

Bill No. CS for SB 2268

Amendment No. ____

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Gutman moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 6, between lines 18 and 19,		
15			
16	insert:		
17	Section 7. Paragraph (c) of subsection (2) of section		
18	468.609, Florida Statutes, 1998 Supplement, is amended to		
19	read:		
20	468.609 Administration of this part; standards for		
21	certification; additional categories of certification.--		
22	(2) A person shall be entitled to take the examination		
23	for certification as an inspector or plans examiner pursuant		
24	to this part if the person:		
25	(c) Meets eligibility requirements according to one of		
26	the following criteria:		
27	1. Demonstrates 5 years' combined experience in the		
28	field of construction or <u>a related field, building inspection,</u>		
29	or plans review corresponding to the certification category		
30	sought;		
31	2. Demonstrates a combination of postsecondary		

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1 education in the field of construction or a related field and
2 experience which totals 4 years, with at least 1 year of such
3 total being experience in construction, building inspection,
4 or plans review; ~~or~~

5 3. Demonstrates a combination of technical education
6 in the field of construction or a related field and experience
7 which totals 4 years, with at least 1 year of such total being
8 experience in construction, building inspection, or plans
9 review; or

10 4.3. Currently holds a standard certificate as issued
11 by the board and satisfactorily completes an inspector or
12 plans examiner training program of not less than 200 hours in
13 the certification category sought. The board shall establish
14 by rule criteria for the development and implementation of the
15 training programs.

16 Section 8. Paragraph (h) is added to subsection (1) of
17 section 468.621, Florida Statutes, 1998 Supplement, to read:

18 468.621 Disciplinary proceedings.--

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

21 (h) Issuing a building permit to a contractor, or any
22 person representing himself or herself as a contractor,
23 without obtaining the contractor's certificate or registration
24 number, where such a certificate or registration is required.

25 Section 9. Paragraph (a) of subsection (4) of section
26 20.165, Florida Statutes, is amended to read:

27 20.165 Department of Business and Professional
28 Regulation.--There is created a Department of Business and
29 Professional Regulation.

30 (4)(a) The following boards are established within the
31 Division of Professions:

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- 1 1. Board of Architecture and Interior Design, created
- 2 under part I of chapter 481.
- 3 2. Florida Board of Auctioneers, created under part VI
- 4 of chapter 468.
- 5 3. Barbers' Board, created under chapter 476.
- 6 4. Florida Building Code Administrators and Inspectors
- 7 Board, created under part XII ~~XIII~~ of chapter 468.
- 8 5. Construction Industry Licensing Board, created
- 9 under part I of chapter 489.
- 10 6. Board of Cosmetology, created under chapter 477.
- 11 7. Electrical Contractors' Licensing Board, created
- 12 under part II of chapter 489.
- 13 8. Board of Employee Leasing Companies, created under
- 14 part XI of chapter 468.
- 15 9. Board of Funeral Directors and Embalmers, created
- 16 under chapter 470.
- 17 10. Board of Landscape Architecture, created under
- 18 part II of chapter 481.
- 19 11. Board of Pilot Commissioners, created under
- 20 chapter 310.
- 21 12. Board of Professional Engineers, created under
- 22 chapter 471.
- 23 13. Board of Professional Geologists, created under
- 24 chapter 492.
- 25 14. Board of Professional Surveyors and Mappers,
- 26 created under chapter 472.
- 27 15. Board of Veterinary Medicine, created under
- 28 chapter 474.
- 29 Section 10. Section 471.045, Florida Statutes, 1998
- 30 Supplement, is amended to read:
- 31 471.045 Professional engineers performing building

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1 code inspector duties.--Notwithstanding any other provision of
 2 law, a person who is currently licensed under this chapter to
 3 practice as a professional engineer may provide building
 4 inspection services described in s. 468.603(6) and (7) to a
 5 local government or state agency upon its request, without
 6 being certified by the Florida Board of Building Code
 7 Administrators and Inspectors Board under part XII ~~XIII~~ of
 8 chapter 468. When performing these building inspection
 9 services, the professional engineer is subject to the
 10 disciplinary guidelines of this chapter and s.
 11 468.621(1)(c)-(h)~~(c)~~~~(g)~~. Any complaint processing,
 12 investigation, and discipline that arise out of a professional
 13 engineer's performing building inspection services shall be
 14 conducted by the Board of Professional Engineers rather than
 15 the Florida Board of Building Code Administrators and
 16 Inspectors Board. A professional engineer may not perform
 17 plans review as an employee of a local government upon any job
 18 that the professional engineer or the professional engineer's
 19 company designed.

20 Section 11. Section 481.222, Florida Statutes, 1998
 21 Supplement, is amended to read:

22 481.222 Architects performing building code inspector
 23 duties.--Notwithstanding any other provision of law, a person
 24 who is currently licensed to practice as an architect under
 25 this part may provide building inspection services described
 26 in s. 468.603(6) and (7) to a local government or state agency
 27 upon its request, without being certified by the Florida Board
 28 ~~of~~ Building Code Administrators and Inspectors Board under
 29 part XII ~~XIII~~ of chapter 468. With respect to the performance
 30 of such building inspection services, the architect is subject
 31 to the disciplinary guidelines of this part and s.

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1 468.621(1)(c)-(h)(c)-(g). Any complaint processing,
 2 investigation, and discipline that arise out of an architect's
 3 performance of building inspection services shall be conducted
 4 by the Board of Architecture and Interior Design rather than
 5 the Florida Board of Building Code Administrators and
 6 Inspectors Board. An architect may not perform plans review as
 7 an employee of a local government upon any job that the
 8 architect or the architect's company designed.

9 Section 12. Paragraph (e) of subsection (1) of section
 10 489.109, Florida Statutes, is amended to read:

11 489.109 Fees.--

12 (1) The board, by rule, shall establish reasonable
 13 fees to be paid for applications, certification and renewal,
 14 registration and renewal, and recordmaking and recordkeeping.
 15 The fees shall be established as follows:

16 (e) The board, by rule, shall impose a renewal fee for
 17 an inactive status certificate or registration, not to exceed
 18 the renewal fee for an active status certificate or
 19 registration. Neither the inactive certification fee nor the
 20 inactive registration fee may exceed \$50. The board, by rule,
 21 may provide for a different fee for inactive status where such
 22 status is sought by a building code administrator, plans
 23 examiner, or inspector certified pursuant to part XII XIII of
 24 chapter 468 who is employed by a local government and is not
 25 allowed by the terms of such employment to maintain a
 26 certificate on active status issued pursuant to this part.

27 Section 13. Subsection (3) of section 489.519, Florida
 28 Statutes, 1998 Supplement, is amended to read:

29 489.519 Inactive status.--

30 (3) The board shall impose, by rule, continuing
 31 education requirements for inactive certificateholders, when

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1 inactive status is sought by certificateholders who are also
2 building code administrators, plans examiners, or inspectors
3 certified pursuant to part XII ~~XIII~~ of chapter 468.

4 Section 14. Section 469.001, Florida Statutes, 1998
5 Supplement, is amended to read:

6 469.001 Definitions.--As used in this chapter:

7 (1) "Abatement" means the removal, encapsulation,
8 enclosure, or disposal of asbestos.

9 (2) "AHERA" means the Asbestos Hazard Emergency
10 Response Act of 1986, 15 U.S.C. s. 2601, and any rules adopted
11 thereunder.

12 (3) "Asbestos" means the asbestiform varieties of
13 chrysotile, crocidolite, amosite, anthophyllite, tremolite,
14 and actinolite.

15 (4) "Asbestos abatement worker" means a person who
16 works as an employee under the direction of a licensed
17 asbestos contractor, and includes any person directly engaged
18 in abatement activities.

19 (5) "Asbestos consultant" means a person who offers
20 to, undertakes to, submits a bid to, or does, individually or
21 by employing others, conduct surveys for asbestos-containing
22 materials, develop operation and maintenance plans, monitor
23 and evaluate asbestos abatement, prepare asbestos abatement
24 specifications, or perform related tasks.

25 (6) "Asbestos-containing material" means any material
26 which contains more than 1 percent asbestos as determined by
27 polarized light microscopy.

28 (7) "Asbestos contractor" means the person who is
29 qualified and responsible for the contracted project and who
30 offers to, undertakes to, submits a bid to, or does,
31 individually or by employing others, remove, encapsulate, or

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1 enclose asbestos-containing materials or dispose of
2 asbestos-containing waste in the course of activities
3 including, but not limited to, construction, renovation,
4 maintenance, or demolition.

5 (8) "Asbestos surveyor" means a person who works under
6 the direction of a licensed asbestos consultant and engages in
7 the survey and assessment of asbestos-containing materials.
8 This term is synonymous with "inspector" under AHERA.

9 (9) "ASHARA" means the Asbestos School Hazard
10 Reauthorization Act.

11 (10)(~~9~~) "Department" means the Department of Business
12 and Professional Regulation.

13 (11)(~~10~~) "Encapsulation" means the application of any
14 coating to asbestos-containing material to prevent fiber
15 release.

16 (12)(~~11~~) "Enclosure" means the construction of an
17 airtight barrier around asbestos-containing material to
18 prevent fiber release.

19 (13)(~~12~~) "Friable" means the condition of any
20 asbestos-containing materials which, when dry, may be
21 crumbled, pulverized, or reduced to powder by hand pressure.

22 (14)(~~13~~) "Management planner" means a person who works
23 under the direction of a licensed asbestos consultant and
24 engages in the development of asbestos abatement schedules or
25 operation and maintenance plans.

26 (15)(~~14~~) "NESHAP" means the National Emission
27 Standards for Hazardous Air Pollutants, 40 C.F.R. part 61,
28 subpart M.

29 (16)(~~15~~) "NIOSH" means the National Institute for
30 Occupational Safety and Health.

31 (17)(~~16~~) "Onsite roofing supervisor" means a person

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1 who works under the direction of a roofing contractor
2 certified pursuant to part I of chapter 489 and provides
3 supervision of removal of asbestos-containing roofing
4 materials at the project site at all times when such
5 activities are being performed.

6 (18)~~(17)~~ "Onsite supervisor" means a person who works
7 under the direction of a licensed asbestos contractor and
8 provides supervision of abatement activities at the abatement
9 project site at all times when such activities are being
10 performed. This term is synonymous with "onsite
11 representative" in the NESHAP asbestos standard rules.

12 (19)~~(18)~~ "Operation and maintenance plan" means a set
13 of work practices and procedures undertaken to clean up
14 previously released asbestos fibers, prevent future release of
15 fibers by minimizing disturbance or damage to
16 asbestos-containing materials, or monitor the condition of the
17 asbestos-containing materials.

18 (20)~~(19)~~ "OSHA" means the Occupational Safety and
19 Health Administration.

20 (21)~~(20)~~ "Project designer" means a person who works
21 under the direction of a licensed asbestos consultant and
22 engages in the design of project specifications for asbestos
23 abatement projects.

24 (22)~~(21)~~ "Project monitor" means a person who monitors
25 asbestos abatement projects for compliance with project
26 specifications, applicable safety and health regulations, and
27 other contract requirements under the direction of a licensed
28 asbestos consultant.

29 (23)~~(22)~~ "Survey" means the process of inspecting a
30 facility for the presence of asbestos-containing materials to
31 determine the location and condition of asbestos-containing

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1 materials prior to transfer of property, renovation,
2 demolition, or maintenance projects which may disturb
3 asbestos-containing materials.

4 (24)~~(23)~~ "Training-course provider" means an entity or
5 any of its agents engaged in providing training courses
6 required by this chapter.

7 Section 15. Paragraphs (a) and (e) of subsection (1)
8 of section 469.002, Florida Statutes, 1998 Supplement, are
9 amended to read:

10 469.002 Exemptions.--

11 (1) This chapter does not apply to:

12 (a) An authorized employee of the United States, this
13 state, or any municipality, county, or other political
14 subdivision, public or private school, or private entity who
15 has completed all training required by NESHAP and OSHA or by
16 ASHARA ~~AHERA~~ for the activities described in this paragraph
17 and who is conducting abatement work solely for maintenance
18 purposes within the scope of the person's employment involving
19 less than 160 square feet of asbestos-containing materials or
20 less than 260 linear feet of asbestos-containing material on
21 pipe, so long as the employee is not available for hire or
22 does not otherwise engage in asbestos abatement, contracting,
23 or consulting.

24 (e) An authorized employee of the United States, this
25 state, or any municipality, county, or other political
26 subdivision who has completed all training required by NESHAP
27 and OSHA or by ASHARA ~~AHERA~~ for the activities described in
28 this paragraph, while engaged in asbestos-related activities
29 set forth in s. 255.5535 and asbestos-related activities
30 involving the demolition of a building owned by that
31 governmental unit, where such activities are within the scope

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1 of that employment and the employee does not hold out for hire
2 or otherwise engage in asbestos abatement, contracting, or
3 consulting.

4 Section 16. Subsection (3) is added to section
5 469.004, Florida Statutes, 1998 Supplement, to read:

6 469.004 License; asbestos consultant; asbestos
7 contractor.--

8 (3) A license issued under this chapter must be
9 renewed every 2 years. Before an asbestos contractor's license
10 may be renewed, the licensee must complete a 1-day course of
11 continuing education during each of the preceding 2 years.
12 Before an asbestos consultant's license may be renewed, the
13 licensee must complete a 2-day course of continuing education
14 during each of the preceding 2 years.

15 Section 17. Subsection (2) of section 469.005, Florida
16 Statutes, 1998 Supplement, is amended to read:

17 469.005 License requirements.--All applicants for
18 licensure as either asbestos consultants or asbestos
19 contractors shall:

20 (2) When applying for licensure as an asbestos
21 consultant, successfully complete the following
22 department-approved courses:

23 ~~(a) An asbestos contractor/supervisor course. Such~~
24 ~~course shall consist of not less than 5 days of instruction.~~

25 (a)(b) A building asbestos surveys and mechanical
26 systems course. Such course shall consist of not less than 3
27 days of instruction.

28 (b)(c) An asbestos management planning course. Such
29 course shall consist of not less than 2 days of instruction.

30 (c)(d) A respiratory protection course. Such course
31 shall consist of not less than 3 days of instruction.

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1 (d)~~(e)~~ A project designer course. Such course shall
2 consist of not less than 3 days of instruction.

3 Section 18. Subsection (6) of section 469.006, Florida
4 Statutes, 1998 Supplement, is amended to read:

5 469.006 Licensure of business organizations;
6 qualifying agents.--

7 (6) Each qualifying agent shall pay the department an
8 amount equal to the original fee for licensure of a new
9 business organization. If the qualifying agent for a business
10 organization desires to qualify additional business
11 organizations, the department shall require the agent to
12 present evidence of supervisory ability and financial
13 responsibility of each such organization. Allowing a licensee
14 to qualify more than one business organization shall be
15 conditioned upon the licensee showing that the licensee has
16 both the capacity and intent to adequately supervise each
17 business organization. The department shall not limit the
18 number of business organizations which the licensee may
19 qualify except upon the licensee's failure to provide such
20 information as is required under this subsection or upon a
21 finding that such information or evidence as is supplied is
22 incomplete or unpersuasive in showing the licensee's capacity
23 and intent to comply with the requirements of this subsection.
24 A qualification for an additional business organization may be
25 revoked or suspended upon a finding by the department that the
26 licensee has failed in the licensee's responsibility to
27 adequately supervise the operations of the business
28 organization. Failure to adequately supervise the operations
29 of a business organization shall be grounds for denial to
30 qualify additional business organizations.~~The issuance of~~
31 ~~such additional licensure is discretionary with the~~

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1 ~~department.~~

2 Section 19. Section 469.011, Florida Statutes, is
3 amended to read:

4 469.011 Authority to make rules.--The department shall
5 adopt ~~such~~ rules pursuant to ss. 120.536(1) and 120.54, ~~not~~
6 ~~inconsistent with law, as may be necessary~~ to implement the
7 provisions of this chapter. In developing the rules, the
8 department shall consider related Florida Statutes and the
9 rules promulgated thereunder, the criteria established in the
10 Environmental Protection Agency Guidelines, and AHERA, ASHARA,
11 NESHAP, and OSHA regulations.

12 Section 20. Subsections (1), (2), and (4) of section
13 469.012, Florida Statutes, are amended to read:

14 469.012 Course requirements for onsite supervisors and
15 asbestos abatement workers.--

16 (1) Each asbestos contractor's onsite supervisor must
17 complete an asbestos contractor/supervisor project management
18 ~~and supervision~~ course of not less than 5 ~~4~~ days prior to
19 engaging in onsite supervision. Such training shall cover the
20 nature of the health risks, the medical effects of exposure,
21 federal and state asbestos laws and regulations, worker
22 protection, and work area protection. Each onsite supervisor
23 must also complete a continuing education course of not less
24 than 1 day in length each year.

25 (2) All asbestos abatement workers, including onsite
26 supervisors, must complete a department-approved course of not
27 less than 4 ~~3~~ days in abatement prior to removing,
28 encapsulating, enclosing, or disposing of asbestos-containing
29 materials.

30 (4) All asbestos abatement workers, including onsite
31 supervisors, must complete, as a condition of renewal of

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1 accreditation licensure, such courses of continuing education
2 each year as are approved and required by the department.

3 Section 21. Section 469.013, Florida Statutes, 1998
4 Supplement, is amended to read:

5 469.013 Course requirements for asbestos surveyors,
6 management planners, ~~and~~ project monitors, and project
7 designers.--

8 (1) All asbestos surveyors, management planners, and
9 project monitors must comply with the requirements set forth
10 in this section prior to commencing such activities and must
11 also complete the continuing education necessary to maintain
12 accreditation certification each year.

13 (a) Management planners must complete all requirements
14 of s. 469.005(2)(~~b~~)(~~c~~)and(~~d~~)(~~e~~).

15 (b) Asbestos surveyors must complete all requirements
16 of s. 469.005(2)(a)(~~b~~).

17 (c) Project monitors must complete all requirements of
18 s. 469.005(~~3~~)(~~2~~)(a) and must also complete an asbestos
19 sampling course which is equivalent to NIOSH Course 582.

20 (d) Project designers must complete all requirements
21 of s. 469.005(2)(d).

22 (2) Each asbestos consultant shall be responsible for
23 securing and retaining all records in order to verify that all
24 surveyors, planners, ~~and~~ monitors, and designers working under
25 that consultant's direction have completed all required
26 courses. Such records shall be produced upon the department's
27 request.

28 Section 22. Section 489.13, Florida Statutes, is
29 created to read:

30 489.13 Unlicensed contracting; authority to issue or
31 receive a building permit.--

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1 (1) Any person performing an activity requiring
2 licensure under this part as a construction contractor is
3 guilty of unlicensed contracting if he or she does not hold a
4 valid active certificate or registration authorizing him or
5 her to perform such activity, regardless of whether he or she
6 holds a local construction contractor license or local
7 certificate of competency. Persons working outside the
8 geographical scope of their registration are guilty of
9 unlicensed activity for purposes of this part.

10 (2) A local building department shall not issue a
11 building permit to any contractor, or to any person
12 representing himself or herself as a contractor, who does not
13 hold a valid active certificate or registration in the
14 appropriate category. Possession of a local certificate of
15 competency or local construction license is not sufficient to
16 lawfully obtain a building permit as a construction contractor
17 if the activity in question requires licensure under this
18 part. Nothing in this section shall be construed as
19 prohibiting a local building department from issuing a
20 building permit to a locally licensed or certified contractor
21 for an activity that does not require licensure under this
22 part.

23 Section 23. Subsection (14) of section 489.503,
24 Florida Statutes, 1998 Supplement, is amended to read:

25 489.503 Exemptions.--This part does not apply to:

26 (Substantial rewording of subsection. See s.

27 489.503(14), F.S., 1998 Supp., for present text.)

28 (14)(a) The installation of, repair of, alteration of,
29 addition to, or design of electrical wiring, fixtures,
30 appliances, thermostats, apparatus, raceways, and conduit, or
31 any part thereof, when those items are for the purpose of

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1 transmitting data, voice communications, or commands as part
2 of a cable television, community antenna television, or radio
3 distribution system. The scope of this exemption is limited to
4 electrical circuits and equipment governed by the applicable
5 provisions of Articles 725 (Classes 2 and 3 circuits only),
6 770, 800, 810, and 820 of the National Electrical Code,
7 current edition, or 47 C.F.R. part 68.

8 (b) The installation of, repair of, alteration of,
9 addition to, or design of electrical wiring, fixtures,
10 appliances, thermostats, apparatus, raceways, and conduit, or
11 any part thereof, when those items are for the purpose of
12 transmitting data, voice communications, or commands as part
13 of a system of telecommunications, including computers,
14 telephone customer premises equipment, or premises wiring. The
15 scope of this exemption is limited to electrical circuits and
16 equipment governed by the applicable provisions of Articles
17 725 (Classes 2 and 3 circuits only), 770, 800, 810, and 820 of
18 the National Electrical Code, current edition, or 47 C.F.R.
19 part 68. The exemption in this paragraph shall apply only if
20 such work is requested by the company's customer, is required
21 in order to complete phone service, is incidental to provision
22 of telecommunication service as required by chapter 364, and
23 is not actively competitive in nature or the subject of a
24 competitive bid. The definition of "employee" established in
25 subsection (1) applies to this exemption and does not include
26 subcontractors. A company certified under chapter 364 is not
27 subject to any local ordinance that requires a permit for work
28 performed by its employees related to low voltage electrical
29 work, including related technical codes and regulations.

30 Section 24. Paragraph (c) is added to subsection (2)
31 of section 489.511, Florida Statutes, 1998 Supplement,

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1 subsection (5) of that section is amended, and subsection (7)
2 is added to that section, to read:

3 489.511 Certification; application; examinations;
4 endorsement.--

5 (2)

6 (c) For purposes of this subsection, at least 40
7 percent of the work experience for an alarm system contractor
8 I must be in the types of fire alarm systems typically used in
9 a commercial setting.

10 (5)~~(a)~~ The board shall, by rule, designate those types
11 of specialty electrical or alarm system contractors who may be
12 certified under this part. The limit of the scope of work and
13 responsibility of a certified specialty contractor shall be
14 established by ~~the board by rule. However,~~A certified
15 specialty contractor category exists as an optional a
16 voluntary statewide licensing category. Qualification for
17 certification in a specialty category created by rule shall be
18 the same as set forth in paragraph (2)(a). The existence of a
19 specialty category created by rule does not itself create any
20 licensing requirement; however, neither does its optional
21 nature remove any licensure requirement established elsewhere
22 in this part and does not create a mandatory licensing
23 requirement. Any mandatory statewide electrical or alarm
24 system contracting licensure requirement may only be
25 established through specific statutory provision.

26 ~~(b) For those specialty electrical or alarm system~~
27 ~~contractors applying for certification under this part who~~
28 ~~work in jurisdictions that do not require local licensure for~~
29 ~~those activities for which the applicant desires to be~~
30 ~~certified, the experience requirement may be met by~~
31 ~~demonstrating at least 6 years of comprehensive training,~~

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1 ~~technical education, or supervisory experience, within the 12~~
2 ~~years immediately preceding the filing of the application, in~~
3 ~~the type of specialty electrical or alarm system filing of the~~
4 ~~application, in the type of specialty electrical or alarm~~
5 ~~system work for which certification is desired. An affidavit~~
6 ~~signed by the applicant's employer stating that the applicant~~
7 ~~performed the work required under this paragraph shall be~~
8 ~~sufficient to demonstrate to the board that the applicant has~~
9 ~~met the experience requirement.~~

10 (7) Upon the issuance of a certificate, any previously
11 issued registered licenses for the classification in which the
12 certification is issued are rendered void.

13 Section 25. Subsection (3) of section 489.513, Florida
14 Statutes, 1998 Supplement, is amended, and subsection (7) of
15 that section is repealed, to read:

16 489.513 Registration; application; requirements.--

17 (3) To be registered as an electrical contractor, an
18 alarm system contractor I, an alarm system contractor II, or a
19 residential alarm system contractor, the applicant shall file
20 evidence of holding a current certificate of competency
21 ~~occupational license or a current license~~ issued by any
22 municipality or county of the state for the type of work for
23 which registration is desired, on a form provided by the
24 department, ~~if such a license is required by that municipality~~
25 ~~or county,~~ together with evidence of having passed an
26 appropriate local examination, written or oral, designed to
27 test skills and knowledge relevant to the technical
28 performance of the profession, accompanied by the registration
29 fee fixed pursuant to this part. For any person working or
30 wishing to work in any local jurisdiction that ~~which does not~~
31 ~~issue a local license as an electrical or alarm system~~

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1 ~~contractor or~~ does not require an examination for its license,
2 the applicant may apply and shall be considered qualified to
3 be issued a registration in the appropriate electrical or
4 alarm system category, provided that he or she shows that he
5 or she has scored at least 75 percent on an examination which
6 is substantially equivalent to the examination approved by the
7 board for certification in the category and that he or she has
8 had at least 3 years' technical experience in the trade. The
9 requirement to take and pass an examination in order to obtain
10 a registration shall not apply to persons making application
11 prior to the effective date of this act.

12 ~~(7) Neither the board nor the department assumes any~~
13 ~~responsibility for providing discipline pursuant to having~~
14 ~~provided the tracking registration. Providing discipline to~~
15 ~~such locally licensed individuals shall be the responsibility~~
16 ~~of the local jurisdiction. Failure to obtain a tracking~~
17 ~~registration shall not be considered a violation of this~~
18 ~~chapter. However, a local jurisdiction requiring such~~
19 ~~tracking registration may levy such penalties for failure to~~
20 ~~obtain the tracking registration as the local jurisdiction~~
21 ~~chooses to provide through local ordinance.~~

22 Section 26. Subsection (10) is added to section
23 489.537, Florida Statutes, 1998 Supplement, to read:

24 489.537 Application of this part.--

25 (10) A registered electrical contractor, an alarm
26 system contractor II certificateholder, and a registered alarm
27 system contractor II shall be allowed to install residential
28 smoke detectors or residential heat detectors.

29
30 (Redesignate subsequent sections.)
31

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, line 20, after the semicolon,

4

5 insert:

6 amending s. 468.609, F.S.; revising eligibility
7 requirements for certification as a building
8 inspector or plans examiner; amending s.
9 468.621, F.S.; providing a ground for
10 disciplinary action relating to the issuance of
11 a building permit without obtaining a
12 contractor certificate or registration number,
13 where such a certificate or registration is
14 required; providing penalties; amending ss.
15 20.165, 471.045, 481.222, 489.109, and 489.519,
16 F.S.; correcting references, to conform;
17 amending s. 469.001, F.S.; defining the term
18 "ASHARA"; revising terminology in a reference;
19 amending s. 469.002, F.S.; revising references
20 relating to training required of certain
21 persons exempt from regulation under ch. 469,
22 F.S., relating to asbestos abatement; amending
23 s. 469.004, F.S.; providing for biennial
24 renewal of licenses of asbestos consultants and
25 asbestos contractors and providing continuing
26 education requirements therefor; amending s.
27 469.005, F.S.; eliminating a course requirement
28 for licensure as an asbestos consultant;
29 amending s. 469.006, F.S.; revising
30 requirements to qualify additional business
31 organizations for licensure; amending s.

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1 469.011, F.S.; providing rulemaking authority
2 for implementation of the chapter; requiring
3 consideration of certain federal regulations in
4 developing such rules; amending s. 469.012,
5 F.S.; revising course requirements for onsite
6 supervisors and asbestos abatement workers;
7 correcting terminology; amending s. 469.013,
8 F.S.; revising course requirements for asbestos
9 surveyors, management planners, and project
10 monitors, and providing course requirements for
11 project designers; correcting terminology;
12 creating s. 489.13, F.S.; prohibiting any
13 person from performing any activity requiring
14 licensure as a construction contractor under
15 pt. I, ch. 489, F.S., unless the person holds a
16 valid active certificate or registration to
17 perform such activity issued under such part;
18 providing penalties; prohibiting any local
19 building department from issuing a building
20 permit to any person who does not hold an
21 active valid certificate or registration in the
22 applicable construction category issued under
23 such part; amending s. 489.503, F.S.;
24 clarifying an existing utilities exemption from
25 regulation under pt. II, ch. 489, F.S.,
26 relating to electrical and alarm system
27 contracting; amending s. 489.511, F.S.;
28 requiring certain work experience for an alarm
29 system contractor I to be in certain types of
30 fire alarm systems; revising provisions
31 relating to designation and certification of

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1 specialty contractors; providing for the
2 voiding of previously issued registered
3 licenses upon issuance of certification in the
4 same classification; amending s. 489.513, F.S.,
5 and repealing subsection (7), relating to
6 tracking registration and discipline related
7 thereto; revising requirements for registration
8 as an electrical contractor, alarm system
9 contractor I or II, or registered alarm system
10 contractor; amending s. 489.537, F.S.;
11 authorizing certain persons to install
12 residential smoke or heat detectors;

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