

1 building or structure, including related improvements to real
2 estate, for others or for resale to others; and whose job
3 scope is substantially similar to the job scope described in
4 one of the subsequent paragraphs of this subsection. For the
5 purposes of regulation under this part, "demolish" applies
6 only to demolition of steel tanks over 50 feet in height;
7 towers over 50 feet in height; other structures over 50 feet
8 in height, other than buildings or residences over three
9 stories tall; and buildings or residences over three stories
10 tall. Contractors are subdivided into two divisions, Division
11 I, consisting of those contractors defined in paragraphs
12 (a)-(c), and Division II, consisting of those contractors
13 defined in paragraphs (d)-(q):

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

1 associated with the pool or spa for the purpose of water
2 treatment or cleaning of the pool or spa requires licensure;
3 ~~however, the usage of such equipment for the purposes of water~~
4 ~~treatment or cleaning shall not require licensure unless the~~
5 ~~usage involves construction, modification, or replacement of~~
6 ~~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 ~~pool or spa or its associated equipment.~~

11 (k) "Residential pool/spa contractor" means a
12 contractor whose scope of work involves, but is not limited
13 to, the construction, repair, and servicing of any residential
14 swimming pool, or hot tub or spa, regardless of use. The scope
15 of work includes the installation, repair, or replacement of
16 existing equipment; any cleaning, or equipment sanitizing, or
17 use of chemicals for the purposes of water treatment; which
18 ~~requires at least a partial disassembling, excluding filter~~
19 ~~changes, and the installation of new pool/spa equipment,~~
20 interior finishes, ~~the installation of package pool heaters,~~
21 and the installation of all perimeter piping and filter
22 piping; and the construction of equipment rooms or housing
23 for pool/spa equipment, and also includes the scope of work of
24 a swimming pool/spa servicing contractor. 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, or replacement of equipment
28 permanently attached to and associated with the pool or spa
29 for the purpose of water treatment or cleaning of the pool or
30 spa requires licensure; ~~however, the usage of such equipment~~
31 ~~for the purposes of water treatment or cleaning shall not~~

1 ~~require licensure unless the usage involves construction,~~
2 ~~modification, or replacement of such equipment. Water~~
3 ~~treatment that does not require such equipment does not~~
4 ~~require a license. In addition, a license shall not be~~
5 ~~required for the cleaning of the pool or spa in any way that~~
6 ~~does not affect the structural integrity of the pool or spa or~~
7 ~~its associated equipment.~~

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

1 ~~complete disassembly, or replacement of such equipment. Water~~
2 ~~treatment that does not require such equipment does not~~
3 ~~require a license. In addition, a license shall not be~~
4 ~~required for the cleaning of the pool or spa in any way that~~
5 ~~does not affect the structural integrity of the pool or spa or~~
6 ~~its associated equipment.~~

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

23 Section 2. Paragraph (c) of subsection (2) of section
24 489.111, Florida Statutes, is amended to read:

25 489.111 Licensure by examination.--

26 (2) A person shall be eligible for licensure by
27 examination if the person:

28 (c) Meets eligibility requirements according to one of
29 the following criteria:

30 1. Has received a baccalaureate degree from an
31 accredited 4-year college in the appropriate field of

1 | engineering, architecture, or building construction and has 1
2 | year of proven experience in the category in which the person
3 | seeks to qualify. For the purpose of this part, a minimum of
4 | 2,000 person-hours shall be used in determining full-time
5 | equivalency.

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

14 | 3. Has a combination of not less than 1 year of
15 | experience as a foreman and not less than 3 years of credits
16 | for any accredited college-level courses; has a combination of
17 | not less than 1 year of experience as a skilled worker, 1 year
18 | of experience as a foreman, and not less than 2 years of
19 | credits for any accredited college-level courses; or has a
20 | combination of not less than 2 years of experience as a
21 | skilled worker, 1 year of experience as a foreman, and not
22 | less than 1 year of credits for any accredited college-level
23 | courses. All junior college or community college-level courses
24 | shall be considered accredited college-level courses.

25 | 4.a. An active certified residential contractor is
26 | eligible to take the building contractors' examination if he
27 | or she possesses a minimum of 3 years of proven experience in
28 | the classification in which he or she is certified.

29 | b. An active certified residential contractor is
30 | eligible to take the general contractors' examination if he or
31 |

1 she possesses a minimum of 4 years of proven experience in the
2 classification in which he or she is certified.

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

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

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

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

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

27 b. An active certified swimming pool servicing
28 contractor is eligible to take the swimming pool commercial
29 contractors' examination if he or she possesses a minimum of 4
30 years of proven experience in the classification in which he
31 or she is certified.

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

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

13 Section 3. Section 514.075, Florida Statutes, is
14 amended to read:

15 514.075 Public pool service technician;
16 certification.--The department shall ~~may~~ require that a public
17 pool, as defined in s. 514.011, be serviced by a person
18 licensed under s. 489.105(3)(j), (k), or (l); a person
19 permitted as a public pool operator under s. 514.031; or a
20 person who is certified as a pool service technician and who
21 is the direct employee of a person permitted as a public pool
22 operator under s. 514.031. To be certified, an individual must
23 demonstrate knowledge of public pools which includes, but is
24 not limited to: pool cleaning; general pool maintenance; pool
25 safety codes; source of the water supply; bacteriological,
26 chemical, and physical quality of water; and water
27 purification, testing, treatment, and disinfection procedures.
28 The department may, by rule, establish the requirement for the
29 certification course and course approval. The department shall
30 deem certified any individual who is certified by a course of
31 national recognition such as the Certified Pool Operator

1 certification from the National Swimming Pool Foundation ~~or~~
2 ~~any person licensed under s. 489.105(3)(j), (k), or (l). This~~
3 ~~requirement does not apply to a person, or the direct employee~~
4 ~~of a person, permitted as a public pool operator under s.~~
5 ~~514.031.~~

6 Section 4. This act shall take effect July 1, 2006.

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