordance with subsection (1).~~

1696 Section 59. Section 481.319, Florida Statutes, is amended
1697 to read:

1698 481.319 Corporate and partnership practice of landscape
1699 architecture; ~~certificate of authorization.-~~

1700 (1) The practice of or offer to practice landscape
1701 architecture by registered landscape architects registered under
1702 this part through a corporation or partnership offering
1703 landscape architectural services to the public, or through a
1704 corporation or partnership offering landscape architectural
1705 services to the public through individual registered landscape
1706 architects as agents, employees, officers, or partners, is
1707 permitted, subject to the provisions of this section, if:

1708 (a) One or more of the principal officers of the
1709 corporation, or partners of the partnership, and all personnel
1710 of the corporation or partnership who act in its behalf as
1711 landscape architects in this state are registered landscape

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1712 architects; and

1713 (b) One or more of the officers, one or more of the
1714 directors, one or more of the owners of the corporation, or one
1715 or more of the partners of the partnership is a registered
1716 landscape architect; ~~and~~

1717 ~~(c) The corporation or partnership has been issued a~~
1718 ~~certificate of authorization by the board as provided herein.~~

1719 (2) All documents involving the practice of landscape
1720 architecture which are prepared for the use of the corporation
1721 or partnership shall bear the signature and seal of a registered
1722 landscape architect.

1723 (3) A landscape architect applying to practice in the name
1724 of a An applicant corporation must shall file with the
1725 department the names and addresses of all officers and board
1726 members of the corporation, including the principal officer or
1727 officers, duly registered to practice landscape architecture in
1728 this state and, also, of all individuals duly registered to
1729 practice landscape architecture in this state who shall be in
1730 responsible charge of the practice of landscape architecture by
1731 the corporation in this state. A landscape architect applying to
1732 practice in the name of a An applicant partnership must shall
1733 file with the department the names and addresses of all partners
1734 of the partnership, including the partner or partners duly
1735 registered to practice landscape architecture in this state and,
1736 also, of an individual or individuals duly registered to
1737 practice landscape architecture in this state who shall be in
1738 responsible charge of the practice of landscape architecture by
1739 said partnership in this state.

1740 (4) Each landscape architect qualifying a partnership or

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1741 and corporation ~~licensed~~ under this part must ~~shall~~ notify the
1742 department within 1 month after ~~of~~ any change in the information
1743 contained in the application upon which the license is based.
1744 Any landscape architect who terminates her or his ~~or her~~
1745 employment with a partnership or corporation licensed under this
1746 part shall notify the department of the termination within 1
1747 month after such termination.

1748 (5) ~~Disciplinary action against a corporation or~~
1749 ~~partnership shall be administered in the same manner and on the~~
1750 ~~same grounds as disciplinary action against a registered~~
1751 ~~landscape architect.~~

1752 (6) Except as provided in s. 558.0035, the fact that a
1753 registered landscape architect practices landscape architecture
1754 through a corporation or partnership as provided in this section
1755 does not relieve the landscape architect from personal liability
1756 for her or his ~~or her~~ professional acts.

1757 Section 60. Subsection (5) of section 481.321, Florida
1758 Statutes, is amended to read:

1759 481.321 Seals; display of certificate number.—

1760 (5) Each registered landscape architect must ~~and each~~
1761 ~~corporation or partnership holding a certificate of~~
1762 ~~authorization shall include her or his~~ its certificate number in
1763 any newspaper, telephone directory, or other advertising medium
1764 used by the registered landscape architect, corporation, or
1765 partnership. A corporation or partnership must ~~is not required~~
1766 ~~to display the certificate~~ number numbers of at least one
1767 officer, director, owner, or partner who is a individual
1768 registered landscape architect ~~architects~~ employed by or
1769 practicing with the corporation or partnership.

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1770 Section 61. Subsection (5) of section 481.329, Florida
1771 Statutes, is amended to read:

1772 481.329 Exceptions; exemptions from licensure.—

1773 (5) This part does not prohibit any person from engaging in
1774 the practice of landscape design, as defined in s. 481.303
1775 ~~481.303(7)~~, or from submitting for approval to a governmental
1776 agency planting plans that are independent of, or a component
1777 of, construction documents that are prepared by a Florida-
1778 registered professional. Persons providing landscape design
1779 services shall not use the title, term, or designation
1780 "landscape architect," "landscape architectural," "landscape
1781 architecture," "L.A.," "landscape engineering," or any
1782 description tending to convey the impression that she or he is a
1783 landscape architect unless she or he is registered as provided
1784 in this part.

1785 Section 62. Subsection (9) of section 489.103, Florida
1786 Statutes, is amended to read:

1787 489.103 Exemptions.—This part does not apply to:

1788 (9) Any work or operation of a casual, minor, or
1789 inconsequential nature in which the aggregate contract price for
1790 labor, materials, and all other items is less than \$2,500
1791 ~~\$1,000~~, but this exemption does not apply:

1792 (a) If the construction, repair, remodeling, or improvement
1793 is a part of a larger or major operation, whether undertaken by
1794 the same or a different contractor, or in which a division of
1795 the operation is made in contracts of amounts less than \$2,500
1796 ~~\$1,000~~ for the purpose of evading this part or otherwise.

1797 (b) To a person who advertises that he or she is a
1798 contractor or otherwise represents that he or she is qualified

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1799 to engage in contracting.

1800 Section 63. Subsection (2) of section 489.111, Florida
1801 Statutes, is amended to read:

1802 489.111 Licensure by examination.—

1803 (2) A person shall be eligible for licensure by examination
1804 if the person:

1805 (a) Is 18 years of age;

1806 (b) Is of good moral character; and

1807 (c) Meets eligibility requirements according to one of the
1808 following criteria:

1809 1. Has received a baccalaureate degree from an accredited
1810 4-year college in the appropriate field of engineering,
1811 architecture, or building construction and has 1 year of proven
1812 experience in the category in which the person seeks to qualify.
1813 For the purpose of this part, a minimum of 2,000 person-hours
1814 shall be used in determining full-time equivalency.

1815 2. Has a total of at least 4 years of active experience as
1816 a worker who has learned the trade by serving an apprenticeship
1817 as a skilled worker who is able to command the rate of a
1818 mechanic in the particular trade or as a foreman who is in
1819 charge of a group of workers and usually is responsible to a
1820 superintendent or a contractor or his or her equivalent,
1821 provided, however, that at least 1 year of active experience
1822 shall be as a foreman.

1823 3. Has a combination of not less than 1 year of experience
1824 as a foreman and not less than 3 years of credits for any
1825 accredited college-level courses; has a combination of not less
1826 than 1 year of experience as a skilled worker, 1 year of
1827 experience as a foreman, and not less than 2 years of credits

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1828 for any accredited college-level courses; or has a combination
1829 of not less than 2 years of experience as a skilled worker, 1
1830 year of experience as a foreman, and not less than 1 year of
1831 credits for any accredited college-level courses. All junior
1832 college or community college-level courses shall be considered
1833 accredited college-level courses.

1834 4.a. An active certified residential contractor is eligible
1835 to receive a certified building contractor license after passing
1836 or having previously passed ~~take~~ the building contractors'
1837 examination if he or she possesses a minimum of 3 years of
1838 proven experience in the classification in which he or she is
1839 certified.

1840 b. An active certified residential contractor is eligible
1841 to receive a certified general contractor license after passing
1842 or having previously passed ~~take~~ the general contractors'
1843 examination if he or she possesses a minimum of 4 years of
1844 proven experience in the classification in which he or she is
1845 certified.

1846 c. An active certified building contractor is eligible to
1847 receive a certified general contractor license after passing or
1848 having previously passed ~~take~~ the general contractors'
1849 examination if he or she possesses a minimum of 4 years of
1850 proven experience in the classification in which he or she is
1851 certified.

1852 5.a. An active certified air-conditioning Class C
1853 contractor is eligible to receive a certified air-conditioning
1854 Class B contractor license after passing or having previously
1855 passed ~~take~~ the air-conditioning Class B contractors'
1856 examination if he or she possesses a minimum of 3 years of

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1857 proven experience in the classification in which he or she is
1858 certified.

1859 b. An active certified air-conditioning Class C contractor
1860 is eligible to receive a certified air-conditioning Class A
1861 contractor license after passing or having previously passed
1862 ~~take~~ the air-conditioning Class A contractors' examination if he
1863 or she possesses a minimum of 4 years of proven experience in
1864 the classification in which he or she is certified.

1865 c. An active certified air-conditioning Class B contractor
1866 is eligible to receive a certified air-conditioning Class A
1867 contractor license after passing or having previously passed
1868 ~~take~~ the air-conditioning Class A contractors' examination if he
1869 or she possesses a minimum of 1 year of proven experience in the
1870 classification in which he or she is certified.

1871 6.a. An active certified swimming pool servicing contractor
1872 is eligible to receive a certified residential swimming pool
1873 contractor license after passing or having previously passed
1874 ~~take~~ the residential swimming pool contractors' examination if
1875 he or she possesses a minimum of 3 years of proven experience in
1876 the classification in which he or she is certified.

1877 b. An active certified swimming pool servicing contractor
1878 is eligible to receive a certified commercial swimming pool
1879 contractor license after passing or having previously passed
1880 ~~take~~ the swimming pool commercial contractors' examination if he
1881 or she possesses a minimum of 4 years of proven experience in
1882 the classification in which he or she is certified.

1883 c. An active certified residential swimming pool contractor
1884 is eligible to receive a certified commercial swimming pool
1885 contractor license after passing or having previously passed

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1886 ~~take~~ the commercial swimming pool contractors' examination if he
1887 or she possesses a minimum of 1 year of proven experience in the
1888 classification in which he or she is certified.

1889 d. An applicant is eligible to receive a certified swimming
1890 pool/spa servicing contractor license after passing or having
1891 previously passed ~~take~~ the swimming pool/spa servicing
1892 contractors' examination if he or she has satisfactorily
1893 completed 60 hours of instruction in courses related to the
1894 scope of work covered by that license and approved by the
1895 Construction Industry Licensing Board by rule and has at least 1
1896 year of proven experience related to the scope of work of such a
1897 contractor.

1898 Section 64. Subsection (3) of section 489.115, Florida
1899 Statutes, is amended to read:

1900 489.115 Certification and registration; endorsement;
1901 reciprocity; renewals; continuing education.—

1902 (3) The board shall certify as qualified for certification
1903 by endorsement any applicant who:

1904 (a) Meets the requirements for certification as set forth
1905 in this section; has passed a national, regional, state, or
1906 United States territorial licensing examination that is
1907 substantially equivalent to the examination required by this
1908 part; and has satisfied the requirements set forth in s.
1909 489.111;

1910 (b) Holds a valid license to practice contracting issued by
1911 another state or territory of the United States, if the criteria
1912 for issuance of such license were substantially equivalent to
1913 Florida's current certification criteria; ~~or~~

1914 (c) Holds a valid, current license to practice contracting

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1915 issued by another state or territory of the United States, if
 1916 the state or territory has entered into a reciprocal agreement
 1917 with the board for the recognition of contractor licenses issued
 1918 in that state, based on criteria for the issuance of such
 1919 licenses that are substantially equivalent to the criteria for
 1920 certification in this state; or

1921 (d) Has held a valid, current license to practice
 1922 contracting issued by another state or territory of the United
 1923 States for at least 10 years before the date of application and
 1924 is applying for the same or similar license in this state,
 1925 subject to subsections (5)-(9). The board may consider whether
 1926 such applicant has had a license to practice contracting
 1927 revoked, suspended, or otherwise acted against by the licensing
 1928 authority of another state, territory, or country. Such
 1929 application must be made either when the license in another
 1930 state or territory is active or within 2 years after such
 1931 license was last active.

1932 Section 65. Subsection (5) of section 489.511, Florida
 1933 Statutes, is amended to read:

1934 489.511 Certification; application; examinations;
 1935 endorsement.—

1936 (5) The board shall certify as qualified for certification
 1937 by endorsement any individual applying for certification who:

1938 (a) Meets the requirements for certification as set forth
 1939 in this section; has passed a national, regional, state, or
 1940 United States territorial licensing examination that is
 1941 substantially equivalent to the examination required by this
 1942 part; and has satisfied the requirements set forth in s.
 1943 489.521; ~~or~~

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1944 (b) Holds a valid license to practice electrical or alarm
 1945 system contracting issued by another state or territory of the
 1946 United States, if the criteria for issuance of such license was
 1947 substantially equivalent to the certification criteria that
 1948 existed in this state at the time the certificate was issued; or

1949 (c) Has held a valid, current license to practice
 1950 electrical or alarm system contracting issued by another state
 1951 or territory of the United States for at least 10 years before
 1952 the date of application and is applying for the same or similar
 1953 license in this state, subject to ss. 489.510 and 489.521(3)(a),
 1954 and subparagraph (1)(b)1. Such application must be made either
 1955 when the license in another state or territory is active or
 1956 within 2 years after such license was last active.

1957 Section 66. Subsection (3) and paragraph (b) of subsection
 1958 (4) of section 489.517, Florida Statutes, are amended to read:

1959 489.517 Renewal of certificate or registration; continuing
 1960 education.—

1961 (3) Each certificateholder or registrant shall provide
 1962 proof, in a form established by rule of the board, that the
 1963 certificateholder or registrant has completed at least 7 ~~14~~
 1964 classroom hours of at least 50 minutes each of continuing
 1965 education courses during each biennium since the issuance or
 1966 renewal of the certificate or registration. The board shall by
 1967 rule establish criteria for the approval of continuing education
 1968 courses and providers and may by rule establish criteria for
 1969 accepting alternative nonclassroom continuing education on an
 1970 hour-for-hour basis.

1971 (4)

1972 (b) Of the 7 ~~14~~ classroom hours of continuing education

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1973 required, at least 1 hour ~~7 hours~~ must be on technical subjects,
1974 1 hour on workers' compensation, 1 hour on workplace safety, 1
1975 hour on business practices, and for alarm system contractors and
1976 electrical contractors engaged in alarm system contracting, 2
1977 hours on false alarm prevention.

1978 Section 67. Paragraph (b) of subsection (1) of section
1979 489.518, Florida Statutes, is amended to read:

1980 489.518 Alarm system agents.—

1981 (1) A licensed electrical or alarm system contractor may
1982 not employ a person to perform the duties of a burglar alarm
1983 system agent unless the person:

1984 (b) Has successfully completed a minimum of 14 hours of
1985 training within 90 days after employment, to include basic alarm
1986 system electronics in addition to related training including
1987 CCTV and access control training, with at least 2 hours of
1988 training in the prevention of false alarms. Such training shall
1989 be from a board-approved provider, and the employee or applicant
1990 for employment shall provide proof of successful completion to
1991 the licensed employer. The board shall by rule establish
1992 criteria for the approval of training courses and providers and
1993 may by rule establish criteria for accepting alternative
1994 nonclassroom education on an hour-for-hour basis. The board
1995 shall approve providers that conduct training in other than the
1996 English language. The board shall establish a fee for the
1997 approval of training providers or courses, not to exceed \$60.
1998 Qualified employers may conduct training classes for their
1999 employees, with board approval.

2000 Section 68. Paragraph (i) of subsection (2) of section
2001 548.003, Florida Statutes, is amended to read:

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2002 548.003 Florida State Boxing Commission.—

2003 (2) The Florida State Boxing Commission, as created by
 2004 subsection (1), shall administer the provisions of this chapter.
 2005 The commission has authority to adopt rules pursuant to ss.
 2006 120.536(1) and 120.54 to implement the provisions of this
 2007 chapter and to implement each of the duties and responsibilities
 2008 conferred upon the commission, including, but not limited to:

2009 ~~(i) Designation and duties of a knockdown timekeeper.~~

2010 Section 69. Subsection (1) of section 548.017, Florida
 2011 Statutes, is amended to read:

2012 548.017 Participants, managers, and other persons required
 2013 to have licenses.—

2014 (1) A participant, manager, trainer, second, ~~timekeeper,~~
 2015 referee, judge, ~~announcer,~~ physician, matchmaker, or promoter
 2016 must be licensed before directly or indirectly acting in such
 2017 capacity in connection with any match involving a participant. A
 2018 physician approved by the commission must be licensed pursuant
 2019 to chapter 458 or chapter 459, must maintain an unencumbered
 2020 license in good standing, and must demonstrate satisfactory
 2021 medical training or experience in boxing, or a combination of
 2022 both, to the executive director before working as the ringside
 2023 physician.

2024 Section 70. Paragraph (d) of subsection (1) of section
 2025 553.5141, Florida Statutes, is amended to read:

2026 553.5141 Certifications of conformity and remediation
 2027 plans.—

2028 (1) For purposes of this section:

2029 (d) "Qualified expert" means:

2030 1. An engineer licensed pursuant to chapter 471.

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- 2031 2. A certified general contractor licensed pursuant to
- 2032 chapter 489.
- 2033 3. A certified building contractor licensed pursuant to
- 2034 chapter 489.
- 2035 4. A building code administrator licensed pursuant to
- 2036 chapter 468.
- 2037 5. A building inspector licensed pursuant to chapter 468.
- 2038 6. A plans examiner licensed pursuant to chapter 468.
- 2039 7. An interior designer who has passed the qualification
- 2040 examination prescribed by either the National Council for
- 2041 Interior Design Qualification or the California Council for
- 2042 Interior Design Certification ~~licensed pursuant to chapter 481.~~
- 2043 8. An architect licensed pursuant to chapter 481.
- 2044 9. A landscape architect licensed pursuant to chapter 481.
- 2045 10. Any person who has prepared a remediation plan related
- 2046 to a claim under Title III of the Americans with Disabilities
- 2047 Act, 42 U.S.C. s. 12182, that has been accepted by a federal
- 2048 court in a settlement agreement or court proceeding, or who has
- 2049 been qualified as an expert in Title III of the Americans with
- 2050 Disabilities Act, 42 U.S.C. s. 12182, by a federal court.

2051 Section 71. Effective January 1, 2021, subsection (1) of

2052 section 553.74, Florida Statutes, is amended to read:

2053 ~~553.74 Florida Building Commission.—~~

2054 (1) The Florida Building Commission is created and located

2055 within the Department of Business and Professional Regulation

2056 for administrative purposes. Members are appointed by the

2057 Governor subject to confirmation by the Senate. The commission

2058 is composed of 19 ~~27~~ members, consisting of the following

2059 members:

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2060 (a) One architect licensed pursuant to chapter 481 with at
2061 least 5 years of experience in the design and construction of
2062 buildings designated for Group E or Group I occupancies by the
2063 Florida Building Code ~~registered to practice in this state and~~
2064 ~~actively engaged in the profession.~~ The American Institute of
2065 Architects, Florida Section, is encouraged to recommend a list
2066 of candidates for consideration.

2067 (b) One structural engineer registered to practice in this
2068 state and actively engaged in the profession. The Florida
2069 Engineering Society is encouraged to recommend a list of
2070 candidates for consideration.

2071 (c) One air-conditioning contractor, ~~or~~ mechanical
2072 contractor, or mechanical engineer certified to do business in
2073 this state and actively engaged in the profession. The Florida
2074 Air Conditioning Contractors Association, the Florida
2075 Refrigeration and Air Conditioning Contractors Association, ~~and~~
2076 the Mechanical Contractors Association of Florida, and the
2077 Florida Engineering Society are encouraged to recommend a list
2078 of candidates for consideration.

2079 (d) One electrical contractor or electrical engineer
2080 certified to do business in this state and actively engaged in
2081 the profession. The Florida Association of Electrical
2082 Contractors, ~~and~~ the National Electrical Contractors
2083 Association, Florida Chapter, and the Florida Engineering
2084 Society are encouraged to recommend a list of candidates for
2085 consideration.

2086 ~~(e) One member from fire protection engineering or~~
2087 ~~technology who is actively engaged in the profession. The~~
2088 ~~Florida Chapter of the Society of Fire Protection Engineers and~~

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2089 ~~the Florida Fire Marshals and Inspectors Association are~~
2090 ~~encouraged to recommend a list of candidates for consideration.~~

2091 (e)~~(f)~~ One certified general contractor or one certified
2092 building contractor certified to do business in this state and
2093 actively engaged in the profession. The Associated Builders and
2094 Contractors of Florida, the Florida Associated General
2095 Contractors Council, the Florida Home Builders Association, and
2096 the Union Contractors Association are encouraged to recommend a
2097 list of candidates for consideration.

2098 (f)~~(g)~~ One plumbing contractor licensed to do business in
2099 this state and actively engaged in the profession. The Florida
2100 Association of Plumbing, Heating, and Cooling Contractors is
2101 encouraged to recommend a list of candidates for consideration.

2102 (g)~~(h)~~ One roofing or sheet metal contractor certified to
2103 do business in this state and actively engaged in the
2104 profession. The Florida Roofing, Sheet Metal, and Air
2105 Conditioning Contractors Association and the Sheet Metal and Air
2106 Conditioning Contractors' National Association are encouraged to
2107 recommend a list of candidates for consideration.

2108 (h)~~(i)~~ One certified residential contractor licensed to do
2109 business in this state and actively engaged in the profession.
2110 The Florida Home Builders Association is encouraged to recommend
2111 a list of candidates for consideration.

2112 (i)~~(j)~~ Three members who are municipal, county, or district
2113 codes enforcement officials, one of whom is also a fire
2114 official. The Building Officials Association of Florida and the
2115 Florida Fire Marshals and Inspectors Association are encouraged
2116 to recommend a list of candidates for consideration.

2117 ~~(k) One member who represents the Department of Financial~~

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2118 Services.

2119 ~~(l) One member who is a county codes enforcement official.~~
2120 ~~The Building Officials Association of Florida is encouraged to~~
2121 ~~recommend a list of candidates for consideration.~~

2122 (j) ~~(m)~~ One member of a Florida-based organization of
2123 persons with disabilities or a nationally chartered organization
2124 of persons with disabilities with chapters in this state which
2125 complies with or is certified to be compliant with the
2126 requirements of the Americans with Disability Act of 1990, as
2127 amended.

2128 (k) ~~(n)~~ One member of the manufactured buildings industry
2129 who is licensed to do business in this state and is actively
2130 engaged in the industry. The Florida Manufactured Housing
2131 Association is encouraged to recommend a list of candidates for
2132 consideration.

2133 ~~(o) One mechanical or electrical engineer registered to~~
2134 ~~practice in this state and actively engaged in the profession.~~
2135 ~~The Florida Engineering Society is encouraged to recommend a~~
2136 ~~list of candidates for consideration.~~

2137 ~~(p) One member who is a representative of a municipality or~~
2138 ~~a charter county. The Florida League of Cities and the Florida~~
2139 ~~Association of Counties are encouraged to recommend a list of~~
2140 ~~candidates for consideration.~~

2141 (l) ~~(q)~~ One member of the building products manufacturing
2142 industry who is authorized to do business in this state and is
2143 actively engaged in the industry. The Florida Building Material
2144 Association, the Florida Concrete and Products Association, and
2145 the Fenestration Manufacturers Association are encouraged to
2146 recommend a list of candidates for consideration.

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2147 (m)~~(r)~~ One member who is a representative of the building
2148 owners and managers industry who is actively engaged in
2149 commercial building ownership or management. The Building Owners
2150 and Managers Association is encouraged to recommend a list of
2151 candidates for consideration.

2152 (n)~~(s)~~ One member who is a representative of the insurance
2153 industry. The Florida Insurance Council is encouraged to
2154 recommend a list of candidates for consideration.

2155 ~~(t) One member who is a representative of public education.~~

2156 (o)~~(u)~~ One member who is a swimming pool contractor
2157 licensed to do business in this state and actively engaged in
2158 the profession. The Florida Swimming Pool Association and the
2159 United Pool and Spa Association are encouraged to recommend a
2160 list of candidates for consideration.

2161 (p)~~(v)~~ One member who is a representative of the green
2162 building industry and who is a third-party commission agent, a
2163 Florida board member of the United States Green Building Council
2164 or Green Building Initiative, a professional who is accredited
2165 under the International Green Construction Code (IGCC), or a
2166 professional who is accredited under Leadership in Energy and
2167 Environmental Design (LEED).

2168 (q)~~(w)~~ One member who is a representative of a natural gas
2169 distribution system and who is actively engaged in the
2170 distribution of natural gas in this state. The Florida Natural
2171 Gas Association is encouraged to recommend a list of candidates
2172 for consideration.

2173 ~~(x) One member who is a representative of the Department of
2174 Agriculture and Consumer Services' Office of Energy. The
2175 Commissioner of Agriculture is encouraged to recommend a list of~~

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2176 ~~candidates for consideration.~~

2177 ~~(y) One member who shall be the chair.~~

2178 Section 72. Paragraph (c) of subsection (5) of section
2179 553.79, Florida Statutes, is amended to read:

2180 553.79 Permits; applications; issuance; inspections.-

2181 (5)

2182 (c) The architect or engineer of record may act as the
2183 special inspector provided she or he is on the Board of
2184 Professional Engineers' or the Board of Architecture's
2185 ~~Architecture and Interior Design's~~ list of persons qualified to
2186 be special inspectors. School boards may utilize employees as
2187 special inspectors provided such employees are on one of the
2188 professional licensing board's list of persons qualified to be
2189 special inspectors.

2190 Section 73. Subsection (7) of section 558.002, Florida
2191 Statutes, is amended to read:

2192 558.002 Definitions.-As used in this chapter, the term:

2193 (7) "Design professional" means a person, as defined in s.
2194 1.01, who is licensed in this state as an architect, interior
2195 ~~designer, a~~ landscape architect, an engineer, a surveyor, or a
2196 geologist.

2197 Section 74. Subsection (3) of section 559.25, Florida
2198 Statutes, is amended to read:

2199 559.25 Exemptions.-The provisions of this part shall not
2200 apply to or affect the following persons:

2201 ~~(3) Duly licensed auctioneers, selling at auction.~~

2202 Section 75. Paragraphs (h) and (k) of subsection (2) of
2203 section 287.055, Florida Statutes, are amended to read:

2204 287.055 Acquisition of professional architectural,

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2205 engineering, landscape architectural, or surveying and mapping
2206 services; definitions; procedures; contingent fees prohibited;
2207 penalties.—

2208 (2) DEFINITIONS.—For purposes of this section:

2209 (h) A “design-build firm” means a partnership, corporation,
2210 or other legal entity that:

2211 1. Is certified under s. 489.119 to engage in contracting
2212 through a certified or registered general contractor or a
2213 certified or registered building contractor as the qualifying
2214 agent; or

2215 2. Is qualified ~~certified~~ under s. 471.023 to practice or
2216 to offer to practice engineering; qualified ~~certified~~ under s.
2217 481.219 to practice or to offer to practice architecture; or
2218 qualified ~~certified~~ under s. 481.319 to practice or to offer to
2219 practice landscape architecture.

2220 (k) A “design criteria professional” means a firm that is
2221 qualified ~~who holds a current certificate of registration~~ under
2222 chapter 481 to practice architecture or landscape architecture
2223 or a firm who holds a current certificate as a registered
2224 engineer under chapter 471 to practice engineering and who is
2225 employed by or under contract to the agency for the providing of
2226 professional architect services, landscape architect services,
2227 or engineering services in connection with the preparation of
2228 the design criteria package.

2229 Section 76. Except as otherwise expressly provided in this
2230 act, this act shall take effect July 1, 2020.