

Bill No. SB 1694

Barcode 822576

CHAMBER ACTION

Senate

House

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The Committee on Regulated Industries (Haridopolos)  
recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 3, line 16, through  
page 9, line 6, delete those lines

and insert: existing equipment; ~~any cleaning or equipment  
sanitizing which requires at least a partial disassembling,  
excluding filter changes, and the installation of new pool/spa  
equipment, interior finishes, the installation of package pool  
heaters, and the installation of all perimeter piping and  
filter piping;~~ and the construction of equipment rooms or  
housing for pool/spa equipment, and also includes the scope of  
work of a swimming pool/spa servicing contractor. The scope of  
such work does not include direct connections to a sanitary  
sewer system or to potable water lines. The installation,  
construction, modification, or replacement of equipment  
permanently attached to and associated with the pool or spa  
for the purpose of water treatment or cleaning of the pool or  
spa requires licensure and the usage of such equipment for the

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1 purposes of water treatment or cleaning on commercial or  
2 public pools or spas requires licensure; however, the usage of  
3 such equipment for the purposes of water treatment or cleaning  
4 residential pools or spas shall not require licensure unless  
5 the usage involves construction, modification, or replacement  
6 of such equipment. Water treatment that does not require such  
7 equipment does not require a license. In addition, a license  
8 shall not be required for the cleaning of the pool or spa in  
9 any way that does not affect the structural integrity of the  
10 residential pool or spa or its associated equipment.

11 (1) "Swimming pool/spa servicing contractor" means a  
12 contractor whose scope of work involves, but is not limited  
13 to, the repair and servicing of any swimming pool, or hot tub  
14 or spa, whether public, ~~or~~ private, or otherwise, regardless  
15 of use. The scope of work includes the repair or replacement  
16 of existing equipment;~~;~~ any cleaning or equipment sanitizing;  
17 ~~which requires at least a partial disassembling, excluding~~  
18 ~~filter changes, and the installation of new pool/spa~~  
19 ~~equipment;~~ interior refinishing;~~;~~ the reinstallation or  
20 addition of pool heaters;~~;~~ the repair or replacement of all  
21 perimeter piping and filter piping;~~;~~ the repair of equipment  
22 rooms or housing for pool/spa equipment;~~;~~ and the substantial  
23 or complete draining of a swimming pool, or hot tub or spa,  
24 for the purpose of any repair or renovation. The scope of such  
25 work does not include direct connections to a sanitary sewer  
26 system or to potable water lines. The installation,  
27 construction, modification, substantial or complete  
28 disassembly, or replacement of equipment permanently attached  
29 to and associated with the pool or spa for the purpose of  
30 water treatment or cleaning of the pool or spa and the usage  
31 of such equipment for the purposes of water treatment or

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1 cleaning on commercial or public pools or spas requires  
 2 licensure; however, the usage of such equipment for the  
 3 purposes of water treatment or cleaning on residential pools  
 4 or spas shall not require licensure unless the usage involves  
 5 construction, modification, substantial or complete  
 6 disassembly, or replacement of such equipment. Water treatment  
 7 that does not require such equipment does not require a  
 8 license. In addition, a license shall not be required for the  
 9 cleaning of the pool or spa in any way that does not affect  
 10 the structural integrity of the pool or spa or its associated  
 11 equipment.

12 (20) "Provisional license" means a license granted to  
 13 a swimming pool/spa servicing contractor who has met all  
 14 qualifications for licensure but has no proven work experience  
 15 related to the scope of work of such a contractor. A  
 16 provisional license shall be effective for a period of 1 year  
 17 from the date of issuance, at which time a license will be  
 18 granted to the individual or business organization qualified  
 19 by that individual. During the term of provisional licensure,  
 20 the contractor shall be prohibited from performing any work  
 21 involving public swimming pools, or hot tubs or spas, interior  
 22 refinishing of private swimming pools, or hot tubs or spas,  
 23 and any draining of a private swimming pool, or hot tub or  
 24 spa, for the purpose of any repair or renovation. During the  
 25 term of provisional licensure, the contractor may partially  
 26 drain up to 75 percent of a private swimming pool, or hot tub  
 27 or spa, for the purposes of water treatment.

28 Section 2. Paragraph (c) of subsection (2) of section  
 29 489.111, Florida Statutes, is amended to read:

30 489.111 Licensure by examination.--

31 (2) A person shall be eligible for licensure by

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1 examination if the person:

2 (c) Meets eligibility requirements according to one of  
3 the following criteria:

4 1. Has received a baccalaureate degree from an  
5 accredited 4-year college in the appropriate field of  
6 engineering, architecture, or building construction and has 1  
7 year of proven experience in the category in which the person  
8 seeks to qualify. For the purpose of this part, a minimum of  
9 2,000 person-hours shall be used in determining full-time  
10 equivalency.

11 2. Has a total of at least 4 years of active  
12 experience as a worker who has learned the trade by serving an  
13 apprenticeship as a skilled worker who is able to command the  
14 rate of a mechanic in the particular trade or as a foreman who  
15 is in charge of a group of workers and usually is responsible  
16 to a superintendent or a contractor or his or her equivalent,  
17 provided, however, that at least 1 year of active experience  
18 shall be as a foreman.

19 3. Has a combination of not less than 1 year of  
20 experience as a foreman and not less than 3 years of credits  
21 for any accredited college-level courses; has a combination of  
22 not less than 1 year of experience as a skilled worker, 1 year  
23 of experience as a foreman, and not less than 2 years of  
24 credits for any accredited college-level courses; or has a  
25 combination of not less than 2 years of experience as a  
26 skilled worker, 1 year of experience as a foreman, and not  
27 less than 1 year of credits for any accredited college-level  
28 courses. All junior college or community college-level courses  
29 shall be considered accredited college-level courses.

30 4.a. An active certified residential contractor is  
31 eligible to take the building contractors' examination if he

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1 or she possesses a minimum of 3 years of proven experience in  
2 the classification in which he or she is certified.

3           b. An active certified residential contractor is  
4 eligible to take the general contractors' examination if he or  
5 she possesses a minimum of 4 years of proven experience in the  
6 classification in which he or she is certified.

7           c. An active certified building contractor is eligible  
8 to take the general contractors' examination if he or she  
9 possesses a minimum of 4 years of proven experience in the  
10 classification in which he or she is certified.

11           5.a. An active certified air-conditioning Class C  
12 contractor is eligible to take the air-conditioning Class B  
13 contractors' examination if he or she possesses a minimum of 3  
14 years of proven experience in the classification in which he  
15 or she is certified.

16           b. An active certified air-conditioning Class C  
17 contractor is eligible to take the air-conditioning Class A  
18 contractors' examination if he or she possesses a minimum of 4  
19 years of proven experience in the classification in which he  
20 or she is certified.

21           c. An active certified air-conditioning Class B  
22 contractor is eligible to take the air-conditioning Class A  
23 contractors' examination if he or she possesses a minimum of 1  
24 year of proven experience in the classification in which he or  
25 she is certified.

26           6.a. An active certified swimming pool servicing  
27 contractor is eligible to take the residential swimming pool  
28 contractors' examination if he or she possesses a minimum of 3  
29 years of proven experience in the classification in which he  
30 or she is certified.

31           b. An active certified swimming pool servicing

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1 contractor is eligible to take the swimming pool commercial  
2 contractors' examination if he or she possesses a minimum of 4  
3 years of proven experience in the classification in which he  
4 or she is certified.

5 c. An active certified residential swimming pool  
6 contractor is eligible to take the commercial swimming pool  
7 contractors' examination if he or she possesses a minimum of 1  
8 year of proven experience in the classification in which he or  
9 she is certified.

10 d. An applicant is eligible to take the swimming  
11 pool/spa servicing contractors' examination if he or she has  
12 satisfactorily completed 60 hours of instruction in courses  
13 related to the scope of work covered by that license and  
14 approved by the Construction Industry Licensing Board by rule  
15 ~~and has at least 1 year of proven experience related to the~~  
16 ~~scope of work of such a contractor.~~

17 Section 3. Section 514.075, Florida Statutes, is  
18 amended to read:

19 514.075 Public pool service technician;  
20 certification.--Any person who cleans, sanitizes, or uses  
21 chemicals in residential, commercial, or public pools or spas  
22 for the purpose of water treatment or cleaning must complete a  
23 course of at least 14 hours, but no more than 16 hours,  
24 approved by the Department of Health which has national  
25 recognition, such as the National Swimming Pool Foundation's  
26 Certified Pool-Spa Operator training program. This section  
27 applies to any nonlicensed service company, commercial pool or  
28 spa service contractor, residential pool or spa service  
29 contractor, swimming pool or spa service contractor, or person  
30 permitted as a public pool operator as defined in s. 514.011  
31 or direct employee of such a person permitted as a public pool

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1 operator who cleans, sanitizes, or uses chemicals for the  
2 purpose of water treatment. The department shall establish by  
3 rule which courses satisfy this requirement. The department  
4 may require that a public pool, as defined in s. 514.011, be  
5 serviced by a person certified as a pool service technician.  
6 To be certified, an individual must demonstrate knowledge of  
7 public pools which includes, but is not limited to: pool  
8 cleaning; general pool maintenance; source of the water  
9 supply; bacteriological, chemical, and physical quality of  
10 water; and water purification, testing, treatment, and  
11 disinfection procedures. The department may, by rule,  
12 establish the requirement for the certification course and  
13 course approval. The department shall deem certified any  
14 individual who is certified by a course of national  
15 recognition or any person licensed under s. 489.105(3)(j),  
16 (k), or (l). This requirement does not apply to a person, or  
17 the direct employee of a person, permitted as a public pool  
18 operator under s. 514.031.

19 Section 4. Section 515.39, Florida Statutes, is  
20 created to read:

21 515.39 Training requirement.--Any person who cleans,  
22 sanitizes, or uses chemicals in residential, commercial, or  
23 public pools or spas for the purpose of water treatment or  
24 cleaning must complete a course of at least 14 hours, but no  
25 more than 16 hours, approved by the Department of Health which  
26 has national recognition, such as the National Swimming Pool  
27 Foundation's Certified Pool-Spa Operator training program.  
28 This section applies to any nonlicensed service company,  
29 commercial pool or spa service contractor, residential pool or  
30 spa service contractor, swimming pool or spa service  
31 contractor, or person permitted as a public pool operator as

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1 defined in s. 514.011 or direct employee of such a person  
 2 permitted as a public pool operator who cleans, sanitizes, or  
 3 uses chemicals for the purpose of water treatment. The  
 4 department shall establish by rule which courses satisfy this  
 5 requirement.

6 Section 5. This act shall take effect July 1, 2006.

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

10 And the title is amended as follows:

11 On page 1, line 18, following the semicolon

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13 insert:

14 creating s. 515.39, F.S.; prescribing training  
 15 requirements for persons who use chemicals in,  
 16 clean, or sanitize pools and spas;

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