

HB 0543

2004

A bill to be entitled

An act relating to the Board of Professional Surveyors and Mappers; amending s. 472.007, F.S.; delegating to the board the duties and authority of the Department of Business and Professional Regulation to investigate and prosecute the practice and unlicensed practice of surveying and mapping; requiring the board to contract with a corporation or other business entity to provide the headquarters office, administrative services, technology, financial and statistical information, and revenue-receipt, reporting, licensure, testing, legal, investigative, prosecutorial, and other services; providing records requirements; authorizing the board to use funds from the unlicensed activity account to perform certain duties; requiring the board to submit an annual budget request to the Legislature; providing an effective date.

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

Section 1. Section 472.007, Florida Statutes, is amended to read:

472.007 Board of Professional Surveyors and Mappers.--

(1) There is created in the Department of Business and Professional Regulation the Board of Professional Surveyors and Mappers. The board shall consist of nine members, six of whom shall be registered surveyors and mappers primarily engaged in the practice of surveying and mapping, one of whom shall be a registered surveyor and mapper with the designation of photogrammetric mapper, and two of whom shall be laypersons who

HB 0543

2004

31 are not and have never been surveyors and mappers or members of  
 32 any closely related profession or occupation. Members shall be  
 33 appointed for 4-year terms.

34 (2)(a) Notwithstanding ss. 455.225, 455.228, and 455.32,  
 35 the powers and duties of the department to investigate  
 36 complaints and discipline persons licensed under this part,  
 37 including the ability to determine legal sufficiency and  
 38 probable cause; to issue emergency suspension or restriction  
 39 orders; to initiate proceedings and issue final orders for  
 40 summary suspension or restriction of a license; to issue notices  
 41 of noncompliance, notices to cease and desist, subpoenas, and  
 42 citations; to retain legal counsel, investigators, or  
 43 prosecutorial staff in connection with the licensed and  
 44 unlicensed practice of surveying and mapping; and to  
 45 investigate, deter, and prosecute the unlicensed practice of  
 46 surveying and mapping are delegated to the board. All complaints  
 47 and any information obtained pursuant to an investigation  
 48 authorized by the board are confidential and exempt from s.  
 49 119.07(1) as provided in s. 455.225(2) and (10).

50 (b) Notwithstanding s. 455.32(3), the board, in lieu of  
 51 the department, shall contract with a corporation or other  
 52 business entity pursuant to s. 287.057(3) to provide a  
 53 headquarters office, administrative services, technology,  
 54 financial and statistical information, and revenue-receipt,  
 55 reporting, licensure, testing, investigative, legal,  
 56 prosecutorial, and other services necessary to perform its  
 57 duties.

58 (c) The corporation or business entity shall comply with  
 59 the recordkeeping and reporting requirements of s. 455.32  
 60 applicable to the scope of the contract and shall report

HB 0543

2004

61 directly to the board. Records of the corporation or other  
 62 business entity are public records as specified in s.  
 63 455.32(15).

64 (d) Notwithstanding s. 455.228, the board may use funds in  
 65 the unlicensed activity account established under s. 455.2281 to  
 66 perform its duties relating to unlicensed activity.

67 (e) The board shall submit an annual budget request to the  
 68 Legislature to fund its activities under this subsection, which  
 69 must be separate from the legislative budget request submitted  
 70 by the department.

71 Section 2. This act shall take effect July 1, 2004.