

By Representative Lacasa

1 A bill to be entitled
2 An act relating to contracting; amending s.
3 489.105, F.S.; redefining the term
4 "contracting" and defining the term "field
5 work"; amending ss. 489.1455 and 489.5335,
6 F.S.; providing for journeyman certification;
7 providing for fees; providing for discipline by
8 a county or municipality for certain misconduct
9 or negligence; providing a penalty for certain
10 fraudulent representations; providing an
11 effective date.

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

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15 Section 1. Subsection (6) of section 489.105, Florida
16 Statutes, 1998 Supplement, is amended, and subsection (20) is
17 added to said section, to read:

18 489.105 Definitions.--As used in this part:

19 (6) "Contracting" means, except as exempted in this
20 part, engaging in business as a contractor and includes, but
21 is not limited to, performance of any of the acts as set forth
22 in subsection (3) which define types of contractors, including
23 supervision of all field work. The attempted sale of
24 contracting services and the negotiation or bid for a contract
25 on these services also constitutes contracting. If the
26 services offered require licensure or agent qualification, the
27 offering, negotiation for a bid, or attempted sale of these
28 services requires the corresponding licensure. However, the
29 term "contracting" shall not extend to an individual,
30 partnership, corporation, trust, or other legal entity that
31 offers to sell or sells completed residences on property on

1 which the individual or business entity has any legal or
2 equitable interest, if the services of a qualified contractor
3 certified or registered pursuant to the requirements of this
4 chapter have been or will be retained for the purpose of
5 constructing such residences.

6 (20) "Field work" means performance on the job site of
7 any of the acts described in paragraphs (3)(a)-(o).

8 Section 2. Section 489.1455, Florida Statutes, 1998
9 Supplement, is amended to read:

10 489.1455 Journeyman~~reciprocity~~~~standards~~--

11 (1) An individual who holds a valid, active journeyman
12 license in the plumbing/pipe fitting, mechanical, or HVAC
13 trades issued by any county or municipality in this state may
14 work as a journeyman in the trade in which he or she is
15 licensed in any county or municipality of this state without
16 taking an additional examination or paying an additional
17 license fee, if he or she:

18 (a) Has scored at least 70 percent, or after October
19 1, 1997, at least 75 percent, on a proctored journeyman Block
20 and Associates examination or other proctored examination
21 approved by the board for the trade in which he or she is
22 licensed;

23 (b) Has completed an apprenticeship program registered
24 with the Department of Labor and Employment Security and
25 demonstrates 4 years' verifiable practical experience in the
26 trade for which he or she is licensed, or demonstrates 6
27 years' verifiable practical experience in the trade for which
28 he or she is licensed;

29 (c) Has satisfactorily completed specialized and
30 advanced module coursework approved by the Florida Building
31 Commission, as part of the Building Code Training Program

1 established in s. 553.841, specific to the discipline, and
2 successfully completed the program's core curriculum courses
3 or passed an equivalency test in lieu of taking the core
4 curriculum courses and provided proof of completion of such
5 curriculum courses or examination and obtained a certificate
6 from the board pursuant to this part or, pursuant to
7 authorization by the certifying authority, provides proof of
8 completion of such curriculum or coursework within 6 months
9 after such certification; and

10 (d) Has not had a license suspended or revoked within
11 the last 5 years.

12 (2) The board may issue to any individual who meets
13 the criteria set forth in subsection (1) a journeyman
14 certificate allowing the holder to work as a journeyman in any
15 county or municipality in this state without taking an
16 additional examination or paying any additional license fee.

17 (3)(a) The board may charge a biennial certification
18 fee not to exceed \$100 and an application fee not to exceed
19 \$50.

20 (b)(2) A local government may charge a registration
21 fee for reciprocity, not to exceed \$25.

22 (4) A county or municipality may discipline a
23 journeyman certificateholder for any misconduct or negligence
24 related to the practice of the journeyman's trade.

25 (5) Any person who fraudulently represents that he or
26 she meets the criteria for journeyman certification or
27 registration or that he or she holds a journeyman certificate
28 or registration commits a felony of the third degree,
29 punishable as provided in s. 775.082 or s. 775.083.

30 Section 3. Section 489.5335, Florida Statutes, 1998
31 Supplement, is amended to read:

1 489.5335 Journeyman~~reciprocity~~~~standards~~.--
2 (1) An individual who holds a valid, active journeyman
3 license in the electrical trade issued by any county or
4 municipality in this state may work as a journeyman in any
5 other county or municipality of this state without taking an
6 additional examination or paying an additional license fee, if
7 he or she:
8 (a) Has scored at least 70 percent, or after October
9 1, 1997, at least 75 percent, on a proctored journeyman Block
10 and Associates examination or other proctored examination
11 approved by the board for the electrical trade;
12 (b) Has completed an apprenticeship program registered
13 with the Department of Labor and Employment Security and
14 demonstrates 4 years' verifiable practical experience in the
15 electrical trade, or demonstrates 6 years' verifiable
16 practical experience in the electrical trade;
17 (c) Has satisfactorily completed specialized and
18 advanced module coursework approved by the Florida Building
19 Commission, as part of the Building Code Training Program
20 established in s. 553.841, specific to the discipline, and
21 successfully completed the program's core curriculum courses
22 or passed an equivalency test in lieu of taking the core
23 curriculum courses and provided proof of completion of such
24 curriculum courses or examination and obtained a certificate
25 from the board pursuant to this part or, pursuant to
26 authorization by the certifying authority, provides proof of
27 completion of such curriculum or coursework within 6 months
28 after such certification; and
29 (d) Has not had a license suspended or revoked within
30 the last 5 years.
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1 (2) The board may issue to any individual who meets
2 the criteria set forth in subsection (1) a journeyman
3 certificate allowing the holder to work as a journeyman in any
4 county or municipality in this state without taking an
5 additional examination or paying any additional license fee.

6 (3)(a) The board may charge a biennial certification
7 fee not to exceed \$100 and an application fee not to exceed
8 \$50.

9 (b)(2) A local government may charge a registration
10 fee for reciprocity, not to exceed \$25.

11 (4) A county or municipality may discipline a
12 journeyman certificateholder for any misconduct or negligence
13 related to the practice of the journeyman's trade.

14 (5) Any person who fraudulently represents that he or
15 she meets the criteria for journeyman certification or
16 registration or that he or she holds a journeyman certificate
17 or registration commits a felony of the third degree,
18 punishable as provided in s. 775.082 or s. 775.083.

19 Section 4. This act shall take effect July 1, 1999.
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HOUSE SUMMARY

Defines the term "field work" for purposes of provisions relating to construction contracting, and redefines the term "contracting" to include reference thereto.

Authorizes the Construction Industry Licensing Board and the Electrical Contractors' Licensing Board to issue journeyman certification to allow journeymen in the plumbing/pipe fitting, mechanical, HVAC, and electrical trades, as applicable, to work in any county or municipality in this state without taking an additional examination or paying any additional license fee. Provides for application and certification fees.

Authorizes any county or municipality to discipline a certificateholder for misconduct or negligence related to the practice of the journeyman's trade. Provides that fraudulent representation with respect to meeting the criteria for journeyman certification or registration or holding a journeyman certificate or registration is a third degree felony.