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A bill to be entitled  
 An act relating to construction contracting; amending s.  
 489.113, F.S.; revising an exemption for general  
 contractors with respect to the requirement to subcontract  
 the construction of certain sanitary sewer collection,  
 storm collection, and water distribution systems; creating  
 s. 489.1185, F.S.; providing requirements for  
 grandfathering certified general contractors as  
 underground utility and excavation contractors for  
 purposes of qualifying business organizations performing  
 such construction; providing for fees; providing an  
 effective date.

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

Section 1. 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

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29 including the continuation of utility lines from the mains to  
30 the buildings, ~~and may perform any of the services, on public or~~  
31 ~~private property, for which a license as an underground utility~~  
32 ~~and excavation contractor is required under this part.~~

33 Section 2. Section 489.1185, Florida Statutes, is created  
34 to read:

35 489.1185 Business organizations; grandfathering of  
36 certified general contractors as underground utility and  
37 excavation contractors.--

38 (1) Any business organization with a valid certificate of  
39 authority issued pursuant to this part, which at the time of  
40 application is not qualified by a certified underground utility  
41 and excavation contractor pursuant to s. 489.105(3)(n), but is  
42 qualified as of January 1, 2005, as a certified general  
43 contractor pursuant to s. 489.105(3)(a), may designate one  
44 qualifying agent for certification as an underground utility and  
45 excavation contractor if that person:

46 (a) Is certified as a general contractor pursuant to this  
47 part.

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

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

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

54 (2) The board shall issue, without examination, a  
55 certificate in the category of underground utility and  
56 excavation contractor to an applicant properly designated

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57 pursuant to subsection (1), provided the board has received from  
58 the applicant prior to April 1, 2006, a completed application,  
59 an application fee of \$100, a certification fee of \$100, an  
60 unlicensed activity fee of \$5 pursuant to s. 455.2281, and a fee  
61 of \$4 pursuant to s. 489.109(3), and provided the applicant:

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

65 (b) Does not have a disciplinary case pending before the  
66 board.

67 (c) Has not been convicted of a crime in any jurisdiction  
68 which directly relates to the practice of contracting or the  
69 ability to practice contracting.

70 Section 3. This act shall take effect July 1, 2005.