

Bill No. CS for SB 2304

Amendment No. ____ Barcode 213986

CHAMBER ACTION

Senate

House

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Senator Clary moved the following amendment:

Senate Amendment (with title amendment)

On page 9, between lines 17 and 18,

insert:

Section 5. Paragraph (d) of subsection (3) of section 489.113, Florida Statutes, is amended to read:

489.113 Qualifications for practice; restrictions.--

(3) A contractor shall subcontract all electrical, mechanical, plumbing, roofing, sheet metal, swimming pool, and air-conditioning work, unless such contractor holds a state certificate or registration in the respective trade category, however:

(d) A general contractor, on new site development work, site redevelopment work, mobile home parks, and commercial properties, shall not be required to subcontract the construction of the a main sanitary sewer collection system, the storm collection system, and the or water distribution system, not including the continuation of utility lines from the mains to the buildings, ~~and may perform any of~~

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1 ~~the services, on public or private property, for which a~~
2 ~~license as an underground utility and excavation contractor is~~
3 ~~required under this part.~~

4 Section 6. Section 489.1185, Florida Statutes, is
5 created to read:

6 489.1185 Business organizations; grandfathering of
7 certified general contractors as underground utility and
8 excavation contractors.--

9 (1) Any business organization with a valid certificate
10 of authority issued pursuant to this part, which at the time
11 of application is not qualified by a certified underground
12 utility and excavation contractor pursuant to s.

13 489.105(3)(n), but is qualified as of January 1, 2004, as a
14 certified general contractor pursuant to s. 489.105(3)(a), may
15 designate one qualifying agent for certification as an
16 underground utility and excavation contractor if that person:

17 (a) Is certified as a general contractor pursuant to
18 this part.

19 (b) Has at least 5 years' experience in sewer, water,
20 and storm sewer systems, at least 2 years of which must have
21 been in a supervisory capacity with the qualified business
22 entity.

23 (c) Is at least 18 years of age.

24 (d) Is an employee of, or has an ownership interest
25 in, that business entity.

26 (2) The board shall issue, without examination, a
27 certificate in the category of underground utility and
28 excavation contractor to an applicant properly designated
29 pursuant to subsection (1), provided the board has received
30 from the applicant prior to April 1, 2005, a completed
31 application, an application fee of \$100, a certification fee

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1 of \$100, an unlicensed activity fee of \$5 pursuant to s.
2 455.2281, and a fee of \$4 pursuant to s. 489.109(3), and
3 provided the applicant:

4 (a) Has not had a registration or certificate that was
5 issued by the board suspended, revoked, or relinquished in
6 lieu of further disciplinary action.

7 (b) Does not have a disciplinary case pending before
8 the board.

9 (c) Has not been convicted of a crime in any
10 jurisdiction which directly relates to the practice of
11 contracting or the ability to practice contracting.

12

13 (Redesignate subsequent sections.)

14

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16 ===== T I T L E A M E N D M E N T =====

17 And the title is amended as follows:

18 On page 1, line 24, following the semicolon

19

20 insert:

21 amending s. 489.113, F.S.; revising an
22 exemption for general contractors with respect
23 to the requirement to subcontract the
24 construction of certain sanitary sewer
25 collection, storm collection, and water
26 distribution systems; creating s. 489.1185,
27 F.S.; providing requirements for grandfathering
28 certified general contractors as underground
29 utility and excavation contractors for purposes
30 of qualifying business organizations performing
31 such construction; providing for fees;