By the Committees on Commerce, Economic Opportunities, and Consumer Services; Regulated Industries; and Senator Constantine

310-2629-04

1	A bill to be entitled
2	An act relating to swimming pool and spa
3	contracting; amending s. 489.117, F.S.;
4	specifying when a person may perform specialty
5	contracting services for the construction,
6	remodeling, repair, or improvement of a
7	swimming pool or spa without obtaining a local
8	professional license; requiring local authority
9	to permit local registration, as specified, as
10	an alternative to other local licenses;
11	providing an 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. Paragraph (f) is added to subsection (4) of
16	section 489.117, Florida Statutes, to read:
17	489.117 Registration; specialty contractors
18	(4)
19	(f) Portions of work related to the construction of a
20	swimming pool or spa require the use of specialized skill and
21	equipment that is frequently available only through specialty
22	contracting services. Due to these unique needs for specialty
23	services, any person who is not required to obtain
24	registration or certification pursuant to s. 489.105(3)(a)-(i)
25	or (m)-(o) may perform specialty contracting services for the
26	construction, remodeling, repair, or improvement of a swimming
27	pool or spa as specified in s. 489.105(3)(j)-(1) without
28	obtaining a local professional license if such person is
29	supervised by a certified or registered commercial pool/spa
30	contractor, residential pool/spa contractor, or swimming
31	pool/spa servicing contractor acting within the scope of the

1	supervising contractor's license. A local authority that does
2	not require a local specialty contractor license or local
3	certificate of competency for any service provided by a
4	certified or registered commercial pool/spa contractor,
5	residential pool/spa contractor, or swimming pool/spa
6	servicing contractor must allow, as an alternative to the
7	local license or certificate, local registration of the person
8	contracting with a supervising contractor to perform a
9	specialty service under this paragraph. The local authority
10	may charge a fee for local registration which does not exceed
11	\$150. The local authority may not require proof of competency
12	for local registration and shall require documentation that a
13	registrant is covered by workers' compensation coverage or a
14	valid exemption from such coverage. Local registration shall
15	require the registrant to contract with a certified or
16	registered commercial pool/spa contractor, residential
17	pool/spa contractor, or swimming pool/spa servicing
18	contractor.
19	Section 2. This act shall take effect July 1, 2004.
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21	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
22	COMMITTEE SUBSTITUTE FOR <u>CS/SB 1586</u>
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24	The committee substitute: (1) provides that any local
25	authority that does not require a local license or certificate of competency for any service provided by a certified or
26	registered commercial pool/spa contractor, residential pool/spa contractor, or swimming pool/spa servicing contractor
27	must allow local registration of a person contracting with a supervising contractor who wishes to perform specialty
28	contracting services for the construction, remodeling, repair, or improvement of a swimming pool or spa; (2) specifies that
29	the fee for such local registration may not exceed \$150; and (3) removes the section of the bill which established a
30	swimming pool and solar technical advisory committee to advise the Florida Building Commission on any matters relating to
31	building code standards for swimming pools, spas, and solar equipment.