

By the Council for Smarter Government and Representative
Betancourt

1 A bill to be entitled
2 An act relating to professions; amending s.
3 455.271, F.S.; providing general authority for
4 the reinstatement of licenses that have become
5 void; amending s. 473.313, F.S., relating to
6 the reinstatement of certain public accountancy
7 licenses that have become void, to conform;
8 amending s. 489.111, F.S.; deleting certain
9 educational course requirements for purposes of
10 qualifying for licensure by examination as a
11 construction contractor; amending s. 489.116,
12 F.S.; providing for the reinstatement of
13 certain contracting licenses that have become
14 void; providing an effective date.

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

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18 Section 1. Subsection (6) of section 455.271, Florida
19 Statutes, is amended to read:

20 455.271 Inactive and delinquent status.--

21 (6)(a) A delinquent status licensee must affirmatively
22 apply with a complete application, as defined by rule of the
23 board, or the department when there is no board, for active or
24 inactive status during the licensure cycle in which a licensee
25 becomes delinquent. Failure by a delinquent status licensee to
26 become active or inactive before the expiration of the current
27 licensure cycle shall render the license void ~~null~~ without any
28 further action by the board or the department. Any subsequent
29 licensure shall be as a result of applying for and meeting all
30 requirements imposed on an applicant for new licensure.

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1 (b) Notwithstanding paragraph (a), the board or the
2 department, if there is no board, may, at its discretion,
3 reinstate the license of an individual whose license has
4 become void if the individual has made a good faith effort to
5 comply with this section but has failed to comply because of
6 illness or unusual hardship. The individual must apply to the
7 board or the department, if there is no board, for
8 reinstatement in a manner prescribed by rules of the board or
9 the department, if there is no board, and shall pay an
10 application fee in an amount determined by rule. The board or
11 the department, if there is no board, shall require that such
12 individual meet all continuing education requirements
13 prescribed by law, pay appropriate licensing fees, and
14 otherwise be eligible for renewal of licensure under this
15 chapter.

16 Section 2. Subsection (4) of section 473.313, Florida
17 Statutes, is amended to read:

18 473.313 Inactive status.--

19 (4) ~~Notwithstanding the provisions of s. 455.271,~~The
20 board may, at its discretion, reinstate the license of an
21 individual whose license has become ~~null and~~ void if the
22 individual has made a good faith effort to comply with this
23 section but has failed to comply because of illness or unusual
24 hardship. The individual must ~~shall~~ apply to the board for
25 reinstatement in a manner prescribed by rules of the board and
26 shall pay an application fee in an amount determined by rule
27 of the board. The board shall require that such an individual
28 meet all continuing education requirements as provided in s.
29 473.312, pay appropriate licensing fees, and otherwise be
30 eligible for renewal of licensure under this chapter.

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1 Section 3. Subsection (2) of section 489.111, Florida
2 Statutes, is amended to read:

3 489.111 Licensure by examination.--

4 (2) A person shall be eligible for licensure by
5 examination if the person:

6 (a) Is 18 years of age;

7 (b) Is of good moral character; and

8 (c) Meets eligibility requirements according to one of
9 the following criteria:

10 1. Has received a baccalaureate degree from an
11 accredited 4-year college in the appropriate field of
12 engineering, architecture, or building construction and has 1
13 year of proven experience in the category in which the person
14 seeks to qualify. For the purpose of this part, a minimum of
15 2,000 person-hours shall be used in determining full-time
16 equivalency.

17 2. Has a total of at least 4 years of active
18 experience as a worker who has learned the trade by serving an
19 apprenticeship as a skilled worker who is able to command the
20 rate of a mechanic in the particular trade or as a foreman who
21 is in charge of a group of workers and usually is responsible
22 to a superintendent or a contractor or his or her equivalent,
23 provided, however, that at least 1 year of active experience
24 shall be as a foreman.

25 3. Has a combination of not less than 1 year of
26 experience as a foreman and not less than 3 years of credits
27 for any accredited college-level courses; has a combination of
28 not less than 1 year of experience as a skilled worker, 1 year
29 of experience as a foreman, and not less than 2 years of
30 credits for any accredited college-level courses; or has a
31 combination of not less than 2 years of experience as a

1 skilled worker, 1 year of experience as a foreman, and not
2 less than 1 year of credits for any accredited college-level
3 courses. ~~For the number of years of credits for any accredited~~
4 ~~college-level courses, the applicant shall show completion of~~
5 ~~an equal number of courses in the appropriate field of~~
6 ~~engineering, architecture, or building construction.~~All
7 junior college or community college-level courses shall be
8 considered accredited college-level courses.

9 4.a. An active certified residential contractor is
10 eligible to take the building contractors' examination if he
11 or she possesses a minimum of 3 years of proven experience in
12 the classification in which he or she is certified.

13 b. An active certified residential contractor is
14 eligible to take the general contractors' examination if he or
15 she possesses a minimum of 4 years of proven experience in the
16 classification in which he or she is certified.

17 c. An active certified building contractor is eligible
18 to take the general contractors' examination if he or she
19 possesses a minimum of 4 years of proven experience in the
20 classification in which he or she is certified.

21 5.a. An active certified air-conditioning Class C
22 contractor is eligible to take the air-conditioning Class B
23 contractors' examination if he or she possesses a minimum of 3
24 years of proven experience in the classification in which he
25 or she is certified.

26 b. An active certified air-conditioning Class C
27 contractor is eligible to take the air-conditioning Class A
28 contractors' examination if he or she possesses a minimum of 4
29 years of proven experience in the classification in which he
30 or she is certified.

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1 c. An active certified air-conditioning Class B
2 contractor is eligible to take the air-conditioning Class A
3 contractors' examination if he or she possesses a minimum of 1
4 year of proven experience in the classification in which he or
5 she is certified.

6 6.a. An active certified swimming pool servicing
7 contractor is eligible to take the residential swimming pool
8 contractors' examination if he or she possesses a minimum of 3
9 years of proven experience in the classification in which he
10 or she is certified.

11 b. An active certified swimming pool servicing
12 contractor is eligible to take the swimming pool commercial
13 contractors' examination if he or she possesses a minimum of 4
14 years of proven experience in the classification in which he
15 or she is certified.

16 c. An active certified residential swimming pool
17 contractor is eligible to take the commercial swimming pool
18 contractors' examination if he or she possesses a minimum of 1
19 year of proven experience in the classification in which he or
20 she is certified.

21 d. An applicant is eligible to take the swimming
22 pool/spa servicing contractor's examination if he or she has
23 satisfactorily completed 60 hours of instruction in courses
24 related to the scope of work covered by that license and
25 approved by the Construction Industry Licensing Board by rule
26 and has at least 1 year of proven experience related to the
27 scope of work of such a contractor.

28 Section 4. Subsections (6), (7), and (8) of section
29 489.116, Florida Statutes, are renumbered as subsections (7),
30 (8), and (9), respectively, and a new subsection (6) is added
31 to said section, to read:

1 489.116 Inactive and delinquent status; renewal and
2 cancellation notices.--

3 (6) Notwithstanding subsections (4) and (5), the board
4 may, at its discretion, reinstate the license of an individual
5 whose license has become void if the individual has made a
6 good faith effort to comply with this section but has failed
7 to comply because of illness or unusual hardship. The
8 individual must apply to the board for reinstatement in a
9 manner prescribed by rules of the board and shall pay an
10 application fee in an amount determined by rule of the board.
11 The board shall require that such individual meet all
12 continuing education requirements as provided in s. 489.115,
13 pay appropriate licensing fees, and otherwise be eligible for
14 renewal of licensure under this chapter.

15 Section 5. This act shall take effect July 1, 2002.
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