

1 A bill to be entitled
 2 An act relating to reducing and streamlining
 3 regulations; amending ss. 455.271, 468.4338, 468.525,
 4 468.8317, 468.8417, 475.615, 475.617, 475.6175,
 5 477.0212, 481.209, 481.211, 481.213, 481.217, 481.315,
 6 489.116, and 489.519, F.S.; revising initial licensure
 7 and continuing education requirements for reactivating
 8 a license, certificate, or registration to practice
 9 certain professions and occupations regulated by the
 10 Department of Business and Professional Regulation or
 11 a board or council within the department, including
 12 community association management, employee leasing,
 13 home inspection, mold-related services, real estate
 14 appraisal, cosmetology, architecture and interior
 15 design, landscape architecture, construction
 16 contracting, and electrical and alarm system
 17 contracting; amending s. 469.002, F.S.; providing an
 18 exemption from licensure as an asbestos consultant or
 19 contractor for activities involving pipe or conduit
 20 used for gas service; amending s. 475.6235, F.S.;
 21 revising registration requirements for appraisal
 22 management companies; amending ss. 468.391, 475.25,
 23 475.42, 475.624, 475.6245, 475.626, 476.194, and
 24 477.0265, F.S., relating to auctioneering, real estate
 25 brokering and appraisal, barbering, and cosmetology;
 26 revising language with respect to certain penalties;
 27 revising grounds for discipline to which penalties
 28 apply; amending s. 475.628, F.S.; requiring the

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29 Florida Real Estate Appraisal Board to adopt rules
 30 establishing professional practice standards; amending
 31 s. 373.461, F.S.; requiring certain appraisers to
 32 follow specific standards of professional practice in
 33 appraisals involving the restoration of the Lake
 34 Apopka Basin; providing an effective date.

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

38 Section 1. Subsection (10) of section 455.271, Florida
 39 Statutes, is amended to read:

40 455.271 Inactive and delinquent status.—

41 (10) The board, or the department when there is no board,
 42 may not require ~~Before reactivation,~~ an inactive or delinquent
 43 licensee, except for a licensee under chapter 473 or chapter
 44 475, to complete more than one renewal cycle of ~~shall meet the~~
 45 ~~same~~ continuing education to reactivate a license. requirements,
 46 ~~if any, imposed on an active status licensee for all biennial~~
 47 ~~licensure periods in which the licensee was inactive or~~
 48 ~~delinquent. This subsection does not apply to persons regulated~~
 49 ~~under chapter 473.~~

50 Section 2. Section 468.4338, Florida Statutes, is amended
 51 to read:

52 468.4338 Reactivation; continuing education.—The council
 53 shall prescribe by rule continuing education requirements for
 54 reactivating a license. The continuing education requirements
 55 for reactivating a license may not exceed more than one renewal
 56 cycle of continuing education ~~10 classroom hours for each year~~

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57 ~~the license was inactive.~~

58 Section 3. Paragraph (h) is added to subsection (3) of
59 section 468.525, Florida Statutes, to read:

60 468.525 License requirements.—

61 (3) Each employee leasing company licensed by the
62 department shall have a registered agent for service of process
63 in this state and at least one licensed controlling person. In
64 addition, each licensed employee leasing company shall comply
65 with the following requirements:

66 (h) Following initial licensure, each employee leasing
67 company and each employee leasing company group shall be
68 considered an applicant for renewal of its license and all of
69 the financial information of such licensees submitted to the
70 board pursuant to part XI of chapter 468 and the rules enacted
71 thereunder shall be considered supplied in furtherance of the
72 renewal application process.

73 Section 4. Subsection (2) of section 468.8317, Florida
74 Statutes, is amended to read:

75 468.8317 Inactive license.—

76 (2) A license that becomes ~~has become~~ inactive may be
77 reactivated upon application to the department. The department
78 may prescribe by rule continuing education requirements as a
79 condition of reactivating a license. The rules may not require
80 more than one renewal cycle of continuing education to
81 reactivate ~~requirements for reactivating a license may not~~
82 ~~exceed 14 hours for each year the license was inactive.~~

83 Section 5. Subsection (2) of section 468.8417, Florida
84 Statutes, is amended to read:

85 | 468.8417 Inactive license.—

86 | (2) A license that becomes ~~has become~~ inactive may be
 87 | reactivated upon application to the department. The department
 88 | may prescribe by rule continuing education requirements as a
 89 | condition of reactivating a license. The rules may not require
 90 | more than one renewal cycle of continuing education to
 91 | reactivate ~~requirements for reactivating~~ a license ~~may not~~
 92 | ~~exceed 14 hours for each year the license was inactive.~~

93 | Section 6. Subsection (4) of section 469.002, Florida
 94 | Statutes, is amended to read:

95 | 469.002 Exemptions.—

96 | (4) Licensure as an asbestos consultant or contractor is
 97 | not required for the repair, maintenance, removal, or disposal
 98 | of asbestos-containing pipe or conduit, if:

- 99 | (a) The pipe or conduit is used for electrical,
 100 | electronic, communications, sewer, gas, or water service;
- 101 | (b) The pipe or conduit is not located in a building;
- 102 | (c) The pipe or conduit is made of Category I or Category
 103 | II nonfriable material as defined in NESHAP; and
- 104 | (d) All such activities are performed according to all
 105 | applicable regulations, including work practices and training,
 106 | of the United States Occupational Safety and Health
 107 | Administration under 29 C.F.R. part 1926.

108 | Section 7. Subsection (5) of section 475.615, Florida
 109 | Statutes, is amended to read:

110 | 475.615 Qualifications for registration or certification.—

111 | (5) At the time of filing an application for registration
 112 | or certification, the applicant must sign a pledge indicating

113 that upon becoming registered or certified, she or he will
 114 comply with the standards of professional practice established
 115 by rule of the board, including standards for the development or
 116 communication of a real estate appraisal, ~~to comply with the~~
 117 ~~Uniform Standards of Professional Appraisal Practice upon~~
 118 ~~registration or certification~~ and must indicate in writing that
 119 she or he understands the types of misconduct for which
 120 disciplinary proceedings may be initiated. The application shall
 121 expire 1 year after the date received by the department.

122 Section 8. Subsection (1), paragraph (b) of subsection
 123 (2), and paragraph (b) of subsection (3) of section 475.617,
 124 Florida Statutes, are amended to read:

125 475.617 Education and experience requirements.-

126 (1) To be registered as a trainee appraiser, an applicant
 127 must present evidence satisfactory to the board that she or he
 128 has successfully completed at least 100 hours of approved
 129 academic courses in subjects related to real estate appraisal,
 130 which shall include coverage of the Uniform Standards of
 131 Professional Appraisal Practice, or its equivalent, as
 132 established by rule of the board, from a nationally recognized
 133 or state-recognized appraisal organization, career center,
 134 accredited community college, college, or university, state or
 135 federal agency or commission, or proprietary real estate school
 136 that holds a permit pursuant to s. 475.451. The board may
 137 increase the required number of hours to not more than 125
 138 hours. A classroom hour is defined as 50 minutes out of each 60-
 139 minute segment. Past courses may be approved on an hour-for-hour
 140 basis.

141 (2) To be certified as a residential appraiser, an
 142 applicant must present satisfactory evidence to the board that
 143 she or he has met the minimum education and experience
 144 requirements prescribed by rule of the board. The board shall
 145 prescribe by rule education and experience requirements that
 146 meet or exceed the following real property appraiser
 147 qualification criteria adopted on February 20, 2004, by the
 148 Appraisal Qualifications Board of the Appraisal Foundation:

149 (b) Has successfully completed at least 200 classroom
 150 hours, inclusive of examination, of approved academic courses in
 151 subjects related to real estate appraisal, which shall include a
 152 15-hour National Uniform Standards of Professional Appraisal
 153 Practice course, or its equivalent, as established by rule of
 154 the board, from a nationally recognized or state-recognized
 155 appraisal organization, career center, accredited community
 156 college, college, or university, state or federal agency or
 157 commission, or proprietary real estate school that holds a
 158 permit pursuant to s. 475.451. A classroom hour is defined as 50
 159 minutes out of each 60-minute segment. Past courses may be
 160 approved by the board and substituted on an hour-for-hour basis.

161 (3) To be certified as a general appraiser, an applicant
 162 must present evidence satisfactory to the board that she or he
 163 has met the minimum education and experience requirements
 164 prescribed by rule of the board. The board shall prescribe
 165 education and experience requirements that meet or exceed the
 166 following real property appraiser qualification criteria adopted
 167 on February 20, 2004, by the Appraisal Qualifications Board of
 168 the Appraisal Foundation:

169 (b) Has successfully completed at least 300 classroom
 170 hours, inclusive of examination, of approved academic courses in
 171 subjects related to real estate appraisal, which shall include a
 172 15-hour National Uniform Standards of Professional Appraisal
 173 Practice course, or its equivalent, as established by rule of
 174 the board, from a nationally recognized or state-recognized
 175 appraisal organization, career center, accredited community
 176 college, college, or university, state or federal agency or
 177 commission, or proprietary real estate school that holds a
 178 permit pursuant to s. 475.451. A classroom hour is defined as 50
 179 minutes out of each 60-minute segment. Past courses may be
 180 approved by the board and substituted on an hour-for-hour basis.

181 Section 9. Subsection (1) of section 475.6175, Florida
 182 Statutes, is amended to read:

183 475.6175 Registered trainee appraiser; postlicensure
 184 education required.—

185 (1) The board shall prescribe postlicensure educational
 186 requirements in order for a person to maintain a valid
 187 registration as a registered trainee appraiser. If prescribed,
 188 the postlicensure educational requirements consist of one or
 189 more courses which total no more than the total educational
 190 hours required to qualify as a state certified residential
 191 appraiser. Such courses must be in subjects related to real
 192 estate appraisal and shall include coverage of the Uniform
 193 Standards of Professional Appraisal Practice or its equivalent,
 194 as established by rule of the board. Such courses are provided
 195 by a nationally or state-recognized appraisal organization,
 196 career center, accredited community college, college, or

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197 university, state or federal agency or commission, or
 198 proprietary real estate school that holds a permit pursuant to
 199 s. 475.451.

200 Section 10. Subsection (2) of section 477.0212, Florida
 201 Statutes, is amended to read:

202 477.0212 Inactive status.—

203 (2) The board shall adopt ~~promulgate~~ rules relating to
 204 licenses that ~~which have~~ become inactive and for the renewal of
 205 inactive licenses. The rules may not require more than one
 206 renewal cycle of continuing education to reactivate a license.

207 The board shall prescribe by rule a fee not to exceed \$50 for
 208 the reactivation of an inactive license and a fee not to exceed
 209 \$50 for the renewal of an inactive license.

210 Section 11. Subsection (1) of section 481.209, Florida
 211 Statutes, is amended to read:

212 481.209 Examinations.—

213 (1) A person desiring to be licensed as a registered
 214 architect by initial examination shall apply to the department,
 215 complete to take the licensure examination. ~~The department shall~~
 216 ~~administer the licensure examination for architects to each~~
 217 ~~applicant who the board certifies:~~

218 ~~(a) Has completed the application form, and remit~~ remitted
 219 a nonrefundable application fee. ~~The department shall license~~
 220 any applicant who the board certifies: and an examination fee
 221 ~~which is refundable if the applicant is found to be ineligible~~
 222 ~~to take the examination;~~

223 (a) Has passed the licensure examination prescribed by
 224 board rule; and

225 (b)~~1~~. Is a graduate of a school or college of architecture
 226 with a program accredited by the National Architectural
 227 Accreditation Board.~~;~~ ~~or~~

228 ~~2. Is a graduate of an approved architectural curriculum,~~
 229 ~~evidenced by a degree from an unaccredited school or college of~~
 230 ~~architecture approved by the board. The board shall adopt rules~~
 231 ~~providing for the review and approval of unaccredited schools~~
 232 ~~and colleges of architecture and courses of architectural study~~
 233 ~~based on a review and inspection by the board of the curriculum~~
 234 ~~of accredited schools and colleges of architecture in the United~~
 235 ~~States; and~~

236 ~~(c) Has completed, prior to examination, 1 year of the~~
 237 ~~internship experience required by s. 481.211(1).~~

238 Section 12. Section 481.211, Florida Statutes, is amended
 239 to read:

240 481.211 Architecture internship required.-

241 ~~(1)~~ An applicant for licensure as a registered architect
 242 shall complete, prior to licensure, an internship of diversified
 243 architectural experience approved by the board, meeting
 244 requirements set forth by rule. ~~in the design and construction~~
 245 ~~of structures which have as their principal purpose human~~
 246 ~~habitation or use. The internship shall be for a period of:~~

247 ~~(a) Three years for an applicant holding the degree of~~
 248 ~~Bachelor of Architecture; or~~

249 ~~(b) Two years for an applicant holding the professional~~
 250 ~~degree of Master of Architecture.~~

251 ~~(2) Each applicant for licensure shall complete 1 year of~~
 252 ~~the internship experience required by this section subsequent to~~

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253 ~~graduation from a school or college of architecture as defined~~
 254 ~~in s. 481.209(1).~~

255 Section 13. Paragraph (c) of subsection (3) of section
 256 481.213, Florida Statutes, is amended to read:

257 481.213 Licensure.—

258 (3) The board shall certify as qualified for a license by
 259 endorsement as an architect or as an interior designer an
 260 applicant who:

261 (c) Has passed the prescribed licensure examination and
 262 holds a valid certificate issued by the National Council of
 263 Architectural Registration Boards, and holds a valid license to
 264 practice architecture issued by another state or jurisdiction of
 265 the United States. For the purposes of this paragraph, any
 266 applicant licensed in another state or jurisdiction after June
 267 30, 2000 ~~1984~~, must also hold a degree in architecture ~~and such~~
 268 ~~degree must be~~ equivalent to that required in s. 481.209(1) (b)
 269 ~~and. Also for the purposes of this paragraph, any applicant~~
 270 ~~licensed in another state or jurisdiction after June 30, 1985,~~
 271 ~~must~~ have completed an internship equivalent to that required by
 272 s. 481.211 and any rules adopted with respect thereto.

273 Section 14. Subsection (1) of section 481.217, Florida
 274 Statutes, is amended to read:

275 481.217 Inactive status.—

276 (1) The board may prescribe by rule continuing education
 277 requirements as a condition of reactivating a license. The rules
 278 may not require more than one renewal cycle of continuing
 279 education to reactivate ~~requirements for reactivating~~ a license
 280 for a registered architect or interior designer ~~may not exceed~~

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281 ~~12 contact hours for each year the license was inactive. The~~
 282 ~~minimum continuing education requirement for reactivating a~~
 283 ~~license for a registered interior designer shall be those of the~~
 284 ~~most recent biennium plus one-half of the requirements in s.~~
 285 ~~481.215 for each year or part thereof during which the license~~
 286 ~~was inactive. The board may ~~shall~~ only approve continuing~~
 287 ~~education for an interior designer which ~~that~~ builds upon the~~
 288 ~~basic knowledge of interior design.~~

289 Section 15. Subsection (1) of section 481.315, Florida
 290 Statutes, is amended to read:

291 481.315 Inactive status.—

292 (1) A license that has become inactive or delinquent may
 293 be reactivated under this section upon application to the
 294 department and payment of any applicable biennial renewal or
 295 delinquency fee, or both, and a reactivation fee. The board may
 296 not require a licensee to complete more than one renewal cycle
 297 of continuing education requirements ~~The board may prescribe by~~
 298 ~~rule continuing education requirements as a condition of~~
 299 ~~reactivating the license. The continuing education requirements~~
 300 ~~for reactivating a license may not exceed 12 classroom hours for~~
 301 ~~each year the license was inactive.~~

302 Section 16. Subsections (3) and (6) of section 489.116,
 303 Florida Statutes, are amended to read:

304 489.116 Inactive and delinquent status; renewal and
 305 cancellation notices.—

306 (3) An inactive status certificateholder or registrant may
 307 change to active status at any time, if ~~provided~~ the
 308 certificateholder or registrant meets all requirements for

309 active status, pays any additional licensure fees necessary to
 310 equal those imposed on an active status certificateholder or
 311 registrant, ~~and~~ pays any applicable late fees, and meets all
 312 continuing education requirements prescribed by the board.

313 (6) The board may not require an inactive
 314 certificateholder or registrant to complete more than one
 315 renewal cycle of ~~shall comply with the same~~ continuing education
 316 for reactivating a certificate or registration requirements, if
 317 ~~any, that are imposed on an active status certificateholder or~~
 318 ~~registrant.~~

319 Section 17. Subsection (1) of section 489.519, Florida
 320 Statutes, is amended to read:

321 489.519 Inactive status.—

322 (1) A certificate or registration that becomes ~~has become~~
 323 inactive may be reactivated under s. 489.517 upon application to
 324 the department. The board may not require a licensee to complete
 325 more than one renewal cycle of ~~prescribe, by rule,~~ continuing
 326 education to reactivate ~~requirements as a condition of~~
 327 ~~reactivating~~ a certificate or registration. ~~The continuing~~
 328 ~~education requirements for reactivating a certificate or~~
 329 ~~registration may not exceed 12 classroom hours for each year the~~
 330 ~~certificate or registration was inactive.~~

331 Section 18. Subsection (4) of section 475.6235, Florida
 332 Statutes, is amended to read:

333 475.6235 Registration of appraisal management companies
 334 required.—

335 (4) At the time of filing an application for registration
 336 of an appraisal management company, each person listed in

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337 paragraph (2) (f) must sign a pledge to comply with the standards
 338 of professional practice established by rule of the board,
 339 including standards for the development or communication of a
 340 real estate appraisal, ~~Uniform Standards of Professional~~
 341 ~~Appraisal Practice upon registration~~ and must indicate in
 342 writing that she or he understands the types of misconduct for
 343 which disciplinary proceedings may be initiated. The application
 344 shall expire 1 year after the date received by the department.

345 Section 19. Section 468.391, Florida Statutes, is amended
 346 to read:

347 468.391 Penalty.—Any auctioneer, apprentice, or auction
 348 business or any owner or manager thereof, or, in the case of
 349 corporate ownership, any substantial stockholder of the
 350 corporation owning the auction business, who operates without an
 351 active license or violates any of the provisions ~~provision~~ of
 352 the prohibited acts listed under s. 468.389(1) (c), (e), (f),
 353 (h), and (i) commits a felony of the third degree, punishable as
 354 provided in s. 775.082 or s. 775.083.

355 Section 20. Paragraph (t) of subsection (1) of section
 356 475.25, Florida Statutes, is amended to read:

357 475.25 Discipline.—

358 (1) The commission may deny an application for licensure,
 359 registration, or permit, or renewal thereof; may place a
 360 licensee, registrant, or permittee on probation; may suspend a
 361 license, registration, or permit for a period not exceeding 10
 362 years; may revoke a license, registration, or permit; may impose
 363 an administrative fine not to exceed \$5,000 for each count or
 364 separate offense; and may issue a reprimand, and any or all of

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365 the foregoing, if it finds that the licensee, registrant,
 366 permittee, or applicant:

367 (t) Has violated any standard of professional practice
 368 established by rule of the Florida Real Estate Appraisal Board,
 369 including standards for the development or communication of a
 370 real estate appraisal ~~or other provision of the Uniform~~
 371 ~~Standards of Professional Appraisal Practice, as defined in s.~~
 372 ~~475.611,~~ as approved and adopted by the Appraisal Standards
 373 Board of the Appraisal Foundation, as defined in s. 475.611.
 374 This paragraph does not apply to a real estate broker or sales
 375 associate who, in the ordinary course of business, performs a
 376 comparative market analysis, gives a broker price opinion, or
 377 gives an opinion of value of real estate. However, in no event
 378 may this comparative market analysis, broker price opinion, or
 379 opinion of value of real estate be referred to as an appraisal,
 380 as defined in s. 475.611.

381 Section 21. Paragraphs (f) through (o) of subsection (1)
 382 of section 475.42, Florida Statutes, are redesignated as
 383 paragraphs (e) through (n), respectively, and present paragraph
 384 (e) of that subsection is amended to read:

385 475.42 Violations and penalties.—

386 (1) VIOLATIONS.—

387 ~~(e) A person may not violate any lawful order or rule of~~
 388 ~~the commission which is binding upon her or him.~~

389 Section 22. Subsection (14) of section 475.624, Florida
 390 Statutes, is amended to read:

391 475.624 Discipline of appraisers.—

392 The board may deny an application for registration or

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393 certification of an appraiser; may investigate the actions of
 394 any appraiser registered, licensed, or certified under this
 395 part; may reprimand or impose an administrative fine not to
 396 exceed \$5,000 for each count or separate offense against any
 397 such appraiser; and may revoke or suspend, for a period not to
 398 exceed 10 years, the registration, license, or certification of
 399 any such appraiser, or place any such appraiser on probation, if
 400 the board finds that the registered trainee, licensee, or
 401 certificateholder:

402 (14) Has violated any standard of professional practice,
 403 including standards for the development or communication of a
 404 real estate appraisal, as established by rule of the board ~~or~~
 405 ~~other provision of the Uniform Standards of Professional~~
 406 ~~Appraisal Practice.~~

407 Section 23. Paragraph (n) of subsection (1) of section
 408 475.6245, Florida Statutes, is amended to read:

409 475.6245 Discipline of appraisal management companies.—

410 (1) The board may deny an application for registration of
 411 an appraisal management company; may investigate the actions of
 412 any appraisal management company registered under this part; may
 413 reprimand or impose an administrative fine not to exceed \$5,000
 414 for each count or separate offense against any such appraisal
 415 management company; and may revoke or suspend, for a period not
 416 to exceed 10 years, the registration of any such appraisal
 417 management company, or place any such appraisal management
 418 company on probation, if the board finds that the appraisal
 419 management company or any person listed in s. 475.6235(2)(f):

420 (n) Has instructed an appraiser to violate any standard of

421 professional practice established by rule of the board,
 422 including standards for the development or communication of a
 423 real estate appraisal or other provision of the Uniform
 424 Standards of Professional Appraisal Practice.

425 Section 24. Paragraphs (d) through (h) of subsection (1)
 426 of section 475.626, Florida Statutes, are redesignated as
 427 paragraphs (b) through (f), respectively, and present paragraphs
 428 (b) and (c) of that subsection are amended to read:

429 475.626 Violations and penalties.—

430 (1) A person may not:

431 ~~(b) Violate any lawful order or rule of the board which is~~
 432 ~~binding upon her or him.~~

433 ~~(c) If a registered trainee appraiser or a licensed or~~
 434 ~~certified appraiser, commit any conduct or practice set forth in~~
 435 ~~s. 475.624.~~

436 Section 25. Paragraphs (c) through (f) of subsection (1)
 437 of section 476.194, Florida Statutes, are redesignated as
 438 paragraphs (b) through (e), respectively, and present paragraph
 439 (b) of that subsection is amended to read:

440 476.194 Prohibited acts.—

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

442 ~~(b) Engage in willful or repeated violations of this act~~
 443 ~~or of any of the rules adopted by the board.~~

444 Section 26. Paragraphs (d) through (h) of subsection (1)
 445 of section 477.0265, Florida Statutes, are redesignated as
 446 paragraphs (c) through (g), respectively, and present paragraph
 447 (c) of that subsection is amended to read:

448 477.0265 Prohibited acts.—

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

450 ~~(c) Engage in willful or repeated violations of this~~
 451 ~~chapter or of any rule adopted by the board.~~

452 Section 27. Section 475.628, Florida Statutes, is amended
 453 to read:

454 475.628 Professional standards for appraisers registered,
 455 licensed, or certified under this part.—The board shall adopt
 456 rules establishing standards of professional practice that meet
 457 or exceed nationally recognized standards of appraisal practice,
 458 including standards adopted by the Appraisal Standards Board of
 459 the Appraisal Foundation. Each appraiser registered, licensed,
 460 or certified under this part must ~~shall~~ comply with the rules
 461 ~~Uniform Standards of Professional Appraisal Practice.~~ Statements
 462 on appraisal standards which may be issued for the purpose of
 463 clarification, interpretation, explanation, or elaboration
 464 through the Appraisal Foundation shall also be binding on any
 465 appraiser registered, licensed, or certified under this part,
 466 upon adoption by rule of the board.

467 Section 28. Paragraph (c) of subsection (5) of section
 468 373.461, Florida Statutes, is amended to read:

469 373.461 Lake Apopka improvement and management.—

470 (5) PURCHASE OF AGRICULTURAL LANDS.—

471 (c) The district shall explore the availability of funding
 472 from all sources, including any federal, state, regional, and
 473 local land acquisition funding programs, to purchase the
 474 agricultural lands described in paragraph (a). It is the
 475 Legislature's intent that, if such funding sources can be
 476 identified, acquisition of the lands described in paragraph (a)

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477 may be undertaken by the district to purchase these properties
478 from willing sellers. However, the purchase price paid for
479 acquisition of such lands that were in active cultivation during
480 1996 may ~~shall~~ not exceed the highest appraisal obtained by the
481 district for these lands from a state-certified general
482 appraiser following the standards of professional practice
483 established by rule of the Florida Real Estate Appraisal Board,
484 including standards for the development or communication of a
485 real estate appraisal ~~Uniform Standards of Professional~~
486 ~~Appraisal Practice~~. This maximum purchase price limitation may
487 ~~shall~~ not include, nor be applicable to, that portion of the
488 purchase price attributable to consideration of income described
489 in paragraph (b), or that portion attributable to related
490 facilities, or closing costs.

491 Section 29. This act shall take effect July 1, 2012.