

By the Committee on Rules & Calendar and Representative  
Bitner

1                                   A bill to be entitled  
2           An act relating to the Florida Statutes;  
3           repealing or deleting various statutory  
4           provisions that have become obsolete, have had  
5           their effect, have served their purpose, or  
6           have been impliedly repealed or superseded;  
7           amending s. 468.381, F.S.; deleting findings  
8           relating to regulation of auctioneers; amending  
9           s. 468.451, F.S.; deleting findings relating to  
10          regulation of athlete agents; repealing s.  
11          468.4571, F.S., relating to savings clauses  
12          applicable to the transition to licensure of  
13          athlete agents; amending s. 468.601, F.S.;  
14          deleting findings relating to regulation of  
15          building code administrators and inspectors;  
16          amending s. 468.70, F.S.; deleting findings  
17          relating to regulation of athletic trainers;  
18          amending s. 470.001, F.S.; deleting findings  
19          relating to regulation of funeral directing,  
20          embalming, and direct disposition; repealing s.  
21          470.0395, F.S., relating to savings clauses  
22          applicable to regulation of funeral directing,  
23          embalming, and direct disposition; amending s.  
24          471.001, F.S.; deleting findings relating to  
25          regulation of engineering; amending s. 472.001,  
26          F.S.; deleting findings relating to regulation  
27          of surveyors and mappers; repealing s.  
28          472.013(2)(c) and (d), F.S., relating to  
29          obsolete education and experience requirements  
30          to take the examination for licensure as a  
31          surveyor or mapper; repealing ss. 472.039 and

1 472.041, F.S., relating to the validity of  
2 certain land surveyor registrations and the  
3 automatic licensure of certain persons as  
4 surveyors and mappers; repealing ss.  
5 473.306(3)(e) and 473.307, F.S., relating to  
6 obsolete experience requirements to be licensed  
7 as a certified public accountant; amending s.  
8 473.308, F.S.; deleting cross references, to  
9 conform; repealing s. 473.3251, F.S., relating  
10 to a saving clause applicable to certain public  
11 accountancy licenses; amending s. 474.201,  
12 F.S.; deleting findings relating to regulation  
13 of veterinary medical practice; repealing s.  
14 474.219, F.S., relating to saving clauses  
15 applicable to regulation of veterinary medical  
16 practice; amending s. 475.001, F.S.; deleting  
17 findings relating to regulation of real estate  
18 brokers, salespersons, and schools; amending s.  
19 475.610, F.S.; deleting findings relating to  
20 regulation of real estate appraisers; amending  
21 s. 476.024, F.S.; deleting findings relating to  
22 regulation of barbers; amending s. 477.012,  
23 F.S.; deleting findings relating to regulation  
24 of cosmetology practice; amending s. 481.201,  
25 F.S.; deleting findings relating to regulation  
26 of the practice of architecture; repealing s.  
27 481.209(2)(e), F.S., relating to obsolete  
28 experience requirements to take the examination  
29 for licensure as an interior designer;  
30 repealing s. 481.24, F.S., relating to  
31 licensure or transitional licensure of certain

1 interior designers; repealing s. 481.301, F.S.,  
2 relating to findings applicable to regulation  
3 of the practice of landscape architecture;  
4 amending s. 489.101, F.S.; deleting findings  
5 relating to regulation of construction  
6 contracting; amending s. 489.501, F.S.;  
7 deleting findings relating to regulation of  
8 electrical and alarm system contracting;  
9 repealing s. 489.518(2)(d), F.S., relating to  
10 training required to be employed as a burglar  
11 alarm system agent; repealing s. 489.537(8)(b),  
12 F.S., relating to experience requirements for  
13 registration as an alarm system contractor II;  
14 amending s. 501.012, F.S.; deleting certain  
15 findings relating to regulation of health  
16 studios; providing an effective date.

17

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

19

20 Section 1. Section 468.381, Florida Statutes, is  
21 amended to read:

22 468.381 Purpose.--~~The Legislature finds that~~  
23 ~~unqualified auctioneers and apprentices and unreliable auction~~  
24 ~~businesses present a significant threat to the public. It is~~  
25 the intent of the Legislature to protect the public by  
26 creating a board to regulate auctioneers, apprentices, and  
27 auction businesses and by requiring a license to operate.

28 Section 2. Section 468.451, Florida Statutes, is  
29 amended to read:

30 468.451 Legislative ~~findings and intent.~~--~~The~~  
31 ~~Legislature finds that dishonest or unscrupulous practices by~~

1 ~~agents who solicit representation of student athletes can~~  
2 ~~cause significant harm to student athletes and the academic~~  
3 ~~institutions for which they play.~~ It is the intent of the  
4 Legislature to protect the interests of student athletes and  
5 academic institutions by regulating the activities of athlete  
6 agents.

7           Section 3. Section 468.4571, Florida Statutes, is  
8 repealed.

9           Section 4. Section 468.601, Florida Statutes, is  
10 amended to read:

11           468.601 Purpose.--The Legislature ~~finds that, where~~  
12 ~~building code administration and inspection personnel fail to~~  
13 ~~adequately, competently, and professionally administer state~~  
14 ~~or local building codes, physical and economic injury to the~~  
15 ~~citizens of the state may result and, therefore, deems it~~  
16 necessary in the interest of public health and safety to  
17 regulate the practice of building code administration and  
18 inspection in this state.

19           Section 5. Section 468.70, Florida Statutes, is  
20 amended to read:

21           468.70 Legislative ~~findings and intent.~~--The  
22 ~~Legislature finds that without regulation of athletic training~~  
23 ~~and trainers there is substantial threat to the public~~  
24 ~~welfare.~~It is the intent of the Legislature that athletes be  
25 assisted by persons adequately trained to recognize, prevent,  
26 and treat physical injuries sustained during athletic  
27 activities. Therefore, it is the further intent of the  
28 Legislature to protect the public by licensing and fully  
29 regulating athletic trainers.

30           Section 6. Section 470.001, Florida Statutes, is  
31 amended to read:

1           470.001 Legislative ~~findings and~~ intent.--  
2           (1) The Legislature deems it necessary in the interest  
3 of public health and safety to establish ~~finds that the~~  
4 ~~practice of embalming, funeral directing, and final~~  
5 ~~disposition by unskilled and incompetent practitioners~~  
6 ~~presents a danger to the public health and safety. The~~  
7 ~~Legislature finds further that it is difficult for the public~~  
8 ~~to make an informed choice about embalmers and funeral~~  
9 ~~directors and that the consequences of a wrong choice could~~  
10 ~~endanger the public health and welfare. The only way to~~  
11 ~~protect the public from the incompetent practice of embalming,~~  
12 ~~funeral directing, and final disposition is through the~~  
13 ~~establishment of~~ minimum qualifications for entry into the  
14 ~~such~~ professions of embalming and funeral directing and to  
15 provide for ~~through~~ swift and effective discipline for those  
16 practitioners who violate the law.

17           (2) The Legislature further ~~finds that the~~  
18 ~~unregistered practice of direct disposition presents a danger~~  
19 ~~to the public welfare and, therefore,~~deems it necessary to  
20 provide for the registration of all direct disposers, to  
21 provide against improper conduct by practitioners of direct  
22 disposition, and to establish swift and effective discipline  
23 for those practitioners who violate the law.

24           Section 7. Section 470.0395, Florida Statutes, is  
25 repealed.

26           Section 8. Section 471.001, Florida Statutes, is  
27 amended to read:

28           471.001 Purpose.--~~The Legislature finds that, if~~  
29 ~~incompetent engineers performed engineering services, physical~~  
30 ~~and economic injury to the citizens of the state would result~~  
31 ~~and, therefore,~~deems it necessary in the interest of public

1 health and safety to regulate the practice of engineering in  
2 this state.

3 Section 9. Section 472.001, Florida Statutes, is  
4 amended to read:

5 472.001 Purpose.--The Legislature ~~finds that improper~~  
6 ~~surveying and mapping of land, water, and space presents a~~  
7 ~~significant threat to the public and therefore~~ deems it  
8 necessary to regulate surveyors and mappers as provided in ss.  
9 472.001-472.041.

10 Section 10. Paragraphs (c) and (d) of subsection (2)  
11 of section 472.013, Florida Statutes, are repealed.

12 Section 11. Sections 472.039 and 472.041, Florida  
13 Statutes, are repealed.

14 Section 12. Section 473.307 and paragraph (e) of  
15 subsection (3) of section 473.306, Florida Statutes, are  
16 repealed.

17 Section 13. Subsections (2) and (3) of section  
18 473.308, Florida Statutes, are amended to read:

19 473.308 Licensure.--

20 (2) The board shall certify for licensure any  
21 applicant who successfully passes the licensure examination  
22 and satisfies the requirements of s.ss.473.306 and 473.307  
23 and shall certify for licensure any firm which satisfies the  
24 requirements of ss. 473.309 and 473.3101. The board may  
25 refuse to certify any applicant or firm that has violated any  
26 of the provisions of s. 473.322.

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

29 (a)1. Is not licensed and has not been licensed in  
30 another state or territory and who qualifies to take the  
31 examination as set forth in s. 473.306 and, who has passed a

1 national, regional, state, or territorial licensing  
2 examination which is substantially equivalent to the  
3 examination required by s. 473.306, ~~and who has satisfied the~~  
4 ~~experience requirements set forth in s. 473.307; and~~  
5         2. Has completed such continuing education courses as  
6 the board deems appropriate, within the limits for each  
7 applicable 2-year period as set forth in s. 473.312, but at  
8 least such courses as are equivalent to the continuing  
9 education requirements for a licensee in this state during the  
10 2 years immediately preceding her or his application for  
11 licensure by endorsement; or  
12         (b)1.  
13         a. Holds a valid license to practice public accounting  
14 issued by another state or territory of the United States, if  
15 the criteria for issuance of such license were substantially  
16 equivalent to the licensure criteria which existed in this  
17 state at the time the license was issued; or  
18         b. Holds a valid license to practice public accounting  
19 issued by another state or territory of the United States but  
20 the criteria for issuance of such license did not meet the  
21 requirements of sub-subparagraph a., who qualifies to take the  
22 examination as set forth in s. 473.306 and, ~~who~~ has passed a  
23 national, regional, state, or territorial licensing  
24 examination which is substantially equivalent to the  
25 examination required by s. 473.306, ~~and who has satisfied the~~  
26 ~~experience requirements set forth in s. 473.307; and~~  
27         2. Has completed continuing education courses which  
28 are equivalent to the continuing education requirements for a  
29 licensee in this state during the 2 years immediately  
30 preceding her or his application for licensure by endorsement.  
31

1           Section 14. Section 473.3251, Florida Statutes, is  
2 repealed.

3           Section 15. Section 474.201, Florida Statutes, is  
4 amended to read:

5           474.201 Purpose.--~~The Legislature finds that the~~  
6 ~~practice of veterinary medicine is potentially dangerous to~~  
7 ~~the public health and safety if conducted by incompetent and~~  
8 ~~unlicensed practitioners.~~ The legislative purpose in enacting  
9 this chapter is to ensure that every veterinarian practicing  
10 in this state meet minimum requirements for safe practice. It  
11 is the legislative intent that veterinarians who are not  
12 normally competent or who otherwise present a danger to the  
13 public shall be disciplined or prohibited from practicing in  
14 this state.

15           Section 16. Section 474.219, Florida Statutes, is  
16 repealed.

17           Section 17. Section 475.001, Florida Statutes, is  
18 amended to read:

19           475.001 Purpose.--~~The Legislature finds that a~~  
20 ~~significant number of real property transactions are~~  
21 ~~facilitated by real estate brokers and salespersons and that~~  
22 ~~it is necessary to assure the minimal competence of real~~  
23 ~~estate practitioners in order to protect the public from~~  
24 ~~potential economic loss; therefore, the Legislature deems it~~  
25 necessary in the interest of the public welfare to regulate  
26 real estate brokers, salespersons, and schools in this state.

27           Section 18. Section 475.610, Florida Statutes, is  
28 amended to read:

29           475.610 Purpose.--~~The Legislature finds that a~~  
30 ~~significant number of appraisals of real property are~~  
31 ~~performed in conjunction with federally related transactions~~



1 ~~by appraisers and that it is necessary to assure the minimal~~  
2 ~~competence of such appraisers in order to protect the public~~  
3 ~~from potential economic loss; therefore, the Legislature deems~~  
4 ~~it necessary in the interest of the public welfare to regulate~~  
5 ~~real estate appraisers in this state.~~

6           Section 19. Section 476.024, Florida Statutes, is  
7 amended to read:

8           476.024 Purpose.--The Legislature deems it recognizes  
9 ~~that barbering is potentially dangerous to the public in that~~  
10 ~~barbers work in close proximity to patrons, thus risking~~  
11 ~~transmission of disease and vermin, apply various caustic~~  
12 ~~chemical agents to the hair and scalp of patrons, and employ~~  
13 ~~instruments which could harm patrons if improperly used.~~  
14 ~~Therefore, it is deemed~~ necessary in the interest of public  
15 health, safety, and welfare to regulate the practice of  
16 barbering in this state. However, restrictions should be  
17 imposed only to the extent necessary to protect the public  
18 from these recognized dangers and in a manner which will not  
19 unreasonably affect the competitive market.

20           Section 20. Section 477.012, Florida Statutes, is  
21 amended to read:

22           477.012 Purpose.--The Legislature ~~recognizes that the~~  
23 ~~practice of cosmetology involves the use of tools and~~  
24 ~~chemicals which may be dangerous when applied improperly and,~~  
25 ~~therefore,~~deems it necessary in the interest of public health  
26 to regulate the practice of cosmetology in this state.  
27 However, restrictions shall be imposed only to the extent  
28 necessary to protect the public from significant and  
29 discernible danger to health and not in a manner which will  
30 unreasonably affect the competitive market. Further, consumer  
31 protection for both health and economic matters shall be

1 afforded the public through legal remedies provided for in  
2 this act.

3 Section 21. Section 481.201, Florida Statutes, is  
4 amended to read:

5 481.201 Purpose.--~~The Legislature finds that the~~  
6 ~~practice of architecture is a learned profession.~~The primary  
7 legislative purpose for enacting this part is to ensure that  
8 every architect practicing in this state meets minimum  
9 requirements for safe practice. It is the legislative intent  
10 that architects who fall below minimum competency or who  
11 otherwise present a danger to the public shall be prohibited  
12 from practicing in this state. The Legislature further finds  
13 that it is in the interest of the public to limit the practice  
14 of interior design to interior designers or architects who  
15 have the design education and training required by this part  
16 or to persons who are exempted from the provisions of this  
17 part.

18 Section 22. Paragraph (e) of subsection (2) of section  
19 481.209, Florida Statutes, is repealed.

20 Section 23. Section 481.24, Florida Statutes, is  
21 repealed.

22 Section 24. Section 481.301, Florida Statutes, is  
23 repealed.

24 Section 25. Section 489.101, Florida Statutes, is  
25 amended to read:

26 489.101 Purpose.--The Legislature deems recognizes  
27 ~~that the construction and home improvement industries may pose~~  
28 ~~a danger of significant harm to the public when incompetent or~~  
29 ~~dishonest contractors provide unsafe, unstable, or short-lived~~  
30 ~~products or services. Therefore, it is necessary in the~~

31

1 interest of the public health, safety, and welfare to regulate  
2 the construction industry.

3 Section 26. Section 489.501, Florida Statutes, is  
4 amended to read:

5 489.501 Purpose.--~~The Legislature finds that~~  
6 ~~electrical contracting and alarm system contracting are~~  
7 ~~important services and potentially dangerous if not properly~~  
8 ~~provided and, therefore,~~deems it necessary in the interest of  
9 public health, safety, and welfare to regulate the electrical  
10 and alarm system contractors in this state. This regulation  
11 seeks to enable qualified persons to obtain licensure, while  
12 ensuring that applicants have sufficient technical experience  
13 in the applicable trade prior to licensure, are tested on  
14 technical and business matters, and upon licensure are made  
15 subject to disciplinary procedures and effective policing of  
16 the profession.

17 Section 27. Paragraph (d) of subsection (2) of section  
18 489.518, Florida Statutes, is repealed.

19 Section 28. Paragraph (b) of subsection (8) of section  
20 489.537, Florida Statutes, is repealed.

21 Section 29. Section 501.012, Florida Statutes, is  
22 amended to read:

23 501.012 Health studios; legislative findings.--~~The~~  
24 ~~Legislature finds and declares that there exist in connection~~  
25 ~~with a substantial number of contracts for health studio~~  
26 ~~services certain practices and business and financing methods~~  
27 ~~which have worked undue financial hardship upon some of the~~  
28 ~~citizens of our state and that existing legal remedies are~~  
29 ~~inadequate to correct existing problems in the industry.~~ The  
30 Legislature finds and declares that the health studio industry  
31 has a significant impact upon the economy and well-being of

1 the people of the state and that the provisions of ss.  
2 501.012-501.019 regulating health studio contracts are  
3 necessary for the public welfare.

4 Section 30. This act shall take effect upon becoming a  
5 law.

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8 HOUSE SUMMARY

9  
10 Repeals or deletes various statutory provisions that have  
11 become obsolete, have had their effect, have served their  
12 purpose, or have been impliedly repealed or superseded.  
13 Repeals or deletes provisions relating to regulation of  
14 auctioneers, athlete agents, building code administrators  
15 and inspectors, athletic trainers, funeral directors,  
16 embalmers, direct disposers, engineers, surveyors and  
17 mappers, veterinarians, real estate brokers,  
18 salespersons, schools, and appraisers, barbers,  
19 cosmetologists, architects, landscape architects,  
20 construction contractors, electrical and alarm system  
21 contractors, and health studios; savings clauses  
22 applicable to the transition to licensure of athlete  
23 agents, the regulation of funeral directing, embalming,  
24 and direct disposition, certain public accountancy  
25 licenses, and the regulation of veterinary medical  
26 practice; obsolete education and experience requirements  
27 to take the examination for licensure as a surveyor or  
28 mapper; the validity of certain land surveyor  
29 registrations and the automatic licensure of certain  
30 persons as surveyors and mappers; obsolete experience  
31 requirements to be licensed as a certified public  
accountant; obsolete experience requirements to take the  
examination for licensure as an interior designer;  
licensure or transitional licensure of certain interior  
designers; training required to be employed as a burglar  
alarm system agent; and experience requirements for  
registration as an alarm system contractor II.