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A bill to be entitled
 An act relating to talent agencies; repealing pt. VII of
 ch. 468, F.S., to terminate the regulation of talent
 agencies by the Department of Business and Professional
 Regulation; providing for the use and transfer of
 remaining funds; providing for the continuation of legal
 proceedings; amending ss. 20.165, 20.43, 110.203, 110.205,
 400.275, 400.464, 408.07, 443.101, 455.2286, 456.001,
 456.033, 456.034, 456.0375, 456.057, 471.045, 472.003,
 481.222, 489.109, 489.519, 553.415, 553.77, 553.791,
 553.80, 553.841, 627.192, 721.13, 1012.46, and 1013.38,
 F.S.; revising references, to conform; providing an
 effective date.

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

Section 1. Sections 468.401, 468.402, 468.403, 468.404, 468.405, 468.406, 468.407, 468.408, 468.409, 468.410, 468.411, 468.412, 468.413, 468.414, and 468.415, Florida Statutes, are repealed.

Section 2. The regulation of talent agencies is abolished. Any funds and balances associated with the regulation of talent agencies remaining in the Professional Regulation Trust Fund after the effective date of this act shall be used to pay any remaining expenses associated with such regulation. Any funds or balances remaining after January 1, 2004, shall be transferred to the General Revenue Fund.

Section 3. The Department of Business and Professional Regulation may continue to prosecute any existing legal proceedings and related administrative cases relating to the



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31 regulation of talent agencies which are in existence on the
 32 effective date of this act.

33 Section 4. Paragraph (a) of subsection (4) of section
 34 20.165, Florida Statutes, is amended to read:

35 20.165 Department of Business and Professional
 36 Regulation.--There is created a Department of Business and
 37 Professional Regulation.

38 (4)(a) The following boards are established within the
 39 Division of Professions:

40 1. Board of Architecture and Interior Design, created
 41 under part I of chapter 481.

42 2. Florida Board of Auctioneers, created under part VI of
 43 chapter 468.

44 3. Barbers' Board, created under chapter 476.

45 4. Florida Building Code Administrators and Inspectors
 46 Board, created under part XI ~~XII~~ of chapter 468.

47 5. Construction Industry Licensing Board, created under
 48 part I of chapter 489.

49 6. Board of Cosmetology, created under chapter 477.

50 7. Electrical Contractors' Licensing Board, created under
 51 part II of chapter 489.

52 8. Board of Employee Leasing Companies, created under part
 53 X ~~XI~~ of chapter 468.

54 9. Board of Funeral Directors and Embalmers, created under
 55 chapter 470.

56 10. Board of Landscape Architecture, created under part II
 57 of chapter 481.

58 11. Board of Pilot Commissioners, created under chapter
 59 310.



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60 12. Board of Professional Engineers, created under chapter
61 471.

62 13. Board of Professional Geologists, created under
63 chapter 492.

64 14. Board of Professional Surveyors and Mappers, created
65 under chapter 472.

66 15. Board of Veterinary Medicine, created under chapter
67 474.

68 Section 5. Paragraph (g) of subsection (3) of section
69 20.43, Florida Statutes, is amended to read:

70 20.43 Department of Health.--There is created a Department
71 of Health.

72 (3) The following divisions of the Department of Health
73 are established:

74 (g) Division of Medical Quality Assurance, which is
75 responsible for the following boards and professions established
76 within the division:

77 1. The Board of Acupuncture, created under chapter 457.

78 2. The Board of Medicine, created under chapter 458.

79 3. The Board of Osteopathic Medicine, created under
80 chapter 459.

81 4. The Board of Chiropractic Medicine, created under
82 chapter 460.

83 5. The Board of Podiatric Medicine, created under chapter
84 461.

85 6. Naturopathy, as provided under chapter 462.

86 7. The Board of Optometry, created under chapter 463.

87 8. The Board of Nursing, created under part I of chapter
88 464.



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- 89 9. Nursing assistants, as provided under part II of
- 90 chapter 464.
- 91 10. The Board of Pharmacy, created under chapter 465.
- 92 11. The Board of Dentistry, created under chapter 466.
- 93 12. Midwifery, as provided under chapter 467.
- 94 13. The Board of Speech-Language Pathology and Audiology,
- 95 created under part I of chapter 468.
- 96 14. The Board of Nursing Home Administrators, created
- 97 under part II of chapter 468.
- 98 15. The Board of Occupational Therapy, created under part
- 99 III of chapter 468.
- 100 16. Respiratory therapy, as provided under part V of
- 101 chapter 468.
- 102 17. Dietetics and nutrition practice, as provided under
- 103 part IX ~~✕~~ of chapter 468.
- 104 18. The Board of Athletic Training, created under part XII
- 105 ~~XIII~~ of chapter 468.
- 106 19. The Board of Orthotists and Prosthetists, created
- 107 under part XIII ~~XIV~~ of chapter 468.
- 108 20. Electrolysis, as provided under chapter 478.
- 109 21. The Board of Massage Therapy, created under chapter
- 110 480.
- 111 22. The Board of Clinical Laboratory Personnel, created
- 112 under part III of chapter 483.
- 113 23. Medical physicists, as provided under part IV of
- 114 chapter 483.
- 115 24. The Board of Opticianry, created under part I of
- 116 chapter 484.
- 117 25. The Board of Hearing Aid Specialists, created under
- 118 part II of chapter 484.



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119 26. The Board of Physical Therapy Practice, created under
120 chapter 486.

121 27. The Board of Psychology, created under chapter 490.

122 28. School psychologists, as provided under chapter 490.

123 29. The Board of Clinical Social Work, Marriage and Family
124 Therapy, and Mental Health Counseling, created under chapter
125 491.

126 Section 6. Subsection (30) of section 110.203, Florida
127 Statutes, is amended to read:

128 110.203 Definitions.--For the purpose of this part and the
129 personnel affairs of the state:

130 (30) "Professional health care provider" means registered
131 nurses licensed under chapter 464, dentists licensed under
132 chapter 466, psychologists licensed under chapter 490 or chapter
133 491, nutritionists or dietitians licensed under part IX ~~§~~ of
134 chapter 468, pharmacists licensed under chapter 465,
135 psychological specialists licensed under chapter 491, physical
136 therapists licensed under chapter 486, and speech therapists
137 licensed under part I of chapter 468.

138 Section 7. Paragraph (x) of subsection (2) of section
139 110.205, Florida Statutes, is amended to read:

140 110.205 Career service; exemptions.--

141 (2) EXEMPT POSITIONS.--The exempt positions that are not
142 covered by this part include the following:

143 (x) Managerial employees, as defined in s. 447.203(4),
144 confidential employees, as defined in s. 447.203(5), and
145 supervisory employees who spend the majority of their time
146 communicating with, motivating, training, and evaluating
147 employees, and planning and directing employees' work, and who
148 have the authority to hire, transfer, suspend, lay off, recall,



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149 promote, discharge, assign, reward, or discipline subordinate
 150 employees or effectively recommend such action, including all
 151 employees serving as supervisors, administrators, and directors.
 152 Excluded are employees also designated as special risk or
 153 special risk administrative support and attorneys who serve as
 154 administrative law judges pursuant to s. 120.65 or for hearings
 155 conducted pursuant to s. 120.57(1)(a). Additionally, registered
 156 nurses licensed under chapter 464, dentists licensed under
 157 chapter 466, psychologists licensed under chapter 490 or chapter
 158 491, nutritionists or dietitians licensed under part IX ~~§~~ of
 159 chapter 468, pharmacists licensed under chapter 465,
 160 psychological specialists licensed under chapter 491, physical
 161 therapists licensed under chapter 486, and speech therapists
 162 licensed under part I of chapter 468 are excluded, unless
 163 otherwise collectively bargained.

164 Section 8. Subsection (3) of section 400.275, Florida
 165 Statutes, is amended to read:

166 400.275 Agency duties.--

167 (3) Each member of a nursing home survey team who is a
 168 health professional licensed under part I of chapter 464, part
 169 IX ~~§~~ of chapter 468, or chapter 491 shall earn not less than 50
 170 percent of required continuing education credits in geriatric
 171 care. Each member of a nursing home survey team who is a health
 172 professional licensed under chapter 465 shall earn not less than
 173 30 percent of required continuing education credits in geriatric
 174 care.

175 Section 9. Paragraph (c) of subsection (5) of section
 176 400.464, Florida Statutes, is amended to read:

177 400.464 Home health agencies to be licensed; expiration of
 178 license; exemptions; unlawful acts; penalties.--



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179 (5) The following are exempt from the licensure
180 requirements of this part:

181 (c) A health care professional, whether or not
182 incorporated, who is licensed under chapter 457; chapter 458;
183 chapter 459; part I of chapter 464; chapter 467; part I, part
184 III, part V, or part IX ~~X~~ of chapter 468; chapter 480; chapter
185 486; chapter 490; or chapter 491; and who is acting alone within
186 the scope of his or her professional license to provide care to
187 patients in their homes.

188 Section 10. Subsection (24) of section 408.07, Florida
189 Statutes, is amended to read:

190 408.07 Definitions.--As used in this chapter, with the
191 exception of ss. 408.031-408.045, the term:

192 (24) "Health care provider" means a health care
193 professional licensed under chapter 458, chapter 459, chapter
194 460, chapter 461, chapter 463, chapter 464, chapter 465, chapter
195 466, part I, part III, part IV, part V, or part IX ~~X~~ of chapter
196 468, chapter 483, chapter 484, chapter 486, chapter 490, or
197 chapter 491.

198 Section 11. Paragraph (a) of subsection (10) of section
199 443.101, Florida Statutes, is amended to read:

200 443.101 Disqualification for benefits.--An individual
201 shall be disqualified for benefits:

202 (10) Subject to the requirements of this subsection if the
203 claim is made on the basis of loss of employment as a leased
204 employee for an employee leasing company or as a temporary
205 employee for a temporary help firm.

206 (a) As used in this subsection, the term:

207 1. "Temporary help firm" means a firm that hires its own
208 employees and assigns them to clients to support or supplement



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209 the client's workforce in work situations such as employee
210 absences, temporary skill shortages, seasonal workloads, and
211 special assignments and projects. The term also includes a firm
212 created by an entity licensed under s. 125.012(6), which hires
213 employees assigned by a union for the purpose of supplementing
214 or supporting the workforce of the temporary help firm's
215 clients. The term does not include employee leasing companies
216 regulated under part ~~X~~ ~~XI~~ of chapter 468.

217 2. "Temporary employee" means an employee assigned to work
218 for the clients of a temporary help firm.

219 3. "Leased employee" means an employee assigned to work
220 for the clients of an employee leasing company regulated under
221 part ~~X~~ ~~XI~~ of chapter 468.

222 Section 12. Section 455.2286, Florida Statutes, is amended
223 to read:

224 455.2286 Automated information system.--By November 1,
225 2001, the department shall implement an automated information
226 system for all certificateholders and registrants under part ~~XI~~
227 ~~XII~~ of chapter 468, chapter 471, chapter 481, or chapter 489.
228 The system shall provide instant notification to local building
229 departments and other interested parties regarding the status of
230 the certification or registration. The provision of such
231 information shall consist, at a minimum, of an indication of
232 whether the certification or registration is active, of any
233 current failure to meet the terms of any final action by a
234 licensing authority, of any ongoing disciplinary cases that are
235 subject to public disclosure, whether there are any outstanding
236 fines, and of the reporting of any material violations pursuant
237 to s. 553.781. The system shall also retain information
238 developed by the department and local governments on individuals



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239 found to be practicing or contracting without holding the
 240 applicable license, certification, or registration required by
 241 law. The system may be Internet-based.

242 Section 13. Subsection (4) of section 456.001, Florida
 243 Statutes, is amended to read:

244 456.001 Definitions.--As used in this chapter, the term:

245 (4) "Health care practitioner" means any person licensed
 246 under chapter 457; chapter 458; chapter 459; chapter 460;
 247 chapter 461; chapter 462; chapter 463; chapter 464; chapter 465;
 248 chapter 466; chapter 467; part I, part II, part III, part V,
 249 part IX ~~X~~, part XII ~~XIII~~, or part XIII ~~XIV~~ of chapter 468;
 250 chapter 478; chapter 480; part III or part IV of chapter 483;
 251 chapter 484; chapter 486; chapter 490; or chapter 491.

252 Section 14. Subsection (1) of section 456.033, Florida
 253 Statutes, is amended to read:

254 456.033 Requirement for instruction for certain licensees
 255 on HIV and AIDS.--

256 (1) The appropriate board shall require each person
 257 licensed or certified under chapter 457; chapter 458; chapter
 258 459; chapter 460; chapter 461; chapter 463; part I of chapter
 259 464; chapter 465; chapter 466; part II, part III, part V, or
 260 part IX ~~X~~ of chapter 468; or chapter 486 to complete a
 261 continuing educational course, approved by the board, on human
 262 immunodeficiency virus and acquired immune deficiency syndrome
 263 as part of biennial relicensure or recertification. The course
 264 shall consist of education on the modes of transmission,
 265 infection control procedures, clinical management, and
 266 prevention of human immunodeficiency virus and acquired immune
 267 deficiency syndrome. Such course shall include information on
 268 current Florida law on acquired immune deficiency syndrome and



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269 its impact on testing, confidentiality of test results,
 270 treatment of patients, and any protocols and procedures
 271 applicable to human immunodeficiency virus counseling and
 272 testing, reporting, the offering of HIV testing to pregnant
 273 women, and partner notification issues pursuant to ss. 381.004
 274 and 384.25.

275 Section 15. Subsection (1) of section 456.034, Florida
 276 Statutes, is amended to read:

277 456.034 Athletic trainers and massage therapists;
 278 requirement for instruction on HIV and AIDS.--

279 (1) The board, or the department where there is no board,
 280 shall require each person licensed or certified under part XII
 281 ~~XIII~~ of chapter 468 or chapter 480 to complete a continuing
 282 educational course approved by the board, or the department
 283 where there is no board, on human immunodeficiency virus and
 284 acquired immune deficiency syndrome as part of biennial
 285 relicensure or recertification. The course shall consist of
 286 education on modes of transmission, infection control
 287 procedures, clinical management, and prevention of human
 288 immunodeficiency virus and acquired immune deficiency syndrome,
 289 with an emphasis on appropriate behavior and attitude change.

290 Section 16. Paragraph (b) of subsection (1) and paragraph
 291 (a) of subsection (3) of section 456.0375, Florida Statutes, are
 292 amended to read:

293 456.0375 Registration of certain clinics; requirements;
 294 discipline; exemptions.--

295 (1)

296 (b) For purposes of this section, the term "clinic" does
 297 not include and the registration requirements herein do not
 298 apply to:



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299 1. Entities licensed or registered by the state pursuant
300 to chapter 390, chapter 394, chapter 395, chapter 397, chapter
301 400, chapter 463, chapter 465, chapter 466, chapter 478, chapter
302 480, or chapter 484.

303 2. Entities exempt from federal taxation under 26 U.S.C.
304 s. 501(c)(3).

305 3. Sole proprietorships, group practices, partnerships, or
306 corporations that provide health care services by licensed
307 health care practitioners pursuant to chapters 457, 458, 459,
308 460, 461, 462, 463, 466, 467, 484, 486, 490, 491, or part I,
309 part III, part IX ~~X~~, part XII ~~XIII~~, or part XIII ~~XIV~~ of chapter
310 468, or s. 464.012, which are wholly owned by licensed health
311 care practitioners or the licensed health care practitioner and
312 the spouse, parent, or child of a licensed health care
313 practitioner, so long as one of the owners who is a licensed
314 health care practitioner is supervising the services performed
315 therein and is legally responsible for the entity's compliance
316 with all federal and state laws. However, no health care
317 practitioner may supervise services beyond the scope of the
318 practitioner's license.

319 (3)(a) Each clinic must employ or contract with a
320 physician maintaining a full and unencumbered physician license
321 in accordance with chapter 458, chapter 459, chapter 460, or
322 chapter 461 to serve as the medical director. However, if the
323 clinic is limited to providing health care services pursuant to
324 chapter 457, chapter 484, chapter 486, chapter 490, or chapter
325 491 or part I, part III, part IX ~~X~~, part XII ~~XIII~~, or part XIII
326 ~~XIV~~ of chapter 468, the clinic may appoint a health care
327 practitioner licensed under that chapter to serve as a clinical
328 director who is responsible for the clinic's activities. A



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329 health care practitioner may not serve as the clinical director
330 if the services provided at the clinic are beyond the scope of
331 that practitioner's license.

332 Section 17. Paragraph (f) of subsection (2) of section
333 456.057, Florida Statutes, is amended to read:

334 456.057 Ownership and control of patient records; report
335 or copies of records to be furnished.--

336 (2) As used in this section, the terms "records owner,"
337 "health care practitioner," and "health care practitioner's
338 employer" do not include any of the following persons or
339 entities; furthermore, the following persons or entities are not
340 authorized to acquire or own medical records, but are authorized
341 under the confidentiality and disclosure requirements of this
342 section to maintain those documents required by the part or
343 chapter under which they are licensed or regulated:

344 (f) Athletic trainers licensed under part XII ~~XIII~~ of
345 chapter 468.

346 Section 18. Section 471.045, Florida Statutes, is amended
347 to read:

348 471.045 Professional engineers performing building code
349 inspector duties.--Notwithstanding any other provision of law, a
350 person who is currently licensed under this chapter to practice
351 as a professional engineer may provide building code inspection
352 services described in s. 468.603(6) and (7) to a local
353 government or state agency upon its request, without being
354 certified by the Florida Building Code Administrators and
355 Inspectors Board under part XI ~~XII~~ of chapter 468. When
356 performing these building code inspection services, the
357 professional engineer is subject to the disciplinary guidelines
358 of this chapter and s. 468.621(1)(c)-(h). Any complaint



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359 processing, investigation, and discipline that arise out of a
360 professional engineer's performing building code inspection
361 services shall be conducted by the Board of Professional
362 Engineers rather than the Florida Building Code Administrators
363 and Inspectors Board. A professional engineer may not perform
364 plans review as an employee of a local government upon any job
365 that the professional engineer or the professional engineer's
366 company designed.

367 Section 19. Paragraph (b) of subsection (5) of section
368 472.003, Florida Statutes, is amended to read:

369 472.003 Persons not affected by ss. 472.001-
370 472.037.--Sections 472.001-472.037 do not apply to:

371 (5)

372 (b) Persons who are employees of any employee leasing
373 company licensed pursuant to part X ~~XI~~ of chapter 468 and who
374 work as subordinates of a person in responsible charge
375 registered under this chapter.

376 Section 20. Section 481.222, Florida Statutes, is amended
377 to read:

378 481.222 Architects performing building code inspection
379 services.--Notwithstanding any other provision of law, a person
380 who is currently licensed to practice as an architect under this
381 part may provide building code inspection services described in
382 s. 468.603(6) and (7) to a local government or state agency upon
383 its request, without being certified by the Florida Building
384 Code Administrators and Inspectors Board under part XI ~~XII~~ of
385 chapter 468. With respect to the performance of such building
386 code inspection services, the architect is subject to the
387 disciplinary guidelines of this part and s. 468.621(1)(c)-(h).
388 Any complaint processing, investigation, and discipline that



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389 arise out of an architect's performance of building code
390 inspection services shall be conducted by the Board of
391 Architecture and Interior Design rather than the Florida
392 Building Code Administrators and Inspectors Board. An architect
393 may not perform plans review as an employee of a local
394 government upon any job that the architect or the architect's
395 company designed.

396 Section 21. Paragraph (e) of subsection (1) of section
397 489.109, Florida Statutes, is amended to read:

398 489.109 Fees.--

399 (1) The board, by rule, shall establish reasonable fees to
400 be paid for applications, certification and renewal,
401 registration and renewal, and recordmaking and recordkeeping.
402 The fees shall be established as follows:

403 (e) The board, by rule, shall impose a renewal fee for an
404 inactive status certificate or registration, not to exceed the
405 renewal fee for an active status certificate or registration.
406 Neither the inactive certification fee nor the inactive
407 registration fee may exceed \$50. The board, by rule, may provide
408 for a different fee for inactive status where such status is
409 sought by a building code administrator, plans examiner, or
410 inspector certified pursuant to part XI ~~XII~~ of chapter 468 who
411 is employed by a local government and is not allowed by the
412 terms of such employment to maintain a certificate on active
413 status issued pursuant to this part.

414 Section 22. Subsection (3) of section 489.519, Florida
415 Statutes, is amended to read:

416 489.519 Inactive status.--

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



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419 status is sought by certificateholders who are also building
 420 code administrators, plans examiners, or inspectors certified
 421 pursuant to part XI ~~XII~~ of chapter 468.

422 Section 23. Subsection (6) of section 553.415, Florida
 423 Statutes, is amended to read:

424 553.415 Factory-built school buildings.--

425 (6) The department may delegate its plans review authority
 426 to a state agency or public or private entity; however, the
 427 department shall ensure that any person conducting plans reviews
 428 is a certified plans examiner, pursuant to part XI ~~XII~~ of
 429 chapter 468.

430 Section 24. Subsection (7) of section 553.77, Florida
 431 Statutes, is amended to read:

432 553.77 Specific powers of the commission.--

433 (7) The commission shall by rule establish an informal
 434 process of rendering nonbinding interpretations of the Florida
 435 Building Code. The commission is specifically authorized to
 436 refer interpretive issues to organizations that represent those
 437 engaged in the construction industry. The commission is directed
 438 to immediately implement the process prior to the completion of
 439 formal rulemaking. It is the intent of the Legislature that the
 440 commission create a process to refer questions to a small,
 441 rotating group of individuals licensed under part XI ~~XII~~ of
 442 chapter 468, to which a party can pose questions regarding the
 443 interpretation of code provisions. It is the intent of the
 444 Legislature that the process provide for the expeditious
 445 resolution of the issues presented and publication of the
 446 resulting interpretation on the Building Code Information
 447 System. Such interpretations are to be advisory only and
 448 nonbinding on the parties or the commission.



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449 Section 25. Paragraphs (d) and (g) of subsection (1) of
450 section 553.791, Florida Statutes, are amended to read:

451 553.791 Alternative plans review and inspection.--

452 (1) As used in this section, the term:

453 (d) "Duly authorized representative" means an agent of the
454 private provider identified in the permit application who
455 reviews plans or performs inspections as provided by this
456 section and who is licensed as an engineer under chapter 471 or
457 as an architect under chapter 481 or who holds a standard
458 certificate under part XI ~~XII~~ of chapter 468.

459 (g) "Private provider" means a person licensed as an
460 engineer under chapter 471 or as an architect under chapter 481.
461 For purposes of performing inspections under this section for
462 additions and alterations that are limited to 1,000 square feet
463 or less to residential buildings, the term "private provider"
464 also includes a person who holds a standard certificate under
465 part XI ~~XII~~ of chapter 468.

466 Section 26. Paragraph (a) of subsection (6) of section
467 553.80, Florida Statutes, is amended to read:

468 553.80 Enforcement.--

469 (6) Notwithstanding any other provision of law, state
470 universities, community colleges, and public school districts
471 shall be subject to enforcement of the Florida Building Code
472 pursuant to this part.

473 (a) State universities, state community colleges, or
474 public school districts shall conduct plan review and
475 construction inspections to enforce building code compliance for
476 their building projects that are subject to the Florida Building
477 Code. Such entities shall use personnel or contract providers
478 appropriately certified under part XI ~~XII~~ of chapter 468 to



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479 perform the plan reviews and inspections required by the code.
480 Under such arrangements, such entities shall not be subject to
481 local government permitting requirements, plans review, and
482 inspection fees. State universities, state community colleges,
483 and public school districts shall be liable and responsible for
484 all of their buildings, structures, and facilities. Nothing in
485 this paragraph shall be construed to limit the authority of the
486 county, municipality, or code enforcement district to ensure
487 that buildings, structures, and facilities owned by such
488 entities comply with the Florida Building Code or to limit the
489 authority and responsibility of the fire official to conduct
490 firesafety inspections pursuant to chapter 633.

491
492 Nothing in this part shall be construed to authorize counties,
493 municipalities, or code enforcement districts to conduct any
494 permitting, plans review, or inspections not covered by the
495 Florida Building Code. Any actions by counties or municipalities
496 not in compliance with this part may be appealed to the Florida
497 Building Commission. The commission, upon a determination that
498 actions not in compliance with this part have delayed permitting
499 or construction, may suspend the authority of a county,
500 municipality, or code enforcement district to enforce the
501 Florida Building Code on the buildings, structures, or
502 facilities of a state university, state community college, or
503 public school district and provide for code enforcement at the
504 expense of the state university, state community college, or
505 public school district.

506 Section 27. Subsections (7) and (10) of section 553.841,
507 Florida Statutes, are amended to read:



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508 553.841 Building code training program; participant
509 competency requirements.--

510 (7) The core curriculum shall cover the information
511 required to have all categories of participants appropriately
512 informed as to their technical and administrative
513 responsibilities in the effective execution of the code process
514 by all individuals currently licensed under part XI ~~XII~~ of
515 chapter 468, chapter 471, chapter 481, or chapter 489, except as
516 otherwise provided in s. 471.017. The core curriculum shall be
517 prerequisite to the advanced module coursework for all licensees
518 and shall be completed by individuals licensed in all categories
519 under part XI ~~XII~~ of chapter 468, chapter 471, chapter 481, or
520 chapter 489 within the first 2-year period after establishment
521 of the program. Core course hours taken by licensees to complete
522 this requirement shall count toward fulfillment of required
523 continuing education units under part XI ~~XII~~ of chapter 468,
524 chapter 471, chapter 481, or chapter 489.

525 (10) The respective state boards under part XI ~~XII~~ of
526 chapter 468, chapters 471, 481, and 489, and the State Fire
527 Marshal under chapter 633, shall require specialized or advanced
528 course modules as part of their regular continuing education
529 requirements.

530 Section 28. Paragraph (e) of subsection (2) of section
531 627.192, Florida Statutes, is amended to read:

532 627.192 Workers' compensation insurance; employee leasing
533 arrangements.--

534 (2) For purposes of the Florida Insurance Code:

535 (e) "Lessor" means an employee leasing company, as set
536 forth in part X ~~XI~~ of chapter 468, engaged in the business of or



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537 holding itself out as being in the business of employee leasing.

538 A lessor may also be referred to as an employee leasing company.

539 Section 29. Paragraph (e) of subsection (1) and
 540 subsections (4) and (9) of section 721.13, Florida Statutes, are
 541 amended to read:

542 721.13 Management.--

543 (1)

544 (e) Any managing entity performing community association
 545 management must comply with part VII ~~VIII~~ of chapter 468.

546 (4) The managing entity shall maintain among its records
 547 and provide to the division upon request a complete list of the
 548 names and addresses of all purchasers and owners of timeshare
 549 units in the timeshare plan. The managing entity shall update
 550 this list no less frequently than quarterly. Pursuant to
 551 paragraph (3)(d), the managing entity may not publish this
 552 owner's list or provide a copy of it to any purchaser or to any
 553 third party other than the division. However, the managing
 554 entity shall to those persons listed on the owner's list
 555 materials provided by any purchaser, upon the written request of
 556 that purchaser, if the purpose of the mailing is to advance
 557 legitimate association business, such as a proxy solicitation
 558 for any purpose, including the recall of one or more board
 559 members elected by the owners or the discharge of the manager or
 560 management firm. The use of any proxies solicited in this manner
 561 must comply with the provisions of the timeshare instrument and
 562 this chapter. A mailing requested for the purpose of advancing
 563 legitimate association business shall occur within 30 days after
 564 receipt of a request from a purchaser. The board of
 565 administration of the association shall be responsible for
 566 determining the appropriateness of any mailing requested



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567 pursuant to this subsection. The purchaser who requests the
568 mailing must reimburse the association in advance for the
569 association's actual costs in performing the mailing. It shall
570 be a violation of this chapter and, if applicable, of part VII
571 ~~VIII~~ of chapter 468, for the board of administration or the
572 manager or management firm to refuse to mail any material
573 requested by the purchaser to be mailed, provided the sole
574 purpose of the materials is to advance legitimate association
575 business. If the purpose of the mailing is a proxy solicitation
576 to recall one or more board members elected by the owners or to
577 discharge the manager or management firm and the managing entity
578 does not mail the materials within 30 days after receipt of a
579 request from a purchaser, the circuit court in the county where
580 the timeshare plan is located may, upon application from the
581 requesting purchaser, summarily order the mailing of the
582 materials solely related to the recall of one or more board
583 members elected by the owners or the discharge of the manager or
584 management firm. The court shall dispose of an application on an
585 expedited basis. In the event of such an order, the court may
586 order the managing entity to pay the purchaser's costs,
587 including attorney's fees reasonably incurred to enforce the
588 purchaser's rights, unless the managing entity can prove it
589 refused the mailing in good faith because of a reasonable basis
590 for doubt about the legitimacy of the mailing.

591 (9) Any failure of the managing entity to faithfully
592 discharge the fiduciary duty to purchasers imposed by this
593 section or to otherwise comply with the provisions of this
594 section shall be a violation of this chapter and of part VII
595 ~~VIII~~ of chapter 468.



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596 Section 30. Paragraph (b) of subsection (2) of section
597 1012.46, Florida Statutes, is amended to read:

598 1012.46 Athletic trainers.--

599 (2) To the extent practicable, a school district program
600 should include the following employment classification and
601 advancement scheme:

602 (b) Teacher athletic trainer.--To qualify as a teacher
603 athletic trainer, a person must possess a professional,
604 temporary, part-time, adjunct, or substitute certificate
605 pursuant to s. 1012.35, s. 1012.56 or s. 1012.57, and be
606 licensed as required by part XII ~~XIII~~ of chapter 468.

607 Section 31. Paragraphs (a) and (b) of subsection (2) of
608 section 1013.38, Florida Statutes, are amended to read:

609 1013.38 Boards to ensure that facilities comply with
610 building codes and life safety codes.--

611 (2) Boards may provide compliance as follows:

612 (a) Boards or consortia may individually or cooperatively
613 provide review services under the insurance risk management
614 oversight through the use of board employees or consortia
615 employees, registered pursuant to chapter 471, chapter 481, or
616 part XI ~~XII~~ of chapter 468.

617 (b) Boards may elect to review construction documents
618 using their own employees registered pursuant to chapter 471,
619 chapter 481, or part XI ~~XII~~ of chapter 468.

620 Section 32. This act shall take effect upon becoming a
621 law.