

By the Committees on Commerce and Tourism; and Innovation, Industry, and Technology; and 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.
4 322.57, F.S.; defining the term "servicemember";
5 requiring the Department of Highway Safety and Motor
6 Vehicles to waive the requirement to pass the
7 Commercial Driver License Skills Tests for certain
8 servicemembers and veterans; requiring an applicant
9 who receives such waiver to complete certain
10 requirements within a specified time; requiring the
11 department to adopt rules; amending s. 326.004, F.S.;
12 deleting the requirement that a yacht broker maintain
13 a separate license for each branch office; deleting
14 the requirement that the Division of Florida
15 Condominiums, Timeshares, and Mobile Homes establish a
16 fee; amending s. 447.02, F.S.; conforming provisions
17 to changes made by the act; repealing s. 447.04, F.S.,
18 relating to licensure and permit requirements for
19 business agents; repealing s. 447.041, F.S., relating
20 to hearings for persons or labor organizations denied
21 licensure as a business agent; repealing s. 447.045,
22 F.S., relating to confidential information obtained
23 during the application process; repealing s. 447.06,
24 F.S., relating to required registration of labor
25 organizations; amending s. 447.09, F.S.; deleting
26 certain prohibited actions relating to the right of
27 franchise of a member of a labor organization;
28 repealing s. 447.12, F.S., relating to registration
29 fees; repealing s. 447.16, F.S., relating to

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30 applicability; amending s. 447.305, F.S.; deleting a
31 provision that requires notification of registrations
32 and renewals to the Department of Business and
33 Professional Regulation; amending s. 455.213, F.S.;
34 requiring the department or a board to enter into
35 reciprocal licensing agreements with other states
36 under certain circumstances; providing requirements;
37 amending s. 456.072, F.S.; specifying that the failure
38 to repay certain student loans is not considered a
39 failure to perform a statutory or legal obligation for
40 which certain disciplinary action can be taken;
41 conforming provisions to changes made by the act;
42 repealing s. 456.0721, F.S., relating to health care
43 practitioners who are in default on student loan or
44 scholarship obligations; amending s. 456.074, F.S.;
45 deleting a provision relating to the suspension of a
46 license issued by the Department of Health for
47 defaulting on certain student loans; amending s.
48 468.385, F.S.; revising requirements relating to
49 businesses auctioning or offering to auction property
50 in this state; amending s. 468.603, F.S.; revising
51 which inspectors are included in the definition of the
52 term "categories of building code inspectors";
53 amending s. 468.613, F.S.; providing for waiver of
54 specified requirements for certification under certain
55 circumstances; amending s. 468.8314, F.S.; requiring
56 an applicant for a license by endorsement to maintain
57 a specified insurance policy; requiring the department
58 to certify an applicant who holds a specified license

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

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88 revising requirements for certification of licensure
89 by endorsement for a certain applicant to engage in
90 the practice of cosmetology; conforming provisions to
91 changes made by the act; amending s. 477.0201, F.S.;
92 providing requirements for registration as a
93 specialist; amending s. 477.026, F.S.; conforming
94 provisions to changes made by the act; amending s.
95 477.0263, F.S.; providing that certain cosmetology
96 services may be performed in a location other than a
97 licensed salon under certain circumstances; amending
98 ss. 477.0265 and 477.029, F.S.; conforming provisions
99 to changes made by the act; amending s. 481.201, F.S.;
100 deleting legislative findings relating to the practice
101 of interior design; amending s. 481.203, F.S.;
102 revising and deleting definitions; amending s.
103 481.205, F.S.; conforming provisions to changes made
104 by the act; amending s. 481.207, F.S.; revising
105 certain fees for interior designers; conforming
106 provisions to changes made by the act; amending s.
107 481.209, F.S.; providing requirements for a
108 certificate of registration and a seal for interior
109 designers; conforming provisions to changes made by
110 the act; amending s. 481.213, F.S.; revising
111 requirements for certification of licensure by
112 endorsement for a certain licensee to engage in the
113 practice of architecture; providing that a
114 registration is not required for specified persons to
115 practice; conforming provisions to changes made by the
116 act; amending s. 481.2131, F.S.; requiring certain

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117 interior designers to include a specified seal when
118 submitting documents for the issuance of a building
119 permit; amending s. 481.215, F.S.; conforming
120 provisions to changes made by the act; revising the
121 number of hours of specified courses the board must
122 require for the renewal of a license or certificate of
123 registration; authoring licensees to complete certain
124 courses online; amending s. 481.217, F.S.; conforming
125 provisions to changes made by the act; amending s.
126 481.219, F.S.; deleting provisions permitting the
127 practice of or offer to practice interior design
128 through certain business organizations; deleting
129 provisions requiring certificates of authorization for
130 certain business organizations offering interior
131 design services to the public; requiring a licensee or
132 applicant in the practice of architecture to qualify
133 as a business organization; providing requirements;
134 amending s. 481.221, F.S.; conforming provisions to
135 changes made by the act; requiring registered
136 architects and certain business organizations to
137 display certain license numbers in specified
138 advertisements; amending s. 481.223, F.S.; providing
139 construction; conforming provisions to changes made by
140 the act; amending s. 481.2251, F.S.; revising the acts
141 that constitute grounds for disciplinary actions
142 relating to interior designers; conforming provisions
143 to changes made by the act; amending ss. 481.229 and
144 481.231, F.S.; conforming provisions to changes made
145 by the act; amending s. 481.303, F.S.; deleting the

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146 definition of the term "certificate of authorization";
147 amending s. 481.310, F.S.; providing that an applicant
148 who holds certain degrees is not required to
149 demonstrate 1 year of practical experience for
150 licensure; amending s. 481.311, F.S.; revising
151 requirements for certification of licensure by
152 endorsement for a certain applicant to engage in the
153 practice of landscape architecture; amending s.
154 481.313, F.S.; authorizing a landscape architect to
155 receive hour-for-hour credit for certain approved
156 continuing education courses under certain
157 circumstances; amending s. 481.317, F.S.; conforming
158 provisions to changes made by the act; amending s.
159 481.319, F.S.; deleting the requirement for a
160 certificate of authorization; authorizing landscape
161 architects to practice in the name of a corporation or
162 partnership; amending s. 481.321, F.S.; requiring a
163 landscape architect to display a certain certificate
164 number in specified advertisements; amending s.
165 481.329, F.S.; conforming a cross-reference; amending
166 s. 489.103, F.S.; revising certain contract prices for
167 exemption; amending s. 489.111, F.S.; revising
168 provisions relating to eligibility for licensure;
169 amending s. 489.115, F.S.; requiring the Construction
170 Industry Licensing Board to certify any applicant who
171 holds a specified license to practice contracting
172 issued by another state or territory of the United
173 States under certain circumstances; requiring such
174 applicant to complete certain training by a specified

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175 time after receiving a license; amending s. 489.511,
176 F.S.; requiring the board to certify as qualified for
177 certification by endorsement any applicant who holds a
178 specified license to practice electrical or alarm
179 system contracting issued by another state or
180 territory of the United States under certain
181 circumstances; requiring such applicant to complete
182 certain training by a specified time after receiving a
183 license; amending s. 489.517, F.S.; providing a
184 reduction in certain continuing education hours
185 required for certain contractors; amending s. 489.518,
186 F.S.; requiring a person to have completed a specified
187 amount of training within a certain time period to
188 perform the duties of an alarm system agent; creating
189 s. 509.102; defining the term "mobile food dispensing
190 vehicle"; preempting certain regulation of mobile food
191 dispensing vehicles to the state; prohibiting certain
192 entities from prohibiting mobile food dispensing
193 vehicles from operating within the entirety of such
194 entities' jurisdictions; providing construction;
195 amending s. 548.003, F.S.; deleting the requirement
196 that the Florida State Boxing Commission adopt rules
197 relating to a knockdown timekeeper; amending s.
198 548.017, F.S.; deleting the licensure requirement for
199 a timekeeper or an announcer; amending s. 553.5141,
200 F.S.; conforming provisions to changes made by the
201 act; amending s. 553.74, F.S.; revising the membership
202 and qualifications of the Florida Building Commission;
203 amending s. 823.15, F.S.; authorizing certain persons

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204 to implant dogs and cats with specified microchips
205 under certain circumstances; amending ss. 558.002,
206 559.25, and 287.055, F.S.; conforming provisions to
207 changes made by the act; providing effective dates.
208

209 Be It Enacted by the Legislature of the State of Florida:
210

211 Section 1. This act may be cited as the "Occupational
212 Freedom and Opportunity Act."

213 Section 2. Present subsection (4) of section 322.57,
214 Florida Statutes, is redesignated as subsection (5), and a new
215 subsection (4) is added to that section, to read

216 322.57 Tests of knowledge concerning specified vehicles;
217 endorsement; nonresidents; violations.-

218 (4) (a) As used in this subsection, the term "servicemember"
219 means a member of any branch of the United States military or
220 military reserves, the United States Coast Guard or its
221 reserves, the Florida National Guard, or the Florida Air
222 National Guard.

223 (b) The department shall waive the requirement to pass the
224 Commercial Driver License Skills Tests for servicemembers and
225 veterans if:

226 1. The applicant has been honorably discharged from
227 military service within 1 year of the application, if the
228 applicant is a veteran;

229 2. The applicant is trained as an MOS 88M Army Motor
230 Transport Operator or similar military job specialty;

231 3. The applicant has received training to operate large
232 trucks in compliance with the Federal Motor Carrier Safety

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233 Administration; and

234 4. The applicant has at least 2 years of experience in the
235 military driving vehicles that would require a commercial driver
236 license to operate.

237 (c) An applicant must complete every other requirement for
238 a commercial driver license within 1 year of receiving a waiver
239 under paragraph (b) or the waiver is invalid.

240 (d)The department shall adopt rules to administer this
241 subsection.

242 Section 3. Subsection (13) of section 326.004, Florida
243 Statutes, is amended to read:

244 326.004 Licensing.—

245 (13) Each broker must maintain a principal place of
246 business in this state and may establish branch offices in the
247 state. ~~A separate license must be maintained for each branch~~
248 ~~office. The division shall establish by rule a fee not to exceed~~
249 ~~\$100 for each branch office license.~~

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

252 447.02 Definitions.—The following terms, when used in this
253 chapter, shall have the meanings ascribed to them in this
254 section:

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

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

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

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

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

261 Section 9. Subsections (6) and (8) of section 447.09,

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262 Florida Statutes, are amended to read:

263 447.09 Right of franchise preserved; penalties.—It shall be
264 unlawful for any person:

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

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

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

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

271 Section 12. Subsection (4) of section 447.305, Florida
272 Statutes, is amended to read:

273 447.305 Registration of employee organization.—

274 ~~(4) Notification of registrations and renewals of~~
275 ~~registration shall be furnished at regular intervals by the~~
276 ~~commission to the Department of Business and Professional~~
277 ~~Regulation.~~

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

280 455.213 General licensing provisions.—

281 (14) The department or a board must enter into a reciprocal
282 licensing agreement with other states if the practice act within
283 the purview of this chapter permits such agreement. If a
284 reciprocal licensing agreement exists or if the department or
285 board has determined another state's licensing requirements or
286 examinations to be substantially equivalent or more stringent to
287 those under the practice act, the department or board must post
288 on its website which jurisdictions have such reciprocal
289 licensing agreements or substantially similar licenses.

290 Section 14. Paragraph (k) of subsection (1) of section

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291 456.072, Florida Statutes, is amended to read:

292 456.072 Grounds for discipline; penalties; enforcement.—

293 (1) The following acts shall constitute grounds for which
294 the disciplinary actions specified in subsection (2) may be
295 taken:

296 (k) Failing to perform any statutory or legal obligation
297 placed upon a licensee. For purposes of this section, failing to
298 repay a student loan issued or guaranteed by the state or the
299 Federal Government in accordance with the terms of the loan is
300 not or failing to comply with service scholarship obligations
301 ~~shall be~~ considered a failure to perform a statutory or legal
302 obligation, ~~and the minimum disciplinary action imposed shall be~~
303 ~~a suspension of the license until new payment terms are agreed~~
304 ~~upon or the scholarship obligation is resumed, followed by~~
305 ~~probation for the duration of the student loan or remaining~~
306 ~~scholarship obligation period, and a fine equal to 10 percent of~~
307 ~~the defaulted loan amount.~~ Fines collected shall be deposited
308 into the Medical Quality Assurance Trust Fund.

309 Section 15. Section 456.0721, Florida Statutes, is
310 repealed.

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

313 456.074 Certain health care practitioners; immediate
314 suspension of license.—

315 ~~(4) Upon receipt of information that a Florida-licensed~~
316 ~~health care practitioner has defaulted on a student loan issued~~
317 ~~or guaranteed by the state or the Federal Government, the~~
318 ~~department shall notify the licensee by certified mail that he~~
319 ~~or she shall be subject to immediate suspension of license~~

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320 ~~unless, within 45 days after the date of mailing, the licensee~~
321 ~~provides proof that new payment terms have been agreed upon by~~
322 ~~all parties to the loan. The department shall issue an emergency~~
323 ~~order suspending the license of any licensee who, after 45 days~~
324 ~~following the date of mailing from the department, has failed to~~
325 ~~provide such proof. Production of such proof shall not prohibit~~
326 ~~the department from proceeding with disciplinary action against~~
327 ~~the licensee pursuant to s. 456.073.~~

328 Section 17. Paragraph (b) of subsection (7) of section
329 468.385, Florida Statutes, is amended to read:

330 468.385 Licenses required; qualifications; examination.—

331 (7)

332 (b) A ~~No~~ business may not ~~shall~~ auction or offer to auction
333 any property in this state unless it is owned by an auctioneer
334 who is licensed as an auction business by the department board
335 or is exempt from licensure under this act. Each application for
336 licensure must ~~shall~~ include the names of the owner and the
337 business, the business mailing address and location, and any
338 other information which the board may require. The owner of an
339 auction business shall report to the board within 30 days of any
340 change in this required information.

341 Section 18. Paragraph (f) of subsection (5) of section
342 468.603, Florida Statutes, is amended to read:

343 468.603 Definitions.—As used in this part:

344 (5) "Categories of building code inspectors" include the
345 following:

346 (f) "Residential One and two family dwelling inspector"
347 means a person who is qualified to inspect and determine that
348 one-family, two-family, or three-family residences not exceeding

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349 two habitable stories above no more than one uninhabitable story
350 and accessory use structures in connection therewith ~~one and two~~
351 ~~family dwellings and accessory structures~~ are constructed in
352 accordance with the provisions of the governing building,
353 plumbing, mechanical, accessibility, and electrical codes.

354 Section 19. Section 468.613, Florida Statutes, is amended
355 to read:

356 468.613 Certification by endorsement.—The board shall
357 examine other certification or training programs, as applicable,
358 upon submission to the board for its consideration of an
359 application for certification by endorsement. The board shall
360 waive its examination, qualification, education, or training
361 requirements, to the extent that such examination,
362 qualification, education, or training requirements of the
363 applicant are determined by the board to be comparable with
364 those established by the board. The board shall waive its
365 examination, qualification, education, or training requirements
366 if an applicant for certification by endorsement is at least 18
367 years of age; is of good moral character; has held a valid
368 building administrator, inspector, plans examiner, or the
369 equivalent, certification issued by another state or territory
370 of the United States for at least 10 years before the date of
371 application; and has successfully passed an applicable
372 examination administered by the International Code Council. Such
373 application must be made either when the license in another
374 state or territory is active or within 2 years after such
375 license was last active.

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

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378 468.8314 Licensure.—

379 (3) The department shall certify as qualified for a license
380 by endorsement an applicant who is of good moral character as
381 determined in s. 468.8313, who maintains an insurance policy as
382 required by s. 468.8322, and who:

383 (a) Holds a valid license to practice home inspection
384 services in another state or territory of the United States,
385 whose educational requirements are substantially equivalent to
386 those required by this part; and has passed a national,
387 regional, state, or territorial licensing examination that is
388 substantially equivalent to the examination required by this
389 part; or

390 (b) Has held a valid license to practice home inspection
391 services issued by another state or territory of the United
392 States for at least 10 years before the date of application.
393 Such application must be made either when the license in another
394 state or territory is active or within 2 years after such
395 license was last active.

396 Section 21. Subsection (5) of section 471.015, Florida
397 Statutes, is amended to read:

398 471.015 Licensure.—

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

405 (b) The board shall deem that an applicant who seeks
406 licensure by endorsement has passed an examination substantially

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407 equivalent to the fundamentals examination and the principles
408 and practices examination when such applicant has held a valid
409 professional engineer's license in another state for 15 ~~25~~ years
410 and ~~has had 30 years of continuous professional-level~~
411 ~~engineering experience.~~

412 Section 22. Subsection (7) of section 473.308, Florida
413 Statutes, is amended to read:

414 473.308 Licensure.—

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

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

423 ~~2. Has completed such continuing education courses as the~~
424 ~~board deems appropriate, within the limits for each applicable~~
425 ~~2-year period as set forth in s. 473.312, but at least such~~
426 ~~courses as are equivalent to the continuing education~~
427 ~~requirements for a Florida certified public accountant licensed~~
428 ~~in this state during the 2 years immediately preceding her or~~
429 ~~his application for licensure by endorsement; or~~

430 (b)1.a. Holds a valid license to practice public accounting
431 issued by another state or territory of the United States, if
432 the criteria for issuance of such license were substantially
433 equivalent to the licensure criteria that existed in this state
434 at the time the license was issued;

435 2.b. Holds a valid license to practice public accounting

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436 issued by another state or territory of the United States but
437 the criteria for issuance of such license did not meet the
438 requirements of subparagraph 1. ~~sub-subparagraph a.~~; has met the
439 requirements of this section for education, work experience, and
440 good moral character; and has passed a national, regional,
441 state, or territorial licensing examination that is
442 substantially equivalent to the examination required by s.
443 473.306; or

444 3.e. Holds a valid license to practice public accounting
445 issued by another state or territory of the United States for at
446 least 10 years before the date of application; has passed a
447 national, regional, state, or territorial licensing examination
448 that is substantially equivalent to the examination required by
449 s. 473.306; and has met the requirements of this section for
450 good moral character; ~~and~~

451 ~~2. Has completed continuing education courses that are~~
452 ~~equivalent to the continuing education requirements for a~~
453 ~~Florida certified public accountant licensed in this state~~
454 ~~during the 2 years immediately preceding her or his application~~
455 ~~for licensure by endorsement.~~

456 Section 23. Subsection (6) of section 474.202, Florida
457 Statutes, is amended to read:

458 474.202 Definitions.—As used in this chapter:

459 (6) "Limited-service veterinary medical practice" means
460 offering or providing veterinary services at any location that
461 has a primary purpose other than that of providing veterinary
462 medical service at a permanent or mobile establishment permitted
463 by the board; provides veterinary medical services for privately
464 owned animals that do not reside at that location; operates for

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465 a limited time; and provides limited types of veterinary medical
466 services, including vaccinations or immunizations against
467 disease, preventative procedures for parasitic control, and
468 microchipping.

469 Section 24. Paragraph (b) of subsection (2) of section
470 474.207, Florida Statutes, is amended to read:

471 474.207 Licensure by examination.—

472 (2) The department shall license each applicant who the
473 board certifies has:

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

477 2. Graduated from a college of veterinary medicine listed
478 in the American Veterinary Medical Association Roster of
479 Veterinary Colleges of the World and obtained a certificate from
480 the Education Commission for Foreign Veterinary Graduates or the
481 Program for the Assessment of Veterinary Education Equivalence.

482
483 The department shall not issue a license to any applicant who is
484 under investigation in any state or territory of the United
485 States or in the District of Columbia for an act which would
486 constitute a violation of this chapter until the investigation
487 is complete and disciplinary proceedings have been terminated,
488 at which time the provisions of s. 474.214 shall apply.

489 Section 25. Subsection (1) of section 474.217, Florida
490 Statutes, is amended to read:

491 474.217 Licensure by endorsement.—

492 (1) The department shall issue a license by endorsement to
493 any applicant who, upon applying to the department and remitting

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494 a fee set by the board, demonstrates to the board that she or
495 he:

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

499 (b)1. ~~Either~~ Holds, and has held for the 3 years
500 immediately preceding the application for licensure, a valid,
501 active license to practice veterinary medicine in another state
502 of the United States, the District of Columbia, or a territory
503 of the United States, provided that the applicant has
504 successfully completed a state, regional, national, or other
505 examination that is equivalent to or more stringent than the
506 examination required by the board ~~requirements for licensure in~~
507 ~~the issuing state, district, or territory are equivalent to or~~
508 ~~more stringent than the requirements of this chapter; or~~

509 2. Meets the qualifications of s. 474.207(2) (b) and has
510 successfully completed a state, regional, national, or other
511 examination which is equivalent to or more stringent than the
512 examination given by the department and has passed the board's
513 clinical competency examination or another clinical competency
514 examination specified by rule of the board.

515 Section 26. Subsection (2) of section 476.114, Florida
516 Statutes, is amended to read:

517 476.114 Examination; prerequisites.—

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

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

521 (b) Pays the required application fee; and

522 (c)1. Holds an active valid license to practice barbering

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523 in another state, has held the license for at least 1 year, and
524 does not qualify for licensure by endorsement as provided for in
525 s. 476.144(5); or

526 2. Has received a minimum of 900 ~~1,200~~ hours of training in
527 sanitation, safety, and laws and rules, as established by the
528 board, which shall include, but shall not be limited to, the
529 equivalent of completion of services directly related to the
530 practice of barbering at one of the following:

- 531 a. A school of barbering licensed pursuant to chapter 1005;
532 b. A barbering program within the public school system; or
533 c. A government-operated barbering program in this state.

534
535 The board shall establish by rule procedures whereby the school
536 or program may certify that a person is qualified to take the
537 required examination after the completion of a minimum of 600
538 ~~1,000~~ actual school hours. If the person passes the examination,
539 she or he shall have satisfied this requirement; but if the
540 person fails the examination, she or he shall not be qualified
541 to take the examination again until the completion of the full
542 requirements provided by this section.

543 Section 27. Subsection (5) of section 476.144, Florida
544 Statutes, is amended to read:

545 476.144 Licensure.—

546 (5) The board shall certify as qualified for licensure by
547 endorsement as a barber in this state an applicant who holds a
548 current active license to practice barbering in another state.
549 The board shall adopt rules specifying procedures for the
550 licensure by endorsement of practitioners desiring to be
551 licensed in this state who hold a current active license in

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552 another ~~state or~~ country and who have met qualifications
553 substantially similar to, equivalent to, or greater than the
554 qualifications required of applicants from this state.

555 Section 28. Subsection (9) of section 477.013, Florida
556 Statutes, is amended to read:

557 477.013 Definitions.—As used in this chapter:

558 (9) "Hair braiding" means the weaving or interweaving of
559 natural human hair or commercial hair, including the use of hair
560 extensions or wefts, for compensation without cutting, coloring,
561 permanent waving, relaxing, removing, or chemical treatment ~~and~~
562 ~~does not include the use of hair extensions or wefts.~~

563 Section 29. Section 477.0132, Florida Statutes, is
564 repealed.

565 Section 30. Subsections (7) through (10) are added to
566 section 477.0135, Florida Statutes, to read:

567 477.0135 Exemptions.—

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

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

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

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

580 Section 31. Subsections (6) and (7) of section 477.019,

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581 Florida Statutes, are amended to read:

582 477.019 Cosmetologists; qualifications; licensure;
583 supervised practice; license renewal; endorsement; continuing
584 education.—

585 (6) The board shall certify as qualified for licensure by
586 endorsement as a cosmetologist in this state an applicant who
587 holds a current active license to practice cosmetology in
588 another state and who has completed a 2-hour course approved by
589 the board on human immunodeficiency virus and acquired immune
590 deficiency syndrome. ~~The board may not require proof of~~
591 ~~educational hours if the license was issued in a state that~~
592 ~~requires 1,200 or more hours of prelicensure education and~~
593 ~~passage of a written examination. This subsection does not apply~~
594 ~~to applicants who received their license in another state~~
595 ~~through an apprenticeship program.~~

596 (7) (a) The board shall prescribe by rule continuing
597 education requirements intended to ensure protection of the
598 public through updated training of licensees and registered
599 specialists, not to exceed 10 ~~16~~ hours biennially, as a
600 condition for renewal of a license or registration as a
601 specialist under this chapter. Continuing education courses
602 shall include, but not be limited to, the following subjects as
603 they relate to the practice of cosmetology: human
604 immunodeficiency virus and acquired immune deficiency syndrome;
605 Occupational Safety and Health Administration regulations;
606 workers' compensation issues; state and federal laws and rules
607 as they pertain to cosmetologists, cosmetology, salons,
608 specialists, specialty salons, and booth renters; chemical
609 makeup as it pertains to hair, skin, and nails; and

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610 environmental issues. Courses given at cosmetology conferences
611 may be counted toward the number of continuing education hours
612 required if approved by the board.

613 ~~(b) Any person whose occupation or practice is confined~~
614 ~~solely to hair braiding, hair wrapping, or body wrapping is~~
615 ~~exempt from the continuing education requirements of this~~
616 ~~subsection.~~

617 ~~(c)~~ The board may, by rule, require any licensee in
618 violation of a continuing education requirement to take a
619 refresher course or refresher course and examination in addition
620 to any other penalty. The number of hours for the refresher
621 course may not exceed 48 hours.

622 Section 32. Subsection (1) of section 477.0201, Florida
623 Statutes, is amended to read:

624 477.0201 Specialty registration; qualifications;
625 registration renewal; endorsement.—

626 (1) Any person is qualified for registration as a
627 specialist in any ~~one or more of the specialty practice~~
628 ~~practices~~ within the practice of cosmetology under this chapter
629 who:

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

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

633 1. One hundred and eighty hours of training, as established
634 by the board, which shall focus primarily on sanitation and
635 safety, to practice specialties as defined in s. 477.013(6) (a)
636 and (b); specialty pursuant to s. 477.013(6)

637 2. Two hundred and twenty hours of training, as established
638 by the board, which shall focus primarily on sanitation and

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639 safety, to practice the specialty as defined in s.
640 477.013(6)(c); or

641 3. Four hundred hours of training or the number of hours of
642 training required to maintain minimum Pell Grant requirements,
643 as established by the board, which shall focus primarily on
644 sanitation and safety, to practice the specialties as defined in
645 s. 477.013(6)(a)-(c).

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

648 1. A school licensed pursuant to s. 477.023.

649 2. A school licensed pursuant to chapter 1005 or the
650 equivalent licensing authority of another state.

651 3. A specialty program within the public school system.

652 4. A specialty division within the Cosmetology Division of
653 the Florida School for the Deaf and the Blind, provided the
654 training programs comply with minimum curriculum requirements
655 established by the board.

656 Section 33. Paragraph (f) of subsection (1) of section
657 477.026, Florida Statutes, is amended to read:

658 477.026 Fees; disposition.—

659 (1) The board shall set fees according to the following
660 schedule:

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

663 Section 34. Subsection (4) of section 477.0263, Florida
664 Statutes, is amended, and subsection (5) is added to that
665 section, to read:

666 477.0263 Cosmetology services to be performed in licensed
667 salon; exceptions.—

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668 (4) Pursuant to rules adopted by the board, any cosmetology
669 or specialty service may be performed in a location other than a
670 licensed salon when the service is performed in connection with
671 a special event and is performed by a person ~~who is employed by~~
672 ~~a licensed salon and~~ who holds the proper license or specialty
673 registration. ~~An appointment for the performance of any such~~
674 ~~service in a location other than a licensed salon must be made~~
675 ~~through a licensed salon.~~

676 (5) Hair shampooing, hair cutting, hair arranging, makeup
677 application, nail polish removal, nail filing, nail buffing, and
678 nail cleansing may be performed in a location other than a
679 licensed salon when the service is performed by a person who
680 holds the proper license.

681 Section 35. Paragraph (f) of subsection (1) of section
682 477.0265, Florida Statutes, is amended to read:

683 477.0265 Prohibited acts.—

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

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

689 Section 36. Paragraph (a) of subsection (1) of section
690 477.029, Florida Statutes, is amended to read:

691 477.029 Penalty.—

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

693 (a) Hold himself or herself out as a cosmetologist or
694 ~~specialist, hair wrapper, hair braider, or body wrapper~~ unless
695 duly licensed or registered, or otherwise authorized, as
696 provided in this chapter.

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697 Section 37. Section 481.201, Florida Statutes, is amended
698 to read:

699 481.201 Purpose.—The primary legislative purpose for
700 enacting this part is to ensure that every architect practicing
701 in this state meets minimum requirements for safe practice. It
702 is the legislative intent that architects who fall below minimum
703 competency or who otherwise present a danger to the public shall
704 be prohibited from practicing in this state. ~~The Legislature~~
705 ~~further finds that it is in the interest of the public to limit~~
706 ~~the practice of interior design to interior designers or~~
707 ~~architects who have the design education and training required~~
708 ~~by this part or to persons who are exempted from the provisions~~
709 ~~of this part.~~

710 Section 38. Section 481.203, Florida Statutes, is amended
711 to read:

712 481.203 Definitions.—As used in this part, the term:

713 (3)~~(1)~~ "Board" means the Board of Architecture and Interior
714 Design.

715 (7)~~(2)~~ "Department" means the Department of Business and
716 Professional Regulation.

717 (1)~~(3)~~ "Architect" or "registered architect" means a
718 natural person who is licensed under this part to engage in the
719 practice of architecture.

720 (5)~~(4)~~ "Certificate of registration" means a license or
721 registration issued by the department to a natural person to
722 engage in the practice of architecture or interior design.

723 (4)~~(5)~~ "Business organization" means a partnership, a
724 limited liability company, a corporation, or an individual
725 operating under a fictitious name ~~"Certificate of authorization"~~

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726 ~~means a certificate issued by the department to a corporation or~~
727 ~~partnership to practice architecture or interior design.~~

728 (2)~~(6)~~ "Architecture" means the rendering or offering to
729 render services in connection with the design and construction
730 of a structure or group of structures which have as their
731 principal purpose human habitation or use, and the utilization
732 of space within and surrounding such structures. These services
733 include planning, providing preliminary study designs, drawings
734 and specifications, job-site inspection, and administration of
735 construction contracts.

736 (16)~~(7)~~ "Townhouse" is a single-family dwelling unit not
737 exceeding three stories in height which is constructed in a
738 series or group of attached units with property lines separating
739 such units. Each townhouse shall be considered a separate
740 building and shall be separated from adjoining townhouses by the
741 use of separate exterior walls meeting the requirements for zero
742 clearance from property lines as required by the type of
743 construction and fire protection requirements; or shall be
744 separated by a party wall; or may be separated by a single wall
745 meeting the following requirements:

746 (a) Such wall shall provide not less than 2 hours of fire
747 resistance. Plumbing, piping, ducts, or electrical or other
748 building services shall not be installed within or through the
749 2-hour wall unless such materials and methods of penetration
750 have been tested in accordance with the Standard Building Code.

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

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

758 (10)~~(8)~~ "Interior design" means designs, consultations,
759 studies, drawings, specifications, and administration of design
760 construction contracts relating to nonstructural interior
761 elements of a building or structure. "Interior design" includes,
762 but is not limited to, reflected ceiling plans, space planning,
763 furnishings, and the fabrication of nonstructural elements
764 within and surrounding interior spaces of buildings. "Interior
765 design" specifically excludes the design of or the
766 responsibility for architectural and engineering work, except
767 for specification of fixtures and their location within interior
768 spaces. As used in this subsection, "architectural and
769 engineering interior construction relating to the building
770 systems" includes, but is not limited to, construction of
771 structural, mechanical, plumbing, heating, air-conditioning,
772 ventilating, electrical, or vertical transportation systems, or
773 construction which materially affects lifesafety systems
774 pertaining to firesafety protection such as fire-rated
775 separations between interior spaces, fire-rated vertical shafts
776 in multistory structures, fire-rated protection of structural
777 elements, smoke evacuation and compartmentalization, emergency
778 ingress or egress systems, and emergency alarm systems.

779 (13)~~(9)~~ "Registered interior designer" ~~or "interior~~
780 ~~designer"~~ means a natural person who holds a valid certificate
781 of registration to practice interior design ~~is licensed under~~
782 ~~this part.~~

783 (11)~~(10)~~ "Nonstructural element" means an element which

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784 does not require structural bracing and which is something other
785 than a load-bearing wall, load-bearing column, or other load-
786 bearing element of a building or structure which is essential to
787 the structural integrity of the building.

788 (12)~~(11)~~ "Reflected ceiling plan" means a ceiling design
789 plan which is laid out as if it were projected downward and
790 which may include lighting and other elements.

791 (15)~~(12)~~ "Space planning" means the analysis, programming,
792 or design of spatial requirements, including preliminary space
793 layouts and final planning.

794 (6)~~(13)~~ "Common area" means an area that is held out for
795 use by all tenants or owners in a multiple-unit dwelling,
796 including, but not limited to, a lobby, elevator, hallway,
797 laundry room, clubhouse, or swimming pool.

798 (8)~~(14)~~ "Diversified interior design experience" means
799 experience which substantially encompasses the various elements
800 of interior design services set forth under the definition of
801 "interior design" in subsection (10)~~(8)~~.

802 (9)~~(15)~~ "Interior decorator services" includes the
803 selection or assistance in selection of surface materials,
804 window treatments, wallcoverings, paint, floor coverings,
805 surface-mounted lighting, surface-mounted fixtures, and loose
806 furnishings not subject to regulation under applicable building
807 codes.

808 (14)~~(16)~~ "Responsible supervising control" means the
809 exercise of direct personal supervision and control throughout
810 the preparation of documents, instruments of service, or any
811 other work requiring the seal and signature of a licensee under
812 this part.

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813 Section 39. Paragraph (a) of subsection (3) of section
814 481.205, Florida Statutes, is amended to read:

815 481.205 Board of Architecture and Interior Design.—

816 (3) (a) Notwithstanding the provisions of ss. 455.225,
817 455.228, and 455.32, the duties and authority of the department
818 to receive complaints and investigate and discipline persons
819 licensed or registered under this part, including the ability to
820 determine legal sufficiency and probable cause; to initiate
821 proceedings and issue final orders for summary suspension or
822 restriction of a license or certificate of registration pursuant
823 to s. 120.60(6); to issue notices of noncompliance, notices to
824 cease and desist, subpoenas, and citations; to retain legal
825 counsel, investigators, or prosecutorial staff in connection
826 with the licensed practice of architecture or registered ~~and~~
827 interior design; and to investigate and deter the unlicensed
828 practice of architecture ~~and interior design~~ as provided in s.
829 455.228 are delegated to the board. All complaints and any
830 information obtained pursuant to an investigation authorized by
831 the board are confidential and exempt from s. 119.07(1) as
832 provided in s. 455.225(2) and (10).

833 Section 40. Section 481.207, Florida Statutes, is amended
834 to read:

835 481.207 Fees.—The board, by rule, may establish ~~separate~~
836 fees for architects and registered interior designers, to be
837 paid for applications, examination, reexamination, licensing and
838 renewal, delinquency, reinstatement, and recordmaking and
839 recordkeeping. The examination fee shall be in an amount that
840 covers the cost of obtaining and administering the examination
841 and shall be refunded if the applicant is found ineligible to

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842 sit for the examination. The application fee is nonrefundable.
843 The fee for initial application and examination for architects
844 ~~and interior designers~~ may not exceed \$775 plus the actual per
845 applicant cost to the department for purchase of the examination
846 from the National Council of Architectural Registration Boards
847 ~~or the National Council of Interior Design Qualifications,~~
848 ~~respectively,~~ or similar national organizations. The initial
849 nonrefundable fee for registered interior designers may not
850 exceed \$75. The biennial renewal fee for architects may not
851 exceed \$200. The biennial renewal fee for registered interior
852 designers may not exceed \$75 ~~\$500~~. The delinquency fee may not
853 exceed the biennial renewal fee established by the board for an
854 active license. The board shall establish fees that are adequate
855 to ensure the continued operation of the board and to fund the
856 proportionate expenses incurred by the department which are
857 allocated to the regulation of architects and registered
858 interior designers. Fees shall be based on department estimates
859 of the revenue required to implement this part and the
860 provisions of law with respect to the regulation of architects
861 and interior designers.

862 Section 41. Section 481.209, Florida Statutes, is amended
863 to read:

864 481.209 Examinations.—

865 (1) A person desiring to be licensed as a registered
866 architect by initial examination shall apply to the department,
867 complete the application form, and remit a nonrefundable
868 application fee. The department shall license any applicant who
869 the board certifies÷

870 ~~(a)~~ has passed the licensure examination prescribed by

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871 board rule; and

872 ~~(b)~~ is a graduate of a school or college of architecture
873 with a program accredited by the National Architectural
874 Accreditation Board.

875 (2) A person seeking to obtain a certificate of
876 registration as a registered interior designer and a seal
877 pursuant to s. 481.221 must provide the department with his or
878 her name and address and written proof that he or she has
879 successfully passed the qualification examination prescribed by
880 the Council for Interior Design Qualification or its successor
881 entity or the California Council for Interior Design
882 Certification or its successor entity, or has successfully
883 passed an equivalent exam as determined by the department A
884 ~~person desiring to be licensed as a registered interior designer~~
885 ~~shall apply to the department for licensure. The department~~
886 ~~shall administer the licensure examination for interior~~
887 ~~designers to each applicant who has completed the application~~
888 ~~form and remitted the application and examination fees specified~~
889 ~~in s. 481.207 and who the board certifies:~~

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

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

896 ~~(c) Has completed at least 3 years in an interior design~~
897 ~~curriculum and has completed 3 years of diversified interior~~
898 ~~design experience; or~~

899 ~~(d) Is a graduate from an interior design program of at~~

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900 ~~least 2 years and has completed 4 years of diversified interior~~
901 ~~design experience.~~

902
903 ~~Subsequent to October 1, 2000, for the purpose of having the~~
904 ~~educational qualification required under this subsection~~
905 ~~accepted by the board, the applicant must complete his or her~~
906 ~~education at a program, school, or college of interior design~~
907 ~~whose curriculum has been approved by the board as of the time~~
908 ~~of completion. Subsequent to October 1, 2003, all of the~~
909 ~~required amount of educational credits shall have been obtained~~
910 ~~in a program, school, or college of interior design whose~~
911 ~~curriculum has been approved by the board, as of the time each~~
912 ~~educational credit is gained. The board shall adopt rules~~
913 ~~providing for the review and approval of programs, schools, and~~
914 ~~colleges of interior design and courses of interior design study~~
915 ~~based on a review and inspection by the board of the curriculum~~
916 ~~of programs, schools, and colleges of interior design in the~~
917 ~~United States, including those programs, schools, and colleges~~
918 ~~accredited by the Foundation for Interior Design Education~~
919 ~~Research. The board shall adopt rules providing for the review~~
920 ~~and approval of diversified interior design experience required~~
921 ~~by this subsection.~~

922 Section 42. Section 481.213, Florida Statutes, is amended
923 to read:

924 481.213 Licensure and registration.—

925 (1) The department shall license or register any applicant
926 who the board certifies is qualified for licensure or
927 registration and who has paid the initial licensure or
928 registration fee. Licensure as an architect under this section

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929 shall be deemed to include all the rights and privileges of
930 registration ~~licensure~~ as an interior designer under this
931 section.

932 (2) The board shall certify for licensure or registration
933 by examination any applicant who passes the prescribed licensure
934 or registration examination and satisfies the requirements of
935 ss. 481.209 and 481.211, for architects, or the requirements of
936 s. 481.209, for interior designers.

937 (3) The board shall certify as qualified for a license by
938 endorsement as an architect or registration as a registered ~~an~~
939 interior designer an applicant who:

940 (a) Qualifies to take the prescribed licensure or
941 registration examination, and has passed the prescribed
942 licensure registration examination or a substantially equivalent
943 examination in another jurisdiction, as set forth in s. 481.209
944 for architects or registered interior designers, as applicable,
945 and has satisfied the internship requirements set forth in s.
946 481.211 for architects;

947 (b) Holds a valid license to practice architecture or a
948 license, registration, or certification to practice interior
949 design issued by another jurisdiction of the United States, if
950 the criteria for issuance of such license were substantially
951 equivalent to the licensure criteria that existed in this state
952 at the time the license was issued; ~~provided, however, that an~~
953 ~~applicant who has been licensed for use of the title "interior~~
954 ~~design" rather than licensed to practice interior design shall~~
955 ~~not qualify hereunder;~~ or

956 (c) Has passed the prescribed licensure examination and
957 holds a valid certificate issued by the National Council of

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958 Architectural Registration Boards, and holds a valid license to
959 practice architecture issued by another state or jurisdiction of
960 the United States.

961
962 An architect who is licensed in another state who seeks
963 qualification for license by endorsement under this subsection
964 must complete a class approved by the board on the Florida
965 Building Code.

966 (4) The board may refuse to certify any applicant who has
967 violated any of the provisions of s. 481.223, s. 481.225, or s.
968 481.2251, as applicable.

969 (5) The board may refuse to certify any applicant who is
970 under investigation in any jurisdiction for any act which would
971 constitute a violation of this part or of chapter 455 until such
972 time as the investigation is complete and disciplinary
973 proceedings have been terminated.

974 (6) The board shall adopt rules to implement the provisions
975 of this part relating to the examination, internship, and
976 licensure of applicants.

977 (7) For persons whose licensure requires satisfaction of
978 the requirements of ss. 481.209 and 481.211, the board shall, by
979 rule, establish qualifications for certification of such persons
980 as special inspectors of threshold buildings, as defined in ss.
981 553.71 and 553.79, and shall compile a list of persons who are
982 certified. A special inspector is not required to meet standards
983 for certification other than those established by the board, and
984 the fee owner of a threshold building may not be prohibited from
985 selecting any person certified by the board to be a special
986 inspector. The board shall develop minimum qualifications for

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987 the qualified representative of the special inspector who is
988 authorized under s. 553.79 to perform inspections of threshold
989 buildings on behalf of the special inspector.

990 (8) A certificate of registration is not required for a
991 person whose occupation or practice is confined to interior
992 decorator services or for a person whose occupation or practice
993 is confined to interior design except as required in this part.

994 Section 43. Subsection (1) of section 481.2131, Florida
995 Statutes, is amended to read:

996 481.2131 Interior design; practice requirements; disclosure
997 of compensation for professional services.-

998 (1) A registered interior designer is authorized to perform
999 "interior design" as defined in s. 481.203. Interior design
1000 documents prepared by a registered interior designer shall
1001 contain a statement that the document is not an architectural or
1002 engineering study, drawing, specification, or design and is not
1003 to be used for construction of any load-bearing columns, load-
1004 bearing framing or walls of structures, or issuance of any
1005 building permit, except as otherwise provided by law. Interior
1006 design documents that are prepared and sealed by a registered
1007 interior designer must ~~may~~, if required by a permitting body, be
1008 accepted by the permitting body ~~be submitted~~ for the issuance of
1009 a building permit for interior construction excluding design of
1010 any structural, mechanical, plumbing, heating, air-conditioning,
1011 ventilating, electrical, or vertical transportation systems or
1012 that materially affect lifesafety systems pertaining to
1013 firesafety protection such as fire-rated separations between
1014 interior spaces, fire-rated vertical shafts in multistory
1015 structures, fire-rated protection of structural elements, smoke

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1016 evacuation and compartmentalization, emergency ingress or egress
1017 systems, and emergency alarm systems. Interior design documents
1018 submitted for the issuance of a building permit by an individual
1019 performing interior design services who is not a licensed
1020 architect must include a seal issued by the department and in
1021 conformance with the requirements of s. 481.221.

1022 Section 44. Section 481.215, Florida Statutes, is amended
1023 to read:

1024 481.215 Renewal of license or certificate of registration.-

1025 (1) Subject to the requirement of subsection (3), the
1026 department shall renew a license or certificate of registration
1027 upon receipt of the renewal application and renewal fee.

1028 (2) The department shall adopt rules establishing a
1029 procedure for the biennial renewal of licenses and certificates
1030 of registration.

1031 (3) A ~~No~~ license or certificate of registration renewal may
1032 not shall be issued to an architect or a registered an interior
1033 designer by the department until the licensee or registrant
1034 submits proof satisfactory to the department that, during the 2
1035 years before ~~prior to~~ application for renewal, the licensee or
1036 registrant participated per biennium in not less than 20 hours
1037 of at least 50 minutes each per biennium of continuing education
1038 approved by the board. The board shall approve only continuing
1039 education that builds upon the basic knowledge of architecture
1040 or interior design. The board may make exception from the
1041 requirements of continuing education in emergency or hardship
1042 cases.

1043 (4) The board shall by rule establish criteria for the
1044 approval of continuing education courses and providers and shall

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1045 by rule establish criteria for accepting alternative
1046 nonclassroom continuing education on an hour-for-hour basis.

1047 (5) For architects, the board shall require, by rule
1048 adopted pursuant to ss. 120.536(1) and 120.54, 2 a specified
1049 ~~number of~~ hours in specialized or advanced courses, ~~approved by~~
1050 ~~the Florida Building Commission,~~ on any portion of the Florida
1051 Building Code, adopted pursuant to part IV of chapter 553,
1052 relating to the licensee's respective area of practice. Such
1053 hours count towards the continuing education hours required
1054 under subsection (3). A licensee may complete the courses
1055 required under this subsection online.

1056 Section 45. Section 481.217, Florida Statutes, is amended
1057 to read:

1058 481.217 Inactive status.—

1059 (1) The board may prescribe by rule continuing education
1060 requirements as a condition of reactivating a license. The rules
1061 may not require more than one renewal cycle of continuing
1062 education to reactivate a license or registration for a
1063 registered architect or registered interior designer. ~~For~~
1064 ~~interior design, the board may approve only continuing education~~
1065 ~~that builds upon the basic knowledge of interior design.~~

1066 (2) The board shall adopt rules relating to application
1067 procedures for inactive status and for the reactivation of
1068 inactive licenses and registrations.

1069 Section 46. Section 481.219, Florida Statutes, is amended
1070 to read:

1071 481.219 Qualification of business organizations
1072 ~~certification of partnerships, limited liability companies, and~~
1073 ~~corporations.—~~

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1074 (1) A licensee may ~~The practice of or the offer to practice~~
1075 ~~architecture or interior design by licensees~~ through a qualified
1076 business organization that offers ~~corporation, limited liability~~
1077 ~~company, or partnership offering architectural or interior~~
1078 ~~design services to the public, or by a corporation, limited~~
1079 ~~liability company, or partnership offering architectural or~~
1080 ~~interior design services to the public through licensees under~~
1081 ~~this part as agents, employees, officers, or partners, is~~
1082 ~~permitted, subject to the provisions of this section.~~

1083 (2) If a licensee or an applicant proposes to engage in the
1084 practice of architecture as a business organization, the
1085 licensee or applicant shall qualify the business organization
1086 upon approval of the board ~~For the purposes of this section, a~~
1087 ~~certificate of authorization shall be required for a~~
1088 ~~corporation, limited liability company, partnership, or person~~
1089 ~~practicing under a fictitious name, offering architectural~~
1090 ~~services to the public jointly or separately. However, when an~~
1091 ~~individual is practicing architecture in her or his own name,~~
1092 ~~she or he shall not be required to be certified under this~~
1093 ~~section. Certification under this subsection to offer~~
1094 ~~architectural services shall include all the rights and~~
1095 ~~privileges of certification under subsection (3) to offer~~
1096 ~~interior design services.~~

1097 (3) (a) A business organization may not engage in the
1098 practice of architecture unless its qualifying agent is a
1099 registered architect under this part. A qualifying agent who
1100 terminates an affiliation with a qualified business organization
1101 shall immediately notify the department of such termination. If
1102 such qualifying agent is the only qualifying agent for that

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1103 business organization, the business organization must be
1104 qualified by another qualifying agent within 60 days after the
1105 termination. Except as provided in paragraph (b), the business
1106 organization may not engage in the practice of architecture
1107 until it is qualified by another qualifying agent.

1108 (b) In the event a qualifying agent ceases employment with
1109 a qualified business organization, the executive director or the
1110 chair of the board may authorize another registered architect
1111 employed by the business organization to temporarily serve as
1112 its qualifying agent for a period of no more than 60 days. The
1113 business organization is not authorized to operate beyond such
1114 period under this chapter absent replacement of the qualifying
1115 agent who has ceased employment.

1116 (c) A qualifying agent shall notify the department in
1117 writing before engaging in the practice of architecture in her
1118 or his own name or in affiliation with a different business
1119 organization, and she or he or such business organization shall
1120 supply the same information to the department as required of
1121 applicants under this part.

1122 ~~(3) For the purposes of this section, a certificate of~~
1123 ~~authorization shall be required for a corporation, limited~~
1124 ~~liability company, partnership, or person operating under a~~
1125 ~~fictitious name, offering interior design services to the public~~
1126 ~~jointly or separately. However, when an individual is practicing~~
1127 ~~interior design in her or his own name, she or he shall not be~~
1128 ~~required to be certified under this section.~~

1129 (4) All final construction documents and instruments of
1130 service which include drawings, specifications, plans, reports,
1131 or other papers or documents that involve ~~involving~~ the practice

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1132 of architecture which are prepared or approved for the use of
1133 the business organization ~~corporation, limited liability~~
1134 ~~company, or partnership~~ and filed for public record within the
1135 state must ~~shall~~ bear the signature and seal of the licensee who
1136 prepared or approved them and the date on which they were
1137 sealed.

1138 (5) ~~All drawings, specifications, plans, reports, or other~~
1139 ~~papers or documents prepared or approved for the use of the~~
1140 ~~corporation, limited liability company, or partnership by an~~
1141 ~~interior designer in her or his professional capacity and filed~~
1142 ~~for public record within the state shall bear the signature and~~
1143 ~~seal of the licensee who prepared or approved them and the date~~
1144 ~~on which they were sealed.~~

1145 (6) ~~The department shall issue a certificate of~~
1146 ~~authorization to any applicant who the board certifies as~~
1147 ~~qualified for a certificate of authorization and who has paid~~
1148 ~~the fee set in s. 481.207.~~

1149 (7) The board shall allow a licensee or ~~certify an~~
1150 ~~applicant to qualify one or more business organizations as~~
1151 ~~qualified for a certificate of authorization to offer~~
1152 ~~architectural or interior design services, or to use a~~
1153 fictitious name to offer such services, if provided that:

1154 (a) ~~one or more of the principal officers of the~~
1155 ~~corporation or limited liability company, or one or more~~
1156 ~~partners of the partnership, and all personnel of the~~
1157 ~~corporation, limited liability company, or partnership who act~~
1158 ~~in its behalf in this state as architects, are registered as~~
1159 ~~provided by this part; or~~

1160 (b) ~~One or more of the principal officers of the~~

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1161 ~~corporation or one or more partners of the partnership, and all~~
1162 ~~personnel of the corporation, limited liability company, or~~
1163 ~~partnership who act in its behalf in this state as interior~~
1164 ~~designers, are registered as provided by this part.~~

1165 ~~(8) The department shall adopt rules establishing a~~
1166 ~~procedure for the biennial renewal of certificates of~~
1167 ~~authorization.~~

1168 ~~(9) The department shall renew a certificate of~~
1169 ~~authorization upon receipt of the renewal application and~~
1170 ~~biennial renewal fee.~~

1171 ~~(6) (10)~~ Each qualifying agent who qualifies a business
1172 organization, partnership, limited liability company, or and
1173 corporation certified under this section shall notify the
1174 department within 30 days after of any change in the information
1175 contained in the application upon which the qualification
1176 certification is based. Any registered architect or interior
1177 designer who qualifies the business organization shall ensure
1178 corporation, limited liability company, or partnership as
1179 provided in subsection (7) shall be responsible for ensuring
1180 responsible supervising control of projects of the business
1181 organization entity and shall notify the department of the upon
1182 termination of her or his employment with a business
1183 organization qualified partnership, limited liability company,
1184 or corporation certified under this section shall notify the
1185 department of the termination within 30 days after such
1186 termination.

1187 ~~(7) (11)~~ A business organization is not No corporation,
1188 limited liability company, or partnership shall be relieved of
1189 responsibility for the conduct or acts of its agents, employees,

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1190 or officers by reason of its compliance with this section.
1191 However, except as provided in s. 558.0035, the architect who
1192 signs and seals the construction documents and instruments of
1193 service is ~~shall be~~ liable for the professional services
1194 performed, and the interior designer who signs and seals the
1195 interior design drawings, plans, or specifications shall be
1196 liable for the professional services performed.

1197 ~~(12) Disciplinary action against a corporation, limited~~
1198 ~~liability company, or partnership shall be administered in the~~
1199 ~~same manner and on the same grounds as disciplinary action~~
1200 ~~against a registered architect or interior designer,~~
1201 ~~respectively.~~

1202 ~~(8) (13) Nothing in This section may not shall~~ be construed
1203 to mean that a certificate of registration to practice
1204 architecture must ~~or interior design shall~~ be held by a business
1205 organization ~~corporation, limited liability company, or~~
1206 ~~partnership. Nothing in This section does not prohibit a~~
1207 business organization from offering ~~prohibits corporations,~~
1208 ~~limited liability companies, and partnerships from joining~~
1209 ~~together to offer architectural, engineering, interior design,~~
1210 ~~surveying and mapping, and landscape architectural services, or~~
1211 ~~any combination of such services, to the public if the business~~
1212 organization, ~~provided that each corporation, limited liability~~
1213 ~~company, or partnership otherwise meets the requirements of law.~~

1214 ~~(14) Corporations, limited liability companies, or~~
1215 ~~partnerships holding a valid certificate of authorization to~~
1216 ~~practice architecture shall be permitted to use in their title~~
1217 ~~the term "interior designer" or "registered interior designer."~~

1218 Section 47. Subsections (5) and (10) of section 481.221,

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1219 Florida Statutes, are amended to read:

1220 481.221 Seals; display of certificate number.—

1221 (5) No registered interior designer shall affix, or permit
1222 to be affixed, her or his seal or signature to any plan,
1223 specification, drawing, or other document which depicts work
1224 which she or he is not competent or registered ~~licensed~~ to
1225 perform.

1226 (10) Each registered architect must ~~or interior designer,~~
1227 ~~and each corporation, limited liability company, or partnership~~
1228 ~~holding a certificate of authorization, shall include her or his~~
1229 license ~~its certificate~~ number in any newspaper, telephone
1230 directory, or other advertising medium used by the registered
1231 licensee. Each business organization must include the license
1232 number of the registered architect who serves as the qualifying
1233 agent for that business organization in any newspaper, telephone
1234 directory, or other advertising medium used by the business
1235 organization ~~architect, interior designer, corporation, limited~~
1236 ~~liability company, or partnership. A corporation, limited~~
1237 ~~liability company, or partnership is not required to display the~~
1238 ~~certificate number of individual registered architects or~~
1239 ~~interior designers employed by or working within the~~
1240 ~~corporation, limited liability company, or partnership.~~

1241 Section 48. Section 481.223, Florida Statutes, is amended
1242 to read:

1243 481.223 Prohibitions; penalties; injunctive relief.—

1244 (1) A person may not knowingly:

1245 (a) Practice architecture unless the person is an architect
1246 or a registered architect; however, a licensed architect who has
1247 been licensed by the board and who chooses to relinquish or not

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1248 to renew his or her license may use the title "Architect,
1249 Retired" but may not otherwise render any architectural
1250 services.

1251 ~~(b) Practice interior design unless the person is a~~
1252 ~~registered interior designer unless otherwise exempted herein;~~
1253 ~~however, an interior designer who has been licensed by the board~~
1254 ~~and who chooses to relinquish or not to renew his or her license~~
1255 ~~may use the title "Interior Designer, Retired" but may not~~
1256 ~~otherwise render any interior design services.~~

1257 (b)(e) Use the name or title "architect," or "registered
1258 architect," or ~~"interior designer"~~ or "registered interior
1259 designer," or words to that effect, when the person is not then
1260 the holder of a valid license or certificate of registration
1261 issued pursuant to this part. This paragraph does not restrict
1262 the use of the name or title "interior designer" or "interior
1263 design firm."

1264 (c)(d) Present as his or her own the license of another.

1265 (d)(e) Give false or forged evidence to the board or a
1266 member thereof.

1267 (e)(f) Use or attempt to use an architect ~~or interior~~
1268 ~~designer~~ license or interior design certificate of registration
1269 that has been suspended, revoked, or placed on inactive or
1270 delinquent status.

1271 (f)(g) Employ unlicensed persons to practice architecture
1272 ~~or interior design.~~

1273 (g)(h) Conceal information relative to violations of this
1274 part.

1275 (2) Any person who violates any provision of subsection (1)
1276 commits a misdemeanor of the first degree, punishable as

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1277 provided in s. 775.082 or s. 775.083.

1278 (3) (a) Notwithstanding chapter 455 or any other law to the
1279 contrary, an affected person may maintain an action for
1280 injunctive relief to restrain or prevent a person from violating
1281 paragraph (1) (a) or, paragraph (1) (b), ~~or paragraph (1) (c)~~. The
1282 prevailing party is entitled to actual costs and attorney's
1283 fees.

1284 (b) For purposes of this subsection, the term "affected
1285 person" means a person directly affected by the actions of a
1286 person suspected of violating paragraph (1) (a) or, paragraph
1287 (1) (b), ~~or paragraph (1) (c)~~ and includes, but is not limited to,
1288 the department, any person who received services from the
1289 alleged violator, or any private association composed primarily
1290 of members of the profession the alleged violator is practicing
1291 or offering to practice or holding himself or herself out as
1292 qualified to practice.

1293 Section 49. Section 481.2251, Florida Statutes, is amended
1294 to read:

1295 481.2251 Disciplinary proceedings against registered
1296 interior designers.—

1297 (1) The following acts constitute grounds for which the
1298 disciplinary actions specified in subsection (2) may be taken:

1299 (a) Attempting to register ~~obtain, obtaining,~~ or renewing
1300 registration, by bribery, by fraudulent misrepresentation, or
1301 through an error of the board, ~~a license to practice interior~~
1302 ~~design;~~

1303 (b) Having an interior design license, certification, or
1304 registration ~~a license to practice interior design~~ revoked,
1305 suspended, or otherwise acted against, including the denial of

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1306 licensure, registration, or certification by the licensing
1307 authority of another jurisdiction for any act which would
1308 constitute a violation of this part or of chapter 455;

1309 (c) Being convicted or found guilty, ~~regardless of~~
1310 ~~adjudication,~~ of a crime in any jurisdiction which directly
1311 relates to the provision of interior design services or to the
1312 ability to provide interior design services. ~~A plea of nolo~~
1313 ~~contendere shall create a rebuttable presumption of guilt to the~~
1314 ~~underlying criminal charges. However, the board shall allow the~~
1315 ~~person being disciplined to present any evidence relevant to the~~
1316 ~~underlying charges and the circumstances surrounding her or his~~
1317 ~~plea;~~

1318 (d) False, deceptive, or misleading advertising;

1319 (e) ~~Failing to report to the board any person who the~~
1320 ~~licensee knows is in violation of this part or the rules of the~~
1321 ~~board;~~

1322 (f) ~~Aiding, assisting, procuring, or advising any~~
1323 ~~unlicensed person to use the title "interior designer" contrary~~
1324 ~~to this part or to a rule of the board;~~

1325 (g) ~~Failing to perform any statutory or legal obligation~~
1326 ~~placed upon a registered interior designer;~~

1327 (h) ~~Making or filing a report which the registrant licensee~~
1328 ~~knows to be false, intentionally or negligently failing to file~~
1329 ~~a report or record required by state or federal law, or~~
1330 ~~willfully impeding or obstructing such filing or inducing~~
1331 ~~another person to do so. Such reports or records shall include~~
1332 ~~only those which are signed in the capacity as a registered~~
1333 ~~interior designer;~~

1334 (f) ~~(i)~~ Making deceptive, untrue, or fraudulent

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1335 representations in the provision of interior design services;

1336 (g)~~(j)~~ Accepting and performing professional
1337 responsibilities which the registrant licensee knows or has
1338 reason to know that she or he is not competent ~~or licensed~~ to
1339 perform;

1340 ~~(k) Violating any provision of this part, any rule of the~~
1341 ~~board, or a lawful order of the board previously entered in a~~
1342 ~~disciplinary hearing;~~

1343 ~~(l) Conspiring with another licensee or with any other~~
1344 ~~person to commit an act, or committing an act, which would tend~~
1345 ~~to coerce, intimidate, or preclude another licensee from~~
1346 ~~lawfully advertising her or his services;~~

1347 ~~(m) Acceptance of compensation or any consideration by an~~
1348 ~~interior designer from someone other than the client without~~
1349 ~~full disclosure of the compensation or consideration amount or~~
1350 ~~value to the client prior to the engagement for services, in~~
1351 ~~violation of s. 481.2131(2);~~

1352 (h)~~(n)~~ Rendering or offering to render architectural
1353 services; or

1354 (i)~~(o)~~ Committing an act of fraud or deceit, or of
1355 negligence, incompetency, or misconduct, in the practice of
1356 interior design, ~~including, but not limited to, allowing the~~
1357 ~~preparation of any interior design studies, plans, or other~~
1358 ~~instruments of service in an office that does not have a full-~~
1359 ~~time Florida-registered interior designer assigned to such~~
1360 ~~office or failing to exercise responsible supervisory control~~
1361 ~~over services or projects, as required by board rule.~~

1362 (2) When the board finds any person guilty of any of the
1363 grounds set forth in subsection (1), it may enter an order

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1364 taking the following action or imposing one or more of the
1365 following penalties:

1366 (a) Refusal to register the applicant ~~approve an~~
1367 ~~application for licensure;~~

1368 (b) Refusal to renew an existing registration ~~license;~~

1369 (c) Removal from the state registry ~~Revocation or~~
1370 ~~suspension of a license; or~~

1371 (d) Imposition of an administrative fine not to exceed \$500
1372 ~~\$1,000~~ for each violation or separate offense and a fine of up
1373 to \$2,500 ~~\$5,000~~ for matters pertaining to a material violation
1374 of the Florida Building Code as reported by a local
1375 jurisdiction; ~~or~~

1376 ~~(e) Issuance of a reprimand.~~

1377 Section 50. Paragraph (b) of subsection (5), and
1378 subsections (6), and (8) of section 481.229, Florida Statutes,
1379 are amended to read:

1380 481.229 Exceptions; exemptions from licensure.—

1381 (5)

1382 (b) Notwithstanding any other provision of this part, all
1383 persons licensed as architects under this part shall be
1384 qualified for interior design registration ~~licensure~~ upon
1385 submission of a completed application for such license and a fee
1386 not to exceed \$30. Such persons shall be exempt from the
1387 requirements of s. 481.209(2). For architects licensed as
1388 interior designers, satisfaction of the requirements for renewal
1389 of licensure as an architect under s. 481.215 shall be deemed to
1390 satisfy the requirements for renewal of registration ~~licensure~~
1391 as an interior designer under that section. Complaint
1392 processing, investigation, or other discipline-related legal

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1393 costs related to persons licensed as interior designers under
1394 this paragraph shall be assessed against the architects' account
1395 of the Regulatory Trust Fund.

1396 (6) This part shall not apply to:

1397 ~~(a) A person who performs interior design services or~~
1398 ~~interior decorator services for any residential application,~~
1399 ~~provided that such person does not advertise as, or represent~~
1400 ~~himself or herself as, an interior designer. For purposes of~~
1401 ~~this paragraph, "residential applications" includes all types of~~
1402 ~~residences, including, but not limited to, residence buildings,~~
1403 ~~single-family homes, multifamily homes, townhouses, apartments,~~
1404 ~~condominiums, and domestic outbuildings appurtenant to one-~~
1405 ~~family or two-family residences. However, "residential~~
1406 ~~applications" does not include common areas associated with~~
1407 ~~instances of multiple-unit dwelling applications.~~

1408 ~~(b)~~ an employee of a retail establishment providing
1409 "interior decorator services" on the premises of the retail
1410 establishment or in the furtherance of a retail sale or
1411 prospective retail sale, provided that such employee does not
1412 advertise as, or represent himself or herself as, an interior
1413 designer.

1414 (8) A manufacturer of commercial food service equipment or
1415 the manufacturer's representative, distributor, or dealer or an
1416 employee thereof, who prepares designs, specifications, or
1417 layouts for the sale or installation of such equipment is exempt
1418 from licensure as an architect ~~or interior designer~~, if:

1419 (a) The designs, specifications, or layouts are not used
1420 for construction or installation that may affect structural,
1421 mechanical, plumbing, heating, air conditioning, ventilating,

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1422 electrical, or vertical transportation systems.

1423 (b) The designs, specifications, or layouts do not
1424 materially affect lifesafety systems pertaining to firesafety
1425 protection, smoke evacuation and compartmentalization, and
1426 emergency ingress or egress systems.

1427 (c) Each design, specification, or layout document prepared
1428 by a person or entity exempt under this subsection contains a
1429 statement on each page of the document that the designs,
1430 specifications, or layouts are not architectural, ~~interior~~
1431 ~~design,~~ or engineering designs, specifications, or layouts and
1432 not used for construction unless reviewed and approved by a
1433 licensed architect or engineer.

1434 Section 51. Subsection (1) of section 481.231, Florida
1435 Statutes, is amended to read:

1436 481.231 Effect of part locally.—

1437 (1) ~~Nothing in~~ This part does not ~~shall be construed to~~
1438 repeal, amend, limit, or otherwise affect any specific provision
1439 of any local building code or zoning law or ordinance that has
1440 been duly adopted, now or hereafter enacted, which is more
1441 restrictive, with respect to the services of registered
1442 architects or registered interior designers, than ~~the provisions~~
1443 ~~of~~ this part; provided, however, that a licensed architect shall
1444 be deemed registered ~~licensed~~ as an interior designer for
1445 purposes of offering or rendering interior design services to a
1446 county, municipality, or other local government or political
1447 subdivision.

1448 Section 52. Section 481.303, Florida Statutes, is amended
1449 to read:

1450 481.303 Definitions.—As used in this chapter, the term:

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- 1451 (1) "Board" means the Board of Landscape Architecture.
- 1452 (3)~~(2)~~ "Department" means the Department of Business and
1453 Professional Regulation.
- 1454 (6)~~(3)~~ "Registered landscape architect" means a person who
1455 holds a license to practice landscape architecture in this state
1456 under the authority of this act.
- 1457 (2)~~(4)~~ "Certificate of registration" means a license issued
1458 by the department to a natural person to engage in the practice
1459 of landscape architecture.
- 1460 ~~(5) "Certificate of authorization" means a license issued~~
1461 ~~by the department to a corporation or partnership to engage in~~
1462 ~~the practice of landscape architecture.~~
- 1463 (4)~~(6)~~ "Landscape architecture" means professional
1464 services, including, but not limited to, the following:
- 1465 (a) Consultation, investigation, research, planning,
1466 design, preparation of drawings, specifications, contract
1467 documents and reports, responsible construction supervision, or
1468 landscape management in connection with the planning and
1469 development of land and incidental water areas, including the
1470 use of Florida-friendly landscaping as defined in s. 373.185,
1471 where, and to the extent that, the dominant purpose of such
1472 services or creative works is the preservation, conservation,
1473 enhancement, or determination of proper land uses, natural land
1474 features, ground cover and plantings, or naturalistic and
1475 aesthetic values;
- 1476 (b) The determination of settings, grounds, and approaches
1477 for and the siting of buildings and structures, outdoor areas,
1478 or other improvements;
- 1479 (c) The setting of grades, shaping and contouring of land

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1480 and water forms, determination of drainage, and provision for
1481 storm drainage and irrigation systems where such systems are
1482 necessary to the purposes outlined herein; and

1483 (d) The design of such tangible objects and features as are
1484 necessary to the purpose outlined herein.

1485 (5)~~(7)~~ "Landscape design" means consultation for and
1486 preparation of planting plans drawn for compensation, including
1487 specifications and installation details for plant materials,
1488 soil amendments, mulches, edging, gravel, and other similar
1489 materials. Such plans may include only recommendations for the
1490 conceptual placement of tangible objects for landscape design
1491 projects. Construction documents, details, and specifications
1492 for tangible objects and irrigation systems shall be designed or
1493 approved by licensed professionals as required by law.

1494 Section 53. Section 481.310, Florida Statutes, is amended
1495 to read:

1496 481.310 Practical experience requirement.—Beginning October
1497 1, 1990, every applicant for licensure as a registered landscape
1498 architect shall demonstrate, prior to licensure, 1 year of
1499 practical experience in landscape architectural work. An
1500 applicant who holds a master of landscape architecture degree
1501 and a bachelor's degree in a related field is not required to
1502 demonstrate 1 year of practical experience in landscape
1503 architectural work to obtain licensure. The board shall adopt
1504 rules providing standards for the required experience. An
1505 applicant who qualifies for examination pursuant to s.
1506 481.309(1)(b)1. may obtain the practical experience after
1507 completing the required professional degree. Experience used to
1508 qualify for examination pursuant to s. 481.309(1)(b)2. may not

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1509 be used to satisfy the practical experience requirement under
1510 this section.

1511 Section 54. Subsections (3) and (4) of section 481.311,
1512 Florida Statutes, are amended, to read:

1513 481.311 Licensure.—

1514 (3) The board shall certify as qualified for a license by
1515 endorsement an applicant who:

1516 ~~(a) Qualifies to take the examination as set forth in s.~~
1517 ~~481.309; and has passed a national, regional, state, or~~
1518 ~~territorial licensing examination which is substantially~~
1519 ~~equivalent to the examination required by s. 481.309; or~~

1520 ~~(b) holds a valid license to practice landscape~~
1521 ~~architecture issued by another state or territory of the United~~
1522 ~~States, if the criteria for issuance of such license were~~
1523 ~~substantially identical to the licensure criteria which existed~~
1524 ~~in this state at the time the license was issued.~~

1525 ~~(4) The board shall certify as qualified for a certificate~~
1526 ~~of authorization any applicant corporation or partnership who~~
1527 ~~satisfies the requirements of s. 481.319.~~

1528 Section 55. Subsection (4) of section 481.313, Florida
1529 Statutes, is amended to read:

1530 481.313 Renewal of license.—

1531 (4) The board, by rule adopted pursuant to ss. 120.536(1)
1532 and 120.54, shall establish criteria for the approval of
1533 continuing education courses and providers, and shall by rule
1534 establish criteria for accepting alternative nonclassroom
1535 continuing education on an hour-for-hour basis. A landscape
1536 architect shall receive hour-for-hour credit for attending
1537 continuing education courses approved by the Landscape

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1538 Architecture Continuing Education System or another nationally
1539 recognized clearinghouse for continuing education that relate to
1540 and increase his or her basic knowledge of landscape
1541 architecture, as determined by the board, if the landscape
1542 architect submits proof satisfactory to the board that such
1543 course was approved by the Landscape Architecture Continuing
1544 Education System or another nationally recognized clearinghouse
1545 for continuing education, along with the syllabus or outline for
1546 such course and proof of course attendance.

1547 Section 56. Subsection (2) of section 481.317, Florida
1548 Statutes, is amended to read:

1549 481.317 Temporary certificates.—

1550 ~~(2) Upon approval by the board and payment of the fee set~~
1551 ~~in s. 481.307, the department shall grant a temporary~~
1552 ~~certificate of authorization for work on one specified project~~
1553 ~~in this state for a period not to exceed 1 year to an out-of-~~
1554 ~~state corporation, partnership, or firm, provided one of the~~
1555 ~~principal officers of the corporation, one of the partners of~~
1556 ~~the partnership, or one of the principals in the fictitiously~~
1557 ~~named firm has obtained a temporary certificate of registration~~
1558 ~~in accordance with subsection (1).~~

1559 Section 57. Section 481.319, Florida Statutes, is amended
1560 to read:

1561 481.319 Corporate and partnership practice of landscape
1562 architecture; ~~certificate of authorization.~~—

1563 (1) The practice of or offer to practice landscape
1564 architecture by registered landscape architects registered under
1565 this part through a corporation or partnership offering
1566 landscape architectural services to the public, or through a

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1567 corporation or partnership offering landscape architectural
1568 services to the public through individual registered landscape
1569 architects as agents, employees, officers, or partners, is
1570 permitted, subject to the provisions of this section, if:

1571 (a) One or more of the principal officers of the
1572 corporation, or partners of the partnership, and all personnel
1573 of the corporation or partnership who act in its behalf as
1574 landscape architects in this state are registered landscape
1575 architects; and

1576 (b) One or more of the officers, one or more of the
1577 directors, one or more of the owners of the corporation, or one
1578 or more of the partners of the partnership is a registered
1579 landscape architect; ~~and~~

1580 ~~(c) The corporation or partnership has been issued a~~
1581 ~~certificate of authorization by the board as provided herein.~~

1582 (2) All documents involving the practice of landscape
1583 architecture which are prepared for the use of the corporation
1584 or partnership shall bear the signature and seal of a registered
1585 landscape architect.

1586 (3) A landscape architect applying to practice in the name
1587 of a ~~An applicant~~ corporation must ~~shall~~ file with the
1588 department the names and addresses of all officers and board
1589 members of the corporation, including the principal officer or
1590 officers, duly registered to practice landscape architecture in
1591 this state and, also, of all individuals duly registered to
1592 practice landscape architecture in this state who shall be in
1593 responsible charge of the practice of landscape architecture by
1594 the corporation in this state. A landscape architect applying to
1595 practice in the name of a ~~An applicant~~ partnership must ~~shall~~

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1596 file with the department the names and addresses of all partners
1597 of the partnership, including the partner or partners duly
1598 registered to practice landscape architecture in this state and,
1599 also, of an individual or individuals duly registered to
1600 practice landscape architecture in this state who shall be in
1601 responsible charge of the practice of landscape architecture by
1602 said partnership in this state.

1603 (4) Each landscape architect qualifying a partnership or
1604 ~~and corporation licensed~~ under this part must ~~shall~~ notify the
1605 department within 1 month after ~~of~~ any change in the information
1606 contained in the application upon which the license is based.
1607 Any landscape architect who terminates her or his ~~or her~~
1608 employment with a partnership or corporation licensed under this
1609 part shall notify the department of the termination within 1
1610 month after such termination.

1611 (5) ~~Disciplinary action against a corporation or~~
1612 ~~partnership shall be administered in the same manner and on the~~
1613 ~~same grounds as disciplinary action against a registered~~
1614 ~~landscape architect.~~

1615 (6) Except as provided in s. 558.0035, the fact that a
1616 registered landscape architect practices landscape architecture
1617 through a corporation or partnership as provided in this section
1618 does not relieve the landscape architect from personal liability
1619 for her or his ~~or her~~ professional acts.

1620 Section 58. Subsection (5) of section 481.321, Florida
1621 Statutes, is amended to read:

1622 481.321 Seals; display of certificate number.—

1623 (5) Each registered landscape architect must ~~and each~~
1624 ~~corporation or partnership holding a certificate of~~

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1625 ~~authorization shall~~ include her or his ~~its~~ certificate number in
1626 any newspaper, telephone directory, or other advertising medium
1627 used by the registered landscape architect, corporation, or
1628 partnership. A corporation or partnership must ~~is not required~~
1629 ~~to~~ display the certificate number ~~numbers~~ of at least one
1630 officer, director, owner, or partner who is a individual
1631 registered landscape architect ~~architects~~ employed by or
1632 practicing with the corporation or partnership.

1633 Section 59. Subsection (5) of section 481.329, Florida
1634 Statutes, is amended to read:

1635 481.329 Exceptions; exemptions from licensure.—

1636 (5) This part does not prohibit any person from engaging in
1637 the practice of landscape design, as defined in s. 481.303 ~~s.~~
1638 ~~481.303(7)~~, or from submitting for approval to a governmental
1639 agency planting plans that are independent of, or a component
1640 of, construction documents that are prepared by a Florida-
1641 registered professional. Persons providing landscape design
1642 services shall not use the title, term, or designation
1643 "landscape architect," "landscape architectural," "landscape
1644 architecture," "L.A.," "landscape engineering," or any
1645 description tending to convey the impression that she or he is a
1646 landscape architect unless she or he is registered as provided
1647 in this part.

1648 Section 60. Subsection (9) of section 489.103, Florida
1649 Statutes, is amended to read:

1650 489.103 Exemptions.—This part does not apply to:

1651 (9) Any work or operation of a casual, minor, or
1652 inconsequential nature in which the aggregate contract price for
1653 labor, materials, and all other items is less than \$2,500

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1654 ~~\$1,000~~, but this exemption does not apply:

1655 (a) If the construction, repair, remodeling, or improvement
1656 is a part of a larger or major operation, whether undertaken by
1657 the same or a different contractor, or in which a division of
1658 the operation is made in contracts of amounts less than \$2,500
1659 ~~\$1,000~~ for the purpose of evading this part or otherwise.

1660 (b) To a person who advertises that he or she is a
1661 contractor or otherwise represents that he or she is qualified
1662 to engage in contracting.

1663 Section 61. Subsection (2) of section 489.111, Florida
1664 Statutes, is amended to read:

1665 489.111 Licensure by examination.—

1666 (2) A person shall be eligible for licensure by examination
1667 if the person:

1668 (a) Is 18 years of age;

1669 (b) Is of good moral character; and

1670 (c) Meets eligibility requirements according to one of the
1671 following criteria:

1672 1. Has received a baccalaureate degree from an accredited
1673 4-year college in the appropriate field of engineering,
1674 architecture, or building construction and has 1 year of proven
1675 experience in the category in which the person seeks to qualify.
1676 For the purpose of this part, a minimum of 2,000 person-hours
1677 shall be used in determining full-time equivalency.

1678 2. Has a total of at least 4 years of active experience as
1679 a worker who has learned the trade by serving an apprenticeship
1680 as a skilled worker who is able to command the rate of a
1681 mechanic in the particular trade or as a foreman who is in
1682 charge of a group of workers and usually is responsible to a

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1683 superintendent or a contractor or his or her equivalent,
1684 provided, however, that at least 1 year of active experience
1685 shall be as a foreman.

1686 3. Has a combination of not less than 1 year of experience
1687 as a foreman and not less than 3 years of credits for any
1688 accredited college-level courses; has a combination of not less
1689 than 1 year of experience as a skilled worker, 1 year of
1690 experience as a foreman, and not less than 2 years of credits
1691 for any accredited college-level courses; or has a combination
1692 of not less than 2 years of experience as a skilled worker, 1
1693 year of experience as a foreman, and not less than 1 year of
1694 credits for any accredited college-level courses. All junior
1695 college or community college-level courses shall be considered
1696 accredited college-level courses.

1697 4.a. An active certified residential contractor is eligible
1698 to receive a certified building contractor license after passing
1699 or having previously passed ~~take~~ the building contractors'
1700 examination if he or she possesses a minimum of 3 years of
1701 proven experience in the classification in which he or she is
1702 certified.

1703 b. An active certified residential contractor is eligible
1704 to receive a certified general contractor license after passing
1705 or having previously passed ~~take~~ the general contractors'
1706 examination if he or she possesses a minimum of 4 years of
1707 proven experience in the classification in which he or she is
1708 certified.

1709 c. An active certified building contractor is eligible to
1710 receive a certified general contractor license after passing or
1711 having previously passed ~~take~~ the general contractors'

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1712 examination if he or she possesses a minimum of 4 years of
1713 proven experience in the classification in which he or she is
1714 certified.

1715 5.a. An active certified air-conditioning Class C
1716 contractor is eligible to receive a certified air-conditioning
1717 Class B contractor license after passing or having previously
1718 passed ~~take~~ the air-conditioning Class B contractors'
1719 examination if he or she possesses a minimum of 3 years of
1720 proven experience in the classification in which he or she is
1721 certified.

1722 b. An active certified air-conditioning Class C contractor
1723 is eligible to receive a certified air-conditioning Class A
1724 contractor license after passing or having previously passed
1725 ~~take~~ the air-conditioning Class A contractors' examination if he
1726 or she possesses a minimum of 4 years of proven experience in
1727 the classification in which he or she is certified.

1728 c. An active certified air-conditioning Class B contractor
1729 is eligible to receive a certified air-conditioning Class A
1730 contractor license after passing or having previously passed
1731 ~~take~~ the air-conditioning Class A contractors' examination if he
1732 or she possesses a minimum of 1 year of proven experience in the
1733 classification in which he or she is certified.

1734 6.a. An active certified swimming pool servicing contractor
1735 is eligible to receive a certified residential swimming pool
1736 contractor license after passing or having previously passed
1737 ~~take~~ the residential swimming pool contractors' examination if
1738 he or she possesses a minimum of 3 years of proven experience in
1739 the classification in which he or she is certified.

1740 b. An active certified swimming pool servicing contractor

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1741 is eligible to receive a certified commercial swimming pool
1742 contractor license after passing or having previously passed
1743 ~~take~~ the swimming pool commercial contractors' examination if he
1744 or she possesses a minimum of 4 years of proven experience in
1745 the classification in which he or she is certified.

1746 c. An active certified residential swimming pool contractor
1747 is eligible to receive a certified commercial swimming pool
1748 contractor license after passing or having previously passed
1749 ~~take~~ the commercial swimming pool contractors' examination if he
1750 or she possesses a minimum of 1 year of proven experience in the
1751 classification in which he or she is certified.

1752 d. An applicant is eligible to receive a certified swimming
1753 pool/spa servicing contractor license after passing or having
1754 previously passed ~~take~~ the swimming pool/spa servicing
1755 contractors' examination if he or she has satisfactorily
1756 completed 60 hours of instruction in courses related to the
1757 scope of work covered by that license and approved by the
1758 Construction Industry Licensing Board by rule and has at least 1
1759 year of proven experience related to the scope of work of such a
1760 contractor.

1761 Section 62. Subsection (3) of section 489.115, Florida
1762 Statutes, is amended to read:

1763 489.115 Certification and registration; endorsement;
1764 reciprocity; renewals; continuing education.—

1765 (3) The board shall certify as qualified for certification
1766 by endorsement any applicant who:

1767 (a) Meets the requirements for certification as set forth
1768 in this section; has passed a national, regional, state, or
1769 United States territorial licensing examination that is

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1770 substantially equivalent to the examination required by this
1771 part; and has satisfied the requirements set forth in s.
1772 489.111;

1773 (b) Holds a valid license to practice contracting issued by
1774 another state or territory of the United States, if the criteria
1775 for issuance of such license were substantially equivalent to
1776 Florida's current certification criteria; ~~or~~

1777 (c) Holds a valid, current license to practice contracting
1778 issued by another state or territory of the United States, if
1779 the state or territory has entered into a reciprocal agreement
1780 with the board for the recognition of contractor licenses issued
1781 in that state, based on criteria for the issuance of such
1782 licenses that are substantially equivalent to the criteria for
1783 certification in this state; or

1784 (d) Has held a valid, current license to practice
1785 contracting issued by another state or territory of the United
1786 States for at least 10 years before the date of application and
1787 is applying for the same or similar license in this state,
1788 subject to subsections (5)-(9). The board may consider whether
1789 such applicant has had a license to practice contracting
1790 revoked, suspended, or otherwise acted against by the licensing
1791 authority of another state, territory, or country. Such
1792 application must be made either when the license in another
1793 state or territory is active or within 2 years after such
1794 license was last active. Within 30 days after receiving a
1795 license, the licensee must complete a board-approved 4-hour
1796 continuing education course on the Florida Building Code and a
1797 1-hour course on the laws and rules of this state relating to
1798 contracting. The required courses may be completed online.

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1799 Section 63. Subsection (5) of section 489.511, Florida
1800 Statutes, is amended to read:

1801 489.511 Certification; application; examinations;
1802 endorsement.—

1803 (5) The board shall certify as qualified for certification
1804 by endorsement any individual applying for certification who:

1805 (a) Meets the requirements for certification as set forth
1806 in this section; has passed a national, regional, state, or
1807 United States territorial licensing examination that is
1808 substantially equivalent to the examination required by this
1809 part; and has satisfied the requirements set forth in s.

1810 489.521; ~~or~~

1811 (b) Holds a valid license to practice electrical or alarm
1812 system contracting issued by another state or territory of the
1813 United States, if the criteria for issuance of such license was
1814 substantially equivalent to the certification criteria that
1815 existed in this state at the time the certificate was issued; or

1816 (c) Has held a valid, current license to practice
1817 electrical or alarm system contracting issued by another state
1818 or territory of the United States for at least 10 years before
1819 the date of application and is applying for the same or similar
1820 license in this state, subject to ss. 489.510 and 489.521(3)(a),
1821 and subparagraph (1)(b)1. Such application must be made either
1822 when the license in another state or territory is active or
1823 within 2 years after such license was last active. Within 30
1824 days after receiving a license, the licensee must complete a
1825 board-approved 4-hour continuing education course on the Florida
1826 Building Code and a 1-hour course on the laws and rules of this
1827 state relating to electrical and alarm system contracting. The

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1828 required courses may be completed online.

1829 Section 64. Subsection (3) and paragraph (b) of subsection
1830 (4) of section 489.517, Florida Statutes, are amended to read:

1831 489.517 Renewal of certificate or registration; continuing
1832 education.—

1833 (3) (a) Each certificateholder or registrant licensed as a
1834 specialty contractor or an alarm system contractor shall provide
1835 proof, in a form established by rule of the board, that the
1836 certificateholder or registrant has completed at least 7 14
1837 classroom hours of at least 50 minutes each of continuing
1838 education courses during each biennium since the issuance or
1839 renewal of the certificate or registration. The board shall by
1840 rule establish criteria for the approval of continuing education
1841 courses and providers and may by rule establish criteria for
1842 accepting alternative nonclassroom continuing education on an
1843 hour-for-hour basis.

1844 (b) Each certificateholder or registrant licensed as an
1845 electrical contractor shall provide proof, in a form established
1846 by rule of the board, that the certificateholder or registrant
1847 has completed at least 11 classroom hours of at least 50 minutes
1848 each of continuing education courses during each biennium since
1849 the issuance or renewal of the certificate or registration. The
1850 board shall by rule establish criteria for the approval of
1851 continuing education courses and providers and may by rule
1852 establish criteria for accepting alternative nonclassroom
1853 continuing education on an hour-for-hour basis.

1854 (4)

1855 (b)1. For licensed specialty contractors or alarm system
1856 contractors, of the 7 14 classroom hours of continuing education

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1857 required, at least 1 hour ~~7 hours~~ must be on technical subjects,
1858 1 hour on workers' compensation, 1 hour on workplace safety, 1
1859 hour on business practices, and ~~for alarm system contractors and~~
1860 ~~electrical contractors engaged in alarm system contracting,~~ 2
1861 hours on false alarm prevention.

1862 2. For licensed electrical contractors, of the minimum 11
1863 classroom hours of continuing education required, at least 7
1864 hours must be on technical subjects, 1 hour on workers'
1865 compensation, 1 hour on workplace safety, and 1 hour on business
1866 practices. Electrical contractors engaged in alarm system
1867 contracting must also complete 2 hours on false alarm
1868 prevention.

1869 Section 65. Paragraph (b) of subsection (1) of section
1870 489.518, Florida Statutes, is amended to read:

1871 489.518 Alarm system agents.—

1872 (1) A licensed electrical or alarm system contractor may
1873 not employ a person to perform the duties of a burglar alarm
1874 system agent unless the person:

1875 (b) Has successfully completed a minimum of 14 hours of
1876 training within 90 days after employment, to include basic alarm
1877 system electronics in addition to related training including
1878 CCTV and access control training, with at least 2 hours of
1879 training in the prevention of false alarms. Such training shall
1880 be from a board-approved provider, and the employee or applicant
1881 for employment shall provide proof of successful completion to
1882 the licensed employer. The board shall by rule establish
1883 criteria for the approval of training courses and providers and
1884 may by rule establish criteria for accepting alternative
1885 nonclassroom education on an hour-for-hour basis. The board

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1886 shall approve providers that conduct training in other than the
1887 English language. The board shall establish a fee for the
1888 approval of training providers or courses, not to exceed \$60.
1889 Qualified employers may conduct training classes for their
1890 employees, with board approval.

1891 Section 66. Section 509.102, Florida Statutes, is created
1892 to read:

1893 509.102 Mobile food dispensing vehicles; preemption.-

1894 (1) As used in this section, the term "mobile food
1895 dispensing vehicle" means any vehicle that is a public food
1896 service establishment and that is self-propelled or otherwise
1897 movable from place to place and includes self-contained
1898 utilities, including, but not limited to, gas, water,
1899 electricity, or liquid waste disposal.

1900 (2) Regulation of mobile food dispensing vehicles involving
1901 licenses, registrations, permits, and fees is preempted to the
1902 state. A municipality, county, or other local governmental
1903 entity may not require a separate license, registration, or
1904 permit other than the license required under s. 509.241, or
1905 require the payment of any license, registration, or permit fee
1906 other than the fee required under s. 509.251, as a condition for
1907 the operation of a mobile food dispensing vehicle within the
1908 entity's jurisdiction. A municipality, county, or other local
1909 governmental entity may not prohibit mobile food dispensing
1910 vehicles from operating within the entirety of the entity's
1911 jurisdiction.

1912 (3) This section may not be construed to affect a
1913 municipality, county, or other local governmental entity's
1914 authority to regulate the operation of mobile food dispensing

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1915 vehicles other than the regulations described in subsection (2).

1916 Section 67. Paragraph (i) of subsection (2) of section
1917 548.003, Florida Statutes, is amended to read:

1918 548.003 Florida State Boxing Commission.—

1919 (2) The Florida State Boxing Commission, as created by
1920 subsection (1), shall administer the provisions of this chapter.
1921 The commission has authority to adopt rules pursuant to ss.
1922 120.536(1) and 120.54 to implement the provisions of this
1923 chapter and to implement each of the duties and responsibilities
1924 conferred upon the commission, including, but not limited to:

1925 ~~(i) Designation and duties of a knockdown timekeeper.~~

1926 Section 68. Subsection (1) of section 548.017, Florida
1927 Statutes, is amended to read:

1928 548.017 Participants, managers, and other persons required
1929 to have licenses.—

1930 (1) A participant, manager, trainer, second, ~~timekeeper,~~
1931 referee, judge, ~~announcer,~~ physician, matchmaker, or promoter
1932 must be licensed before directly or indirectly acting in such
1933 capacity in connection with any match involving a participant. A
1934 physician approved by the commission must be licensed pursuant
1935 to chapter 458 or chapter 459, must maintain an unencumbered
1936 license in good standing, and must demonstrate satisfactory
1937 medical training or experience in boxing, or a combination of
1938 both, to the executive director before working as the ringside
1939 physician.

1940 Section 69. Paragraph (d) of subsection (1) of section
1941 553.5141, Florida Statutes, is amended to read:

1942 553.5141 Certifications of conformity and remediation
1943 plans.—

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- 1944 (1) For purposes of this section:
- 1945 (d) "Qualified expert" means:
- 1946 1. An engineer licensed pursuant to chapter 471.
- 1947 2. A certified general contractor licensed pursuant to
- 1948 chapter 489.
- 1949 3. A certified building contractor licensed pursuant to
- 1950 chapter 489.
- 1951 4. A building code administrator licensed pursuant to
- 1952 chapter 468.
- 1953 5. A building inspector licensed pursuant to chapter 468.
- 1954 6. A plans examiner licensed pursuant to chapter 468.
- 1955 7. An interior designer registered ~~licensed~~ pursuant to
- 1956 chapter 481.
- 1957 8. An architect licensed pursuant to chapter 481.
- 1958 9. A landscape architect licensed pursuant to chapter 481.
- 1959 10. Any person who has prepared a remediation plan related
- 1960 to a claim under Title III of the Americans with Disabilities
- 1961 Act, 42 U.S.C. s. 12182, that has been accepted by a federal
- 1962 court in a settlement agreement or court proceeding, or who has
- 1963 been qualified as an expert in Title III of the Americans with
- 1964 Disabilities Act, 42 U.S.C. s. 12182, by a federal court.
- 1965 Section 70. Effective January 1, 2021, subsection (1) of
- 1966 section 553.74, Florida Statutes, is amended to read:
- 1967 553.74 Florida Building Commission.—
- 1968 (1) The Florida Building Commission is created and located
- 1969 within the Department of Business and Professional Regulation
- 1970 for administrative purposes. Members are appointed by the
- 1971 Governor subject to confirmation by the Senate. The commission
- 1972 is composed of 19 ~~27~~ members, consisting of the following

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1973 members:

1974 (a) One architect licensed pursuant to chapter 481 with at
1975 least 5 years of experience in the design and construction of
1976 buildings designated for Group E or Group I occupancies by the
1977 Florida Building Code ~~registered to practice in this state and~~
1978 ~~actively engaged in the profession.~~ The American Institute of
1979 Architects, Florida Section, is encouraged to recommend a list
1980 of candidates for consideration.

1981 (b) One structural engineer registered to practice in this
1982 state and actively engaged in the profession. The Florida
1983 Engineering Society is encouraged to recommend a list of
1984 candidates for consideration.

1985 (c) One air-conditioning contractor, ~~or~~ mechanical
1986 contractor, or mechanical engineer certified to do business in
1987 this state and actively engaged in the profession. The Florida
1988 Air Conditioning Contractors Association, the Florida
1989 Refrigeration and Air Conditioning Contractors Association, ~~and~~
1990 the Mechanical Contractors Association of Florida, and the
1991 Florida Engineering Society are encouraged to recommend a list
1992 of candidates for consideration.

1993 (d) One electrical contractor or electrical engineer
1994 certified to do business in this state and actively engaged in
1995 the profession. The Florida Association of Electrical
1996 Contractors, ~~and~~ the National Electrical Contractors
1997 Association, Florida Chapter, and the Florida Engineering
1998 Society are encouraged to recommend a list of candidates for
1999 consideration.

2000 ~~(e) One member from fire protection engineering or~~
2001 ~~technology who is actively engaged in the profession. The~~

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2002 ~~Florida Chapter of the Society of Fire Protection Engineers and~~
2003 ~~the Florida Fire Marshals and Inspectors Association are~~
2004 ~~encouraged to recommend a list of candidates for consideration.~~

2005 (e)~~(f)~~ One certified general contractor or one certified
2006 building contractor certified to do business in this state and
2007 actively engaged in the profession. The Associated Builders and
2008 Contractors of Florida, the Florida Associated General
2009 Contractors Council, the Florida Home Builders Association, and
2010 the Union Contractors Association are encouraged to recommend a
2011 list of candidates for consideration.

2012 (f)~~(g)~~ One plumbing contractor licensed to do business in
2013 this state and actively engaged in the profession. The Florida
2014 Association of Plumbing, Heating, and Cooling Contractors is
2015 encouraged to recommend a list of candidates for consideration.

2016 (g)~~(h)~~ One roofing or sheet metal contractor certified to
2017 do business in this state and actively engaged in the
2018 profession. The Florida Roofing, Sheet Metal, and Air
2019 Conditioning Contractors Association and the Sheet Metal and Air
2020 Conditioning Contractors' National Association are encouraged to
2021 recommend a list of candidates for consideration.

2022 (h)~~(i)~~ One certified residential contractor licensed to do
2023 business in this state and actively engaged in the profession.
2024 The Florida Home Builders Association is encouraged to recommend
2025 a list of candidates for consideration.

2026 (i)~~(j)~~ Three members who are municipal, county, or district
2027 codes enforcement officials, one of whom is also a fire
2028 official. The Building Officials Association of Florida and the
2029 Florida Fire Marshals and Inspectors Association are encouraged
2030 to recommend a list of candidates for consideration.

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2031 ~~(k) One member who represents the Department of Financial~~
2032 ~~Services.~~

2033 ~~(l) One member who is a county codes enforcement official.~~
2034 ~~The Building Officials Association of Florida is encouraged to~~
2035 ~~recommend a list of candidates for consideration.~~

2036 (j)~~(m)~~ One member of a Florida-based organization of
2037 persons with disabilities or a nationally chartered organization
2038 of persons with disabilities with chapters in this state which
2039 complies with or is certified to be compliant with the
2040 requirements of the Americans with Disability Act of 1990, as
2041 amended.

2042 (k)~~(n)~~ One member of the manufactured buildings industry
2043 who is licensed to do business in this state and is actively
2044 engaged in the industry. The Florida Manufactured Housing
2045 Association is encouraged to recommend a list of candidates for
2046 consideration.

2047 ~~(o) One mechanical or electrical engineer registered to~~
2048 ~~practice in this state and actively engaged in the profession.~~
2049 ~~The Florida Engineering Society is encouraged to recommend a~~
2050 ~~list of candidates for consideration.~~

2051 ~~(p) One member who is a representative of a municipality or~~
2052 ~~a charter county. The Florida League of Cities and the Florida~~
2053 ~~Association of Counties are encouraged to recommend a list of~~
2054 ~~candidates for consideration.~~

2055 (l)~~(q)~~ One member of the building products manufacturing
2056 industry who is authorized to do business in this state and is
2057 actively engaged in the industry. The Florida Building Material
2058 Association, the Florida Concrete and Products Association, and
2059 the Fenestration Manufacturers Association are encouraged to

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2060 recommend a list of candidates for consideration.

2061 (m)~~(r)~~ One member who is a representative of the building
2062 owners and managers industry who is actively engaged in
2063 commercial building ownership or management. The Building Owners
2064 and Managers Association is encouraged to recommend a list of
2065 candidates for consideration.

2066 (n)~~(s)~~ One member who is a representative of the insurance
2067 industry. The Florida Insurance Council is encouraged to
2068 recommend a list of candidates for consideration.

2069 ~~(t) One member who is a representative of public education.~~

2070 (o)~~(u)~~ One member who is a swimming pool contractor
2071 licensed to do business in this state and actively engaged in
2072 the profession. The Florida Swimming Pool Association and the
2073 United Pool and Spa Association are encouraged to recommend a
2074 list of candidates for consideration.

2075 (p)~~(v)~~ One member who is a representative of the green
2076 building industry and who is a third-party commission agent, a
2077 Florida board member of the United States Green Building Council
2078 or Green Building Initiative, a professional who is accredited
2079 under the International Green Construction Code (IGCC), or a
2080 professional who is accredited under Leadership in Energy and
2081 Environmental Design (LEED).

2082 (g)~~(w)~~ One member who is a representative of a natural gas
2083 distribution system and who is actively engaged in the
2084 distribution of natural gas in this state. The Florida Natural
2085 Gas Association is encouraged to recommend a list of candidates
2086 for consideration.

2087 ~~(x) One member who is a representative of the Department of~~
2088 ~~Agriculture and Consumer Services' Office of Energy. The~~

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2089 ~~Commissioner of Agriculture is encouraged to recommend a list of~~
2090 ~~candidates for consideration.~~

2091 ~~(y) One member who shall be the chair.~~

2092 Section 71. Subsection (5) is added to section 823.15,
2093 Florida Statutes, to read:

2094 823.15 Dogs and cats released from animal shelters or
2095 animal control agencies; sterilization requirement.—

2096 (5) Employees, agents, or contractors of a public or
2097 private animal shelter, a humane organization, or an animal
2098 control agency operated by a humane organization or by a county,
2099 municipality, or other incorporated political subdivision may
2100 implant dogs and cats with radio frequency identification
2101 microchips as part of their work with such public or private
2102 animal shelter, humane organization, or animal control agency.

2103 Section 72. Subsection (7) of section 558.002, Florida
2104 Statutes, is amended to read:

2105 558.002 Definitions.—As used in this chapter, the term:

2106 (7) "Design professional" means a person, as defined in s.
2107 1.01, who is licensed in this state as an architect,~~interior~~
2108 ~~designer,~~ a landscape architect, an engineer, a surveyor, or a
2109 geologist or who is a registered interior designer, as defined
2110 in s. 481.203.

2111 Section 73. Subsection (3) of section 559.25, Florida
2112 Statutes, is amended to read:

2113 559.25 Exemptions.—The provisions of this part shall not
2114 apply to or affect the following persons:

2115 ~~(3) Duly licensed auctioneers, selling at auction.~~

2116 Section 74. Paragraphs (h) and (k) of subsection (2) of
2117 section 287.055, Florida Statutes, are amended to read:

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2118 287.055 Acquisition of professional architectural,
2119 engineering, landscape architectural, or surveying and mapping
2120 services; definitions; procedures; contingent fees prohibited;
2121 penalties.—

2122 (2) DEFINITIONS.—For purposes of this section:

2123 (h) A “design-build firm” means a partnership, corporation,
2124 or other legal entity that:

2125 1. Is certified under s. 489.119 to engage in contracting
2126 through a certified or registered general contractor or a
2127 certified or registered building contractor as the qualifying
2128 agent; or

2129 2. Is qualified ~~certified~~ under s. 471.023 to practice or
2130 to offer to practice engineering; qualified ~~certified~~ under s.
2131 481.219 to practice or to offer to practice architecture; or
2132 qualified ~~certified~~ under s. 481.319 to practice or to offer to
2133 practice landscape architecture.

2134 (k) A “design criteria professional” means a firm that is
2135 qualified ~~who holds a current certificate of registration~~ under
2136 chapter 481 to practice architecture or landscape architecture
2137 or a firm who holds a current certificate as a registered
2138 engineer under chapter 471 to practice engineering and who is
2139 employed by or under contract to the agency for the providing of
2140 professional architect services, landscape architect services,
2141 or engineering services in connection with the preparation of
2142 the design criteria package.

2143 Section 75. Except as otherwise expressly provided in this
2144 act, this act shall take effect July 1, 2020.