

HB 1417

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CHAMBER ACTION

1 The Business Regulation Committee recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to land surveying and mapping; amending s.  
7 472.013, F.S.; revising requirements to be entitled to  
8 take the licensure examination to practice in this state  
9 as a surveyor and mapper; amending s. 472.015, F.S.;  
10 authorizing certain photogrammetrists to qualify for a  
11 license by endorsement; amending s. 472.021, F.S.;  
12 revising liability of partnerships and other business  
13 entities rendering professional surveying and mapping  
14 services; amending s. 472.005, F.S.; providing a  
15 definition of "photogrammetrist"; amending s. 472.007,  
16 F.S.; conforming a provision to the definition of  
17 photogrammetrist; providing an effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:

20  
21 Section 1. Subsection (2) of section 472.013, Florida  
22 Statutes, is amended to read:

23 472.013 Examinations, prerequisites.--

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24 (2) An applicant shall be entitled to take the licensure  
25 examination to practice in this state as a surveyor and mapper  
26 if the applicant is of good moral character and has satisfied  
27 one of the following requirements:

28 (a) The applicant received a degree in surveying and  
29 mapping of 4 years or more ~~is a graduate of an approved course~~  
30 ~~of study~~ in a surveying and mapping degree program from a  
31 college or university recognized by the board and has a specific  
32 experience record of 4 or more years as a subordinate to a  
33 professional surveyor and mapper in the active practice of  
34 surveying and mapping, which experience is of a nature  
35 indicating that the applicant was in responsible charge of the  
36 accuracy and correctness of the surveying and mapping work  
37 performed. The completed surveying and mapping degree of 4 years  
38 or more ~~course of study~~ in a surveying and mapping degree  
39 program must have included not fewer than 32 semester hours of  
40 study, or its academic equivalent, in the science of surveying  
41 and mapping or in board-approved surveying-and-mapping-related  
42 courses. Work experience acquired as a part of the education  
43 requirement shall not be construed as experience in responsible  
44 charge.

45 (b) The applicant is a graduate of a 4-year course of  
46 study, other than in surveying and mapping, at an accredited  
47 college or university and has a specific experience record of 6  
48 or more years as a subordinate to a registered surveyor and  
49 mapper in the active practice of surveying and mapping, 5 years  
50 of which shall be of a nature indicating that the applicant was  
51 in responsible charge of the accuracy and correctness of the

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52 | surveying and mapping work performed. The course of study in  
 53 | disciplines other than surveying and mapping must have included  
 54 | not fewer than 32 semester hours of study or its academic  
 55 | equivalent. The applicant must have completed a minimum of 25  
 56 | semester hours from a college or university approved by the  
 57 | board of which shall be in surveying and mapping subjects or in  
 58 | any combination of courses in civil engineering, surveying,  
 59 | mapping, mathematics, photogrammetry, forestry, or land law and  
 60 | the physical sciences. Any of the required 25 semester hours of  
 61 | study completed not as a part of the 4-year course of study  
 62 | shall be approved at the discretion of the board. Work  
 63 | experience acquired as a part of the education requirement shall  
 64 | not be construed as experience in responsible charge.

65 | Section 2. Paragraph (a) of subsection (3) of section  
 66 | 472.015, Florida Statutes, is amended to read:

67 | 472.015 Licensure.--

68 | (3)(a) The board shall certify as qualified for a license  
 69 | by endorsement an applicant who:

70 | 1. Holds a valid license to practice surveying and mapping  
 71 | issued prior to July 1, 1999, by another state or territory of  
 72 | the United States; has passed a national, regional, state, or  
 73 | territorial licensing examination that is substantially  
 74 | equivalent to the examination required by s. 472.013; and has a  
 75 | specific experience record of at least 8 years as a subordinate  
 76 | to a registered surveyor and mapper in the active practice of  
 77 | surveying and mapping, 6 years of which must be of a nature  
 78 | indicating that the applicant was in responsible charge of the

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79 accuracy and correctness of the surveying and mapping work  
80 performed; ~~or~~

81 2. Holds a valid license to practice surveying and mapping  
82 issued by another state or territory of the United States if the  
83 criteria for issuance of the license were substantially the same  
84 as the licensure criteria that existed in Florida at the time  
85 the license was issued; or-

86 3. Is a practicing photogrammetrist who holds the  
87 Certified Photogrammetrist designation of the American Society  
88 for Photogrammetry and Remote Sensing and held such designation  
89 on or before July 1, 2005; is a graduate of a 4-year course of  
90 study at an accredited college or university; and has a specific  
91 experience record of 6 or more years as a subordinate to a  
92 Certified Photogrammetrist of the American Society for  
93 Photogrammetry and Remote Sensing in the active practice of  
94 surveying and mapping, 5 years of which shall be of a nature  
95 indicating that the applicant was in responsible charge of the  
96 accuracy and correctness of the surveying and mapping work  
97 performed. The course of study must have included not fewer than  
98 32 semester hours of study or its academic equivalent. The  
99 applicant must have completed a minimum of 25 semester hours  
100 from a college or university approved by the board in surveying  
101 and mapping subjects or in any combination of courses in civil  
102 engineering, surveying, mapping, mathematics, photogrammetry,  
103 forestry, or land law and the physical sciences. Any of the  
104 required 25 semester hours of study completed not as a part of  
105 the 4-year course of study shall be approved at the discretion  
106 of the board. Work experience acquired as a part of the

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107 education requirement shall not be construed as experience in  
 108 responsible charge. The applicant must have applied to the  
 109 department for licensure on or before July 1, 2007.

110 Section 3. Subsection (3) of section 472.021, Florida  
 111 Statutes, is amended to read:

112 472.021 Certification of partnerships and corporations.--

113 (3) The fact that any registered surveyor and mapper  
 114 practices through a corporation or partnership shall not relieve  
 115 the registrant from personal liability for negligence,  
 116 misconduct, or wrongful acts committed by him or her.  
 117 Partnerships and all partners shall be jointly and severally  
 118 liable for the negligence, misconduct, or wrongful acts  
 119 committed by their agents, employees, or partners while acting  
 120 in a professional capacity. Any officer, agent, or employee of a  
 121 business organization other than a partnership shall be  
 122 personally liable and accountable only for negligent acts,  
 123 wrongful acts, or misconduct committed by him or her or  
 124 committed by any person under his or her direct supervision and  
 125 control while rendering professional services on behalf of the  
 126 business organization. The personal liability of a shareholder  
 127 or owner of a business organization, in his or her capacity as  
 128 shareholder or owner, shall be no greater than that of a  
 129 shareholder-employee of a corporation incorporated under chapter  
 130 607. The business organization shall be liable up to the full  
 131 value of its property for any negligent acts, wrongful acts, or  
 132 misconduct committed by any of its officers, agents, or  
 133 employees while they are engaged on its behalf in the rendering  
 134 of professional services. ~~Corporations and stockholders who are~~

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135 ~~surveyors and mappers, or partnerships, and all partners, shall~~  
 136 ~~be jointly and severally liable for the negligence, misconduct,~~  
 137 ~~or wrongful acts committed by their agents, employees, officers,~~  
 138 ~~or partners while acting in a professional capacity.~~

139 Section 4. Subsection (8) of section 472.005, Florida  
 140 Statutes, is amended to read:

141 472.005 Definitions.--As used in ss. 472.001-472.037:

142 (8) "Photogrammetrist" ~~"Photogrammetric mapper"~~ means any  
 143 person who engages in the practice of surveying and mapping  
 144 using aerial or terrestrial photography or other sources of  
 145 images.

146 Section 5. Section 472.007, Florida Statutes, is amended  
 147 to read:

148 472.007 Board of Professional Surveyors and  
 149 Mappers.--There is created in the Department of Business and  
 150 Professional Regulation the Board of Professional Surveyors and  
 151 Mappers. The board shall consist of nine members, six of whom  
 152 shall be registered surveyors and mappers primarily engaged in  
 153 the practice of surveying and mapping, one of whom shall be a  
 154 registered surveyor and mapper with the designation of  
 155 photogrammetrist ~~photogrammetric mapper~~, and two of whom shall  
 156 be laypersons who are not and have never been surveyors and  
 157 mappers or members of any closely related profession or  
 158 occupation. Members shall be appointed for 4-year terms.

159 Section 6. This act shall take effect July 1, 2005.