

By the Committees on Business Regulation & Consumer  
Affairs, 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6           have been impliedly repealed or superseded;  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           repealing s. 468.4571, F.S., relating to  
8           savings clauses applicable to the transition to  
9           licensure of athlete agents; amending s.  
10          468.70, F.S.; deleting findings relating to  
11          regulation of athletic trainers; amending s.  
12          470.001, F.S.; deleting findings relating to  
13          regulation of funeral directing, embalming, and  
14          direct disposition; repealing s. 470.0395,  
15          F.S., relating to savings clauses applicable to  
16          regulation of funeral directing, embalming, and  
17          direct disposition; amending s. 471.001, F.S.;  
18          deleting findings relating to regulation of  
19          engineering; amending s. 472.001, F.S.;  
20          deleting findings relating to regulation of  
21          surveyors and mappers; repealing s.  
22          472.013(2)(c) and (d), F.S., relating to  
23          obsolete education and experience requirements  
24          to take the examination for licensure as a  
25          surveyor or mapper; repealing ss. 472.039 and  
26          472.041, F.S., relating to the validity of  
27          certain land surveyor registrations and the  
28          automatic licensure of certain persons as  
29          surveyors and mappers; repealing ss.  
30          473.306(3)(e) and 473.307, F.S., relating to  
31          obsolete experience requirements to be licensed

1 as a certified public accountant; amending s.  
2 473.308, F.S.; deleting cross references, to  
3 conform; repealing s. 473.3251, F.S., relating  
4 to a saving clause applicable to certain public  
5 accountancy licenses; repealing s. 474.219,  
6 F.S., relating to saving clauses applicable to  
7 regulation of veterinary medical practice;  
8 amending s. 475.001, F.S.; deleting findings  
9 relating to regulation of real estate brokers,  
10 salespersons, and schools; amending s. 475.610,  
11 F.S.; deleting findings relating to regulation  
12 of real estate appraisers; amending s. 476.024,  
13 F.S.; deleting findings relating to regulation  
14 of barbers; amending s. 477.012, F.S.; deleting  
15 findings relating to regulation of cosmetology  
16 practice; amending s. 481.201, F.S.; deleting  
17 findings relating to regulation of the practice  
18 of architecture; repealing s. 481.209(2)(e),  
19 F.S., relating to obsolete experience  
20 requirements to take the examination for  
21 licensure as an interior designer; repealing s.  
22 481.24, F.S., relating to licensure or  
23 transitional licensure of certain interior  
24 designers; amending s. 489.101, F.S.; deleting  
25 findings relating to regulation of construction  
26 contracting; amending s. 489.501, F.S.;  
27 deleting findings relating to regulation of  
28 electrical and alarm system contracting;  
29 repealing s. 489.518(2)(d), F.S., relating to  
30 training required to be employed as a burglar  
31 alarm system agent; repealing s. 489.537(8)(b),

1 F.S., relating to experience requirements for  
2 registration as an alarm system contractor II;  
3 amending s. 501.012, F.S.; deleting certain  
4 findings relating to regulation of health  
5 studios; providing an effective date.  
6

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

8  
9 Section 1. Section 468.4571, Florida Statutes, is  
10 repealed.

11 Section 2. Section 468.70, Florida Statutes, is  
12 amended to read:

13 468.70 Legislative ~~findings and intent.--The~~  
14 ~~Legislature finds that without regulation of athletic training~~  
15 ~~and trainers there is substantial threat to the public~~  
16 ~~welfare.~~ It is the intent of the Legislature that athletes be  
17 assisted by persons adequately trained to recognize, prevent,  
18 and treat physical injuries sustained during athletic  
19 activities. Therefore, it is the further intent of the  
20 Legislature to protect the public by licensing and fully  
21 regulating athletic trainers.

22 Section 3. Section 470.001, Florida Statutes, is  
23 amended to read:

24 470.001 Legislative ~~findings and intent.--~~

25 ~~(1) The Legislature~~ deems it necessary in the interest  
26 of public health and safety to establish ~~finds that the~~  
27 ~~practice of embalming, funeral directing, and final~~  
28 ~~disposition by unskilled and incompetent practitioners~~  
29 ~~presents a danger to the public health and safety. The~~  
30 ~~Legislature finds further that it is difficult for the public~~  
31 ~~to make an informed choice about embalmers and funeral~~

1 ~~directors and that the consequences of a wrong choice could~~  
2 ~~endanger the public health and welfare. The only way to~~  
3 ~~protect the public from the incompetent practice of embalming,~~  
4 ~~funeral directing, and final disposition is through the~~  
5 ~~establishment of minimum qualifications for entry into the~~  
6 ~~such professions of embalming and funeral directing and to~~  
7 provide for through swift and effective discipline for those  
8 practitioners who violate the law.

9       (2) The Legislature further ~~finds that the~~  
10 ~~unregistered practice of direct disposition presents a danger~~  
11 ~~to the public welfare and, therefore,deems it necessary to~~  
12 provide for the registration of all direct disposers, to  
13 provide against improper conduct by practitioners of direct  
14 disposition, and to establish swift and effective discipline  
15 for those practitioners who violate the law.

16       Section 4. Section 470.0395, Florida Statutes, is  
17 repealed.

18       Section 5. Section 471.001, Florida Statutes, is  
19 amended to read:

20       471.001 Purpose.--The Legislature ~~finds that, if~~  
21 ~~incompetent engineers performed engineering services, physical~~  
22 ~~and economic injury to the citizens of the state would result~~  
23 ~~and, therefore,deems it necessary in the interest of public~~  
24 health and safety to regulate the practice of engineering in  
25 this state.

26       Section 6. Section 472.001, Florida Statutes, is  
27 amended to read:

28       472.001 Purpose.--The Legislature ~~finds that improper~~  
29 ~~surveying and mapping of land, water, and space presents a~~  
30 ~~significant threat to the public and therefore~~ deems it  
31

1 necessary to regulate surveyors and mappers as provided in ss.  
2 472.001-472.041.

3 Section 7. Paragraphs (c) and (d) of subsection (2) of  
4 section 472.013, Florida Statutes, are repealed.

5 Section 8. Sections 472.039 and 472.041, Florida  
6 Statutes, are repealed.

7 Section 9. Section 473.307 and paragraph (e) of  
8 subsection (3) of section 473.306, Florida Statutes, are  
9 repealed.

10 Section 10. Subsections (2) and (3) of section  
11 473.308, Florida Statutes, are amended to read:

12 473.308 Licensure.--

13 (2) The board shall certify for licensure any  
14 applicant who successfully passes the licensure examination  
15 and satisfies the requirements of ~~s.ss.473.306 and 473.307~~  
16 and shall certify for licensure any firm which satisfies the  
17 requirements of ss. 473.309 and 473.3101. The board may  
18 refuse to certify any applicant or firm that has violated any  
19 of the provisions of s. 473.322.

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

22 (a)1. Is not licensed and has not been licensed in  
23 another state or territory and who qualifies to take the  
24 examination as set forth in s. 473.306 and, who has passed a  
25 national, regional, state, or territorial licensing  
26 examination which is substantially equivalent to the  
27 examination required by s. 473.306, ~~and who has satisfied the~~  
28 ~~experience requirements set forth in s. 473.307; and~~

29 2. Has completed such continuing education courses as  
30 the board deems appropriate, within the limits for each  
31 applicable 2-year period as set forth in s. 473.312, but at

1 least such courses as are equivalent to the continuing  
2 education requirements for a licensee in this state during the  
3 2 years immediately preceding her or his application for  
4 licensure by endorsement; or

5 (b)1.

6 a. Holds a valid license to practice public accounting  
7 issued by another state or territory of the United States, if  
8 the criteria for issuance of such license were substantially  
9 equivalent to the licensure criteria which existed in this  
10 state at the time the license was issued; or

11 b. Holds a valid license to practice public accounting  
12 issued by another state or territory of the United States but  
13 the criteria for issuance of such license did not meet the  
14 requirements of sub-subparagraph a., who qualifies to take the  
15 examination as set forth in s. 473.306 and, ~~who~~ has passed a  
16 national, regional, state, or territorial licensing  
17 examination which is substantially equivalent to the  
18 examination required by s. 473.306, ~~and who has satisfied the~~  
19 ~~experience requirements set forth in s. 473.307; and~~

20 2. Has completed continuing education courses which  
21 are equivalent to the continuing education requirements for a  
22 licensee in this state during the 2 years immediately  
23 preceding her or his application for licensure by endorsement.

24 Section 11. Section 473.3251, Florida Statutes, is  
25 repealed.

26 Section 12. Section 474.219, Florida Statutes, is  
27 repealed.

28 Section 13. Section 475.001, Florida Statutes, is  
29 amended to read:

30 475.001 Purpose.--The Legislature ~~finds that a~~  
31 ~~significant number of real property transactions are~~

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

7 Section 14. Section 475.610, Florida Statutes, is  
8 amended to read:

9 475.610 Purpose.--The Legislature ~~finds that a~~  
10 ~~significant number of appraisals of real property are~~  
11 ~~performed in conjunction with federally related transactions~~  
12 ~~by appraisers and that it is necessary to assure the minimal~~  
13 ~~competence of such appraisers in order to protect the public~~  
14 ~~from potential economic loss; therefore, the Legislature deems~~  
15 it necessary in the interest of the public welfare to regulate  
16 real estate appraisers in this state.

17 Section 15. Section 476.024, Florida Statutes, is  
18 amended to read:

19 476.024 Purpose.--The Legislature deems it recognizes  
20 ~~that barbering is potentially dangerous to the public in that~~  
21 ~~barbers work in close proximity to patrons, thus risking~~  
22 ~~transmission of disease and vermin, apply various caustic~~  
23 ~~chemical agents to the hair and scalp of patrons, and employ~~  
24 ~~instruments which could harm patrons if improperly used.~~  
25 ~~Therefore, it is deemed~~ necessary in the interest of public  
26 health, safety, and welfare to regulate the practice of  
27 barbering in this state. However, restrictions should be  
28 imposed only to the extent necessary to protect the public  
29 from these recognized dangers and in a manner which will not  
30 unreasonably affect the competitive market.

31

1           Section 16. Section 477.012, Florida Statutes, is  
2 amended to read:

3           477.012 Purpose.--~~The Legislature recognizes that the~~  
4 ~~practice of cosmetology involves the use of tools and~~  
5 ~~chemicals which may be dangerous when applied improperly and,~~  
6 ~~therefore,~~deems it necessary in the interest of public health  
7 to regulate the practice of cosmetology in this state.  
8 However, restrictions shall be imposed only to the extent  
9 necessary to protect the public from significant and  
10 discernible danger to health and not in a manner which will  
11 unreasonably affect the competitive market. Further, consumer  
12 protection for both health and economic matters shall be  
13 afforded the public through legal remedies provided for in  
14 this act.

15           Section 17. Section 481.201, Florida Statutes, is  
16 amended to read:

17           481.201 Purpose.--~~The Legislature finds that the~~  
18 ~~practice of architecture is a learned profession.~~The primary  
19 legislative purpose for enacting this part is to ensure that  
20 every architect practicing in this state meets minimum  
21 requirements for safe practice. It is the legislative intent  
22 that architects who fall below minimum competency or who  
23 otherwise present a danger to the public shall be prohibited  
24 from practicing in this state. The Legislature further finds  
25 that it is in the interest of the public to limit the practice  
26 of interior design to interior designers or architects who  
27 have the design education and training required by this part  
28 or to persons who are exempted from the provisions of this  
29 part.

30           Section 18. Paragraph (e) of subsection (2) of section  
31 481.209, Florida Statutes, is repealed.



1           Section 19. Section 481.24, Florida Statutes, is  
2 repealed.

3           Section 20. Section 489.101, Florida Statutes, is  
4 amended to read:

5           489.101 Purpose.--The Legislature deems ~~recognizes~~  
6 ~~that the construction and home improvement industries may pose~~  
7 ~~a danger of significant harm to the public when incompetent or~~  
8 ~~dishonest contractors provide unsafe, unstable, or short-lived~~  
9 ~~products or services. Therefore, it is necessary in the~~  
10 interest of the public health, safety, and welfare to regulate  
11 the construction industry.

12           Section 21. Section 489.501, Florida Statutes, is  
13 amended to read:

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

26           Section 22. Paragraph (d) of subsection (2) of section  
27 489.518, Florida Statutes, is repealed.

28           Section 23. Paragraph (b) of subsection (8) of section  
29 489.537, Florida Statutes, is repealed.

30           Section 24. Section 501.012, Florida Statutes, is  
31 amended to read:

1           501.012 Health studios; legislative findings.--~~The~~  
2 ~~Legislature finds and declares that there exist in connection~~  
3 ~~with a substantial number of contracts for health studio~~  
4 ~~services certain practices and business and financing methods~~  
5 ~~which have worked undue financial hardship upon some of the~~  
6 ~~citizens of our state and that existing legal remedies are~~  
7 ~~inadequate to correct existing problems in the industry.~~ The  
8 Legislature finds and declares that the health studio industry  
9 has a significant impact upon the economy and well-being of  
10 the people of the state and that the provisions of ss.  
11 501.012-501.019 regulating health studio contracts are  
12 necessary for the public welfare.

13           Section 25. This act shall take effect upon becoming a  
14 law.

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31