

A bill to be entitled

An act relating to the practice of architecture; amending s. 481.203, F.S.; defining "administration of construction contracts"; amending s. 481.223, F.S.; authorizing certain architects to use the title "Architect, Retired"; prohibiting a person from applying for a construction permit or constructing or allowing the construction of any structure requiring the services of a registered architect under certain circumstances, for which there are penalties; amending s. 481.225, F.S.; providing grounds for disciplinary action relating to the reporting of construction contract administration services; amending s. 481.229, F.S.; providing an exemption for certain professional engineers; providing an effective date.

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

Section 1. Subsection (16) is added to section 481.203, Florida Statutes, to read:

481.203 Definitions.--As used in this part:

(16) "Administration of construction contracts" means:

(a) The visitation of the construction site as often as necessary to observe the construction work to determine that the work is proceeding in accordance with the technical submissions submitted to the building official and approved under the terms of the building permit;

(b) The processing of shop drawings, product samples, and other submittals in connection with the construction work; and

29 (c) The notification of the project owner and the
 30 appropriate building official of construction changes that
 31 affect building code compliance, code violations, or substantial
 32 differences between the technical submittals approved by the
 33 building official and ongoing construction or any construction
 34 deviation that constitutes a hazard to the public.

35 Section 2. Paragraphs (a), (g), and (h) of subsection (1)
 36 of section 481.223, Florida Statutes, are amended, and paragraph
 37 (i) is added to that subsection, to read:

38 481.223 Prohibitions; penalties; injunctive relief.--

39 (1) A person may not knowingly:

40 (a) Practice architecture unless the person is an
 41 architect or a registered architect; however, an architect who
 42 has been licensed by the board and who chooses to relinquish or
 43 not to renew his or her license may use the title "Architect,
 44 Retired" but may not otherwise render any architectural
 45 services;

46 (g) Employ unlicensed persons to practice architecture or
 47 interior design; ~~or~~

48 (h) Conceal information relative to violations of this
 49 part; or

50 (i) Apply for a construction permit or construct or allow
 51 the construction of any structure requiring the services of a
 52 registered architect under this part, unless the person has
 53 employed or assured the employment of a registered architect to
 54 provide the administration of the construction contract.

55 Section 3. Paragraphs (m) and (n) are added to subsection
 56 (1) of section 481.225, Florida Statutes, to read:

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57 481.225 Disciplinary proceedings against registered
58 architects.--

59 (1) The following acts constitute grounds for which the
60 disciplinary actions in subsection (3) may be taken:

61 (m) Failing to report to the appropriate building
62 official, in writing, whether he or she has been employed to
63 perform construction contract administration services, as
64 described in s. 481.203(16), on or before the date that
65 technical submissions for the work are provided to the building
66 official.

67 (n) Failing to report to the board construction work
68 proceeding without the employment of an architect performing
69 construction contract administration services, as described in
70 s. 481.203(16).

71 Section 4. Subsection (8) is added to section 481.229,
72 Florida Statutes, to read:

73 481.229 Exceptions; exemptions from licensure.--

74 (8) Nothing in this part shall be construed as precluding
75 the employment of a qualified professional engineer to perform
76 construction contract administration services relative to the
77 engineering technical submittals for a construction project.

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