

By the Committee on Regulated Industries; and Senators Baker and Bennett

580-2434-06

1                                   A bill to be entitled  
2            An act relating to professional regulation by  
3            the Department of Business and Professional  
4            Regulation; amending s. 489.128, F.S.;  
5            providing that individuals performing certain  
6            construction contracting work are not  
7            considered unlicensed for purposes of contract  
8            enforceability; providing for retroactive  
9            application; amending s. 489.503, F.S.;  
10           exempting nationally recognized testing  
11           laboratories from certain alarm system  
12           contracting provisions; amending s. 489.505,  
13           F.S.; defining the term "nationally recognized  
14           testing laboratory"; amending s. 489.516, F.S.;  
15           exempting certain electrical and alarm system  
16           contractors from ordinances or codes of local  
17           governments or special districts requiring  
18           various types of recognition by certain  
19           national entities; authorizing local  
20           governments or special districts to require  
21           such contractors to provide certain  
22           documentation at the final inspection of an  
23           alarm system; reserving the authority of local  
24           governments and special districts to require  
25           compliance with the Florida Fire Prevention  
26           Code and NFPA No. 72; amending s. 489.532,  
27           F.S.; providing that individuals performing  
28           certain electrical and alarm system contracting  
29           work are not considered unlicensed for purposes  
30           of contract enforceability; providing for  
31           retroactive application; amending s. 468.385,

1 F.S.; requiring an applicant for an auctioneer  
2 license to submit fingerprints with the  
3 application; revising information that must be  
4 submitted with an application regarding the  
5 applicant; amending s. 468.609, F.S.; providing  
6 additional eligibility requirements for a  
7 person to take the examination for  
8 certification as a building code inspector or  
9 plans examiner; revising a reference to the  
10 organization administering certain  
11 examinations; amending s. 468.617, F.S.;  
12 authorizing certain limited certificateholders  
13 to provide services to specified jurisdictions;  
14 amending s. 468.619, F.S.; providing for the  
15 application of the building code enforcement  
16 officials' bill of rights to certain  
17 disciplinary investigations and proceedings;  
18 amending s. 468.621, F.S.; providing for  
19 disciplinary proceedings for violations  
20 involving failure to follow building code or  
21 permit requirements, obstructing an  
22 investigation, and accepting services at a  
23 noncompetitive rate from any person whose work  
24 is under the enforcement authority of the  
25 official, under certain circumstances; amending  
26 ss. 489.113 and 489.117, F.S.; exempting  
27 certain contractors and specialty contractors  
28 who are working under the supervision of a  
29 property owner who is acting as his or her own  
30 contractor from certification or registration  
31 requirements; amending s. 468.627, F.S.;

1 providing requirements for continuing education  
2 in ethics; removing provisions relating to an  
3 option of taking an equivalency test in lieu of  
4 taking core curriculum classes; amending s.  
5 489.115, F.S.; requiring applicants for initial  
6 issuance of a certificate or registration as a  
7 contractor to submit to criminal history  
8 records checks; authorizing the board to deny  
9 licensure to certain applicants; specifying  
10 matters the board must consider concerning  
11 licensure; prohibiting the denial of licensure  
12 based solely on a felony conviction or the  
13 status of the civil rights of the applicant;  
14 specifying that guidelines for determining  
15 financial stability may include minimum  
16 requirements for net worth, cash, and bonding;  
17 providing that a portion of financial  
18 requirements may be met by completing specified  
19 coursework; providing an effective date.  
20

21 Be It Enacted by the Legislature of the State of Florida:  
22

23 Section 1. Paragraphs (a) and (b) of subsection (1) of  
24 section 489.128, Florida Statutes, are amended to read:

25 489.128 Contracts entered into by unlicensed  
26 contractors unenforceable.--

27 (1) As a matter of public policy, contracts entered  
28 into on or after October 1, 1990, by an unlicensed contractor  
29 shall be unenforceable in law or in equity by the unlicensed  
30 contractor.  
31

1           (a) For purposes of this section, an individual is  
2 unlicensed if the individual does not have a license required  
3 by this part concerning the scope of the work to be performed  
4 under the contract. A business organization is unlicensed if  
5 the business organization does not have a primary or secondary  
6 qualifying agent in accordance with this part concerning the  
7 scope of the work to be performed under the contract. For  
8 purposes of this section, if no state or local license is  
9 required for the scope of work to be performed under the  
10 contract, the individual performing that work shall not be  
11 considered unlicensed.

12           (b) For purposes of this section, an individual or  
13 business organization ~~may shall~~ not be considered unlicensed  
14 for failing to have an occupational license certificate issued  
15 under the authority of chapter 205. A business organization  
16 ~~may shall~~ not be considered unlicensed for failing to have a  
17 certificate of authority as required by ss. 489.119 and  
18 489.127. For purposes of this section, a business organization  
19 entering into the contract may not be considered unlicensed  
20 if, before the date established by paragraph (c), an  
21 individual possessing a license required by this part  
22 concerning the scope of the work to be performed under the  
23 contract has submitted an application for a certificate of  
24 authority designating that individual as a qualifying agent  
25 for the business organization entering into the contract, and  
26 the application was not acted upon by the department or  
27 applicable board within the time limitations imposed by s.  
28 120.60.

29           Section 2. Subsection (21) is added to section  
30 489.503, Florida Statutes, to read:

31           489.503 Exemptions.--This part does not apply to:

1           (21) Alarm system inspections, audits, or quality  
2 assurance services performed by a nationally recognized  
3 testing laboratory that the Occupational Safety and Health  
4 Administration has recognized as meeting the requirements of  
5 29 C.F.R. s. 1910.7.

6           Section 3. Subsection (29) is added to section  
7 489.505, Florida Statutes, to read:

8           489.505 Definitions.--As used in this part:

9           (29) "Nationally recognized testing laboratory" means  
10 an organization that the Occupational Safety and Health  
11 Administration has legally recognized to be in compliance with  
12 29 C.F.R. s. 1910.7 and that provides quality assurance,  
13 product testing, or certification services.

14           Section 4. Subsection (5) is added to section 489.516,  
15 Florida Statutes, to read:

16           489.516 Qualifications to practice; restrictions;  
17 prerequisites.--

18           (5) Notwithstanding any other provision to the  
19 contrary, a certified electrical contractor, registered alarm  
20 system contractor I, registered alarm system contractor II, or  
21 alarm system contractor I or alarm system contractor II that  
22 is a certified alarm system contractor is exempt from any  
23 local law, ordinance, or code that requires a contractor to be  
24 listed or placarded by a nationally recognized testing  
25 laboratory or to be certified by any regionally or nationally  
26 recognized certification organization. However, a county,  
27 municipality, or special district may require any such  
28 electrical contractor or alarm system contractor to provide,  
29 at the final inspection of a fire alarm system, the  
30 documentation required by NFPA No. 72, "National Fire Alarm  
31 Code," for installation and monitoring. This subsection does

1 not prohibit a county, municipality, or special district from  
2 requiring compliance with the Florida Fire Prevention Code or  
3 with NFPA No. 72.

4 Section 5. Paragraph (a) of subsection (1) of section  
5 489.532, Florida Statutes, is amended to read:

6 489.532 Contracts entered into by unlicensed  
7 contractors unenforceable.--

8 (1) As a matter of public policy, contracts entered  
9 into on or after October 1, 1990, by an unlicensed contractor  
10 shall be unenforceable in law or in equity by the unlicensed  
11 contractor.

12 (a) For purposes of this section, an individual is  
13 unlicensed if the individual does not have a license required  
14 by this part concerning the scope of the work to be performed  
15 under the contract. A business organization is unlicensed if  
16 the business organization does not have a primary or secondary  
17 qualifying agent in accordance with this part concerning the  
18 scope of the work to be performed under the contract. For  
19 purposes of this section, if no state or local license is  
20 required for the scope of work to be performed under the  
21 contract, the individual performing that work shall not be  
22 considered unlicensed.

23 Section 6. Sections 1 and 5 are intended to be  
24 remedial in nature and to clarify existing law. Sections 1 and  
25 5 shall apply retroactively to all actions, including any  
26 action on a lien or bond claim, initiated on or after, or  
27 pending as of, July 1, 2006. If the retroactivity of any  
28 provision of section 1 or section 5 or its retroactive  
29 application to any person or circumstance is held invalid, the  
30 invalidity does not affect the retroactivity or retroactive  
31 application of other provisions of sections 1 and 5.

1           Section 7. Subsections (4) and (7) of section 468.385,  
2 Florida Statutes, are amended, present subsection (8) of that  
3 section is renumbered as subsection (9), and a new subsection  
4 (8) is added to that section, to read:

5           468.385 Licenses required; qualifications;  
6 examination.--

7           (4) Any person seeking a license as an auctioneer must  
8 pass a written examination approved by the board which tests  
9 his or her general knowledge of the laws of this state  
10 relating to provisions of the Uniform Commercial Code which  
11 ~~that~~ are relevant to auctions, the laws of agency, and the  
12 provisions of this act. Each applicant must also file a  
13 complete set of fingerprints taken by an authorized law  
14 enforcement officer. The department must submit the  
15 fingerprints to the Department of Law Enforcement for state  
16 processing and to the Federal Bureau of Investigation for  
17 federal processing. The cost of processing shall be borne by  
18 the applicant.

19           (7)(a) Any auction that is subject to the provisions  
20 of this part must be conducted by an auctioneer who has an  
21 active license or an apprentice who has an active apprentice  
22 auctioneer license and who has received prior written sponsor  
23 consent.

24           (b) A ~~No~~ business may not ~~shall~~ auction or offer to  
25 auction any property in this state unless it is licensed as an  
26 auction business by the board or is exempt from licensure  
27 under this act. ~~Each application for licensure shall include~~  
28 ~~the names of the owner and the business, the business mailing~~  
29 ~~address and location, and any other information which the~~  
30 ~~board may require. The owner of an auction business shall~~  
31

1 ~~report to the board within 30 days of any change in this~~  
2 ~~required information.~~

3 (8)(a) If an applicant for licensure is a sole  
4 proprietorship, the application must identify the owner. If a  
5 fictitious name is used, the applicant must furnish evidence  
6 of compliance with fictitious-name provisions in s. 865.09.

7 (b) If an applicant is a partnership, corporation,  
8 business trust, or other legal entity other than a sole  
9 proprietorship, the application must provide the name of the  
10 partnership and its partners; the name of the corporation and  
11 its officers, directors, and stockholders who are also  
12 officers or directors; the name of the business trust and its  
13 trustees; or the name of any other form of legal entity and  
14 its members. If a fictitious name is used, the applicant must  
15 furnish evidence of compliance with fictitious-name  
16 provisions. If any information that is required to be stated  
17 on the application changes, the applicant must, within 45 days  
18 after any change, mail the correct information to the  
19 department.

20 (c) Any person licensed under this part whose license  
21 has been revoked may not be an owner, partner, officer,  
22 director, or trustee of an auction business for 5 years  
23 following such revocation. The person is also ineligible to  
24 reapply for licensure for 5 years following such revocation.

25 (d) An applicant must furnish evidence of financial  
26 responsibility, credit history, and business reputation in the  
27 auction business. The board shall adopt rules that specify the  
28 financial-responsibility grounds upon which the board may deny  
29 licensure and that define financial responsibility based upon  
30 the applicant's credit history, ability to be bonded, and any  
31



1 history of bankruptcy, insolvency proceedings, or assignment  
2 of receivers.

3 (e) The board may deny licensure to an applicant if  
4 any owner, partner, officer, director, trustee, or member of  
5 the applicant has committed an act or offense in any  
6 jurisdiction which would constitute a basis for disciplinary  
7 action under s. 468.389.

8 Section 8. Subsection (2) and paragraph (a) of  
9 subsection (5) of section 468.609, Florida Statutes, are  
10 amended to read:

11 468.609 Administration of this part; standards for  
12 certification; additional categories of certification.--

13 (2) A person may take the examination for  
14 certification as a building code inspector or plans examiner  
15 pursuant to this part if the person:

16 (a) Is at least 18 years of age.

17 (b) Is of good moral character.

18 (c) Meets eligibility requirements according to one of  
19 the following criteria:

20 1. Demonstrates 5 years' combined experience in the  
21 field of construction or a related field, building code  
22 inspection, or plans review corresponding to the certification  
23 category sought;

24 2. Demonstrates a combination of postsecondary  
25 education in the field of construction or a related field and  
26 experience which totals 4 years, with at least 1 year of such  
27 total being experience in construction, building code  
28 inspection, or plans review;

29 3. Demonstrates a combination of technical education  
30 in the field of construction or a related field and experience  
31 which totals 4 years, with at least 1 year of such total being

1 | experience in construction, building code inspection, or plans  
2 | review; ~~or~~

3 |         4. Currently holds a standard certificate as issued by  
4 | the board and satisfactorily completes a building code  
5 | inspector or plans examiner training program of not less than  
6 | 200 hours in the certification category sought. The board  
7 | shall establish by rule criteria for the development and  
8 | implementation of the training programs;~~i-~~

9 |         5. Demonstrates a combination of technical education  
10 | in the field of building code inspection or plans review and  
11 | experience which totals 2 years, with at least 1 year of such  
12 | total being experience in construction, building code  
13 | inspection, or plans review. The technical education portion  
14 | of this requirement shall require proof of satisfactory  
15 | completion of a technical education program of not fewer than  
16 | 400 hours in the chosen category of building code inspection  
17 | or plans review in the certification category sought with not  
18 | fewer than 20 hours of the technical education program  
19 | covering ethics and professional standards. The board shall  
20 | coordinate with the Building Officials Association of Florida,  
21 | Inc., to establish by rule the development and implementation  
22 | of the technical education programs; or

23 |         6. Has completed, at a minimum, an associate degree  
24 | program in construction management from an accredited  
25 | institution with a major in building code administration.

26 |         ~~(d) After the Building Code Training Program is~~  
27 | ~~established under s. 553.841, demonstrates successful~~  
28 | ~~completion of the core curriculum approved by the Florida~~  
29 | ~~Building Commission, appropriate to the licensing category~~  
30 | ~~sought.~~

31 |

1           (5)(a) To obtain a standard certificate, an individual  
2 must pass an examination approved by the board which  
3 demonstrates that the applicant has fundamental knowledge of  
4 the state laws and codes relating to the construction of  
5 buildings for which the applicant has building code  
6 administration, plans examination, or building code inspection  
7 responsibilities. It is the intent of the Legislature that  
8 the examination approved for certification pursuant to this  
9 part be substantially equivalent to the examinations  
10 administered by the International Code Council ~~Southern~~  
11 ~~Building Code Congress International~~ and the ~~Council of~~  
12 ~~American Building Officials~~.

13           Section 9. Subsection (4) is added to section 468.617,  
14 Florida Statutes, to read:

15           468.617 Joint building code inspection department;  
16 other arrangements.--

17           (4) Nothing in this part prohibits any building code  
18 inspector, plans examiner, or building code administrator  
19 holding a limited certificate who is employed by a  
20 jurisdiction within a statutorily defined small county from  
21 providing building code inspection, plans review, or building  
22 code administration services to another jurisdiction within a  
23 statutorily defined small county.

24           Section 10. Subsection (10) is added to section  
25 468.619, Florida Statutes, to read:

26           468.619 Building code enforcement officials' bill of  
27 rights.--

28           (10) This bill of rights applies to disciplinary  
29 investigations and proceedings against licenses issued under  
30 this part and disciplinary investigations and proceedings  
31 relating to the official duties of an enforcement official.

1 This bill of rights does not apply to disciplinary  
2 investigations and proceedings against other licenses that the  
3 enforcement official holds or disciplinary investigations and  
4 proceedings unrelated to the enforcement official's official  
5 duties.

6 Section 11. Paragraphs (f) and (g) of subsection (1)  
7 of section 468.621, Florida Statutes, are amended, and  
8 paragraphs (k) and (l) are added to that subsection, to read:

9 468.621 Disciplinary proceedings.--

10 (1) The following acts constitute grounds for which  
11 the disciplinary actions in subsection (2) may be taken:

12 (f) Making or filing a report or record which the  
13 certificateholder ~~knew~~ knows to be false, or knowingly  
14 inducing another to file a false report or record, or  
15 knowingly failing to file a report or record required by state  
16 or local law, or knowingly impeding or obstructing such  
17 filing, or knowingly inducing another person to impede or  
18 obstruct such filing.

19 (g) Failing to properly enforce applicable building  
20 codes or permit requirements within this state which the  
21 certificateholder knew were applicable or ~~by~~ committing  
22 willful misconduct, gross negligence, gross misconduct,  
23 repeated negligence, or negligence resulting in a significant  
24 danger to life or property.

25 (k) Obstructing an investigation or providing or  
26 inducing another to provide forged documents, false forensic  
27 evidence, or false testimony to a local or state board or  
28 member thereof or to a licensing investigator.

29 (l) Accepting labor, services, or materials at no  
30 charge or at a noncompetitive rate from any person who  
31 performs work that is under the enforcement authority of the

1 enforcement official and who is not an immediate family member  
2 of the enforcement official. The term "immediate family  
3 member" includes a spouse, child, parent, sibling,  
4 grandparent, aunt, uncle, or first cousin of the person or the  
5 person's spouse or any person who resides in the primary  
6 residence of the enforcement official.

7 Section 12. Subsection (2) of section 489.113, Florida  
8 Statutes, is amended to read:

9 489.113 Qualifications for practice; restrictions.--

10 (2) No person who is not certified or registered shall  
11 engage in the business of contracting in this state. However,  
12 for purposes of complying with the provisions of this chapter,  
13 a person who is not certified or registered may perform  
14 construction work under the supervision of a person who is  
15 certified or registered, or under the supervision of the  
16 property owner who is acting as his or her own contractor  
17 pursuant to s. 489.103(7), if ~~provided that~~ the work is within  
18 the scope of the supervisor's license and ~~provided that~~ the  
19 person being supervised is not engaged in construction work  
20 that ~~which~~ would require a license as a contractor under any  
21 of the categories listed in s. 489.105(3)(d)-(o). This  
22 subsection does not affect the application of any local  
23 construction licensing ordinances. To enforce this  
24 subsection:

25 (a) The department shall issue a cease and desist  
26 order to prohibit any person from engaging in the business of  
27 contracting who does not hold the required certification or  
28 registration for the work being performed under this part.  
29 For the purpose of enforcing a cease and desist order, the  
30 department may file a proceeding in the name of the state  
31

1 seeking issuance of an injunction or a writ of mandamus  
2 against any person who violates any provision of such order.

3 (b) A county, municipality, or local licensing board  
4 created by special act may issue a cease and desist order to  
5 prohibit any person from engaging in the business of  
6 contracting who does not hold the required certification or  
7 registration for the work being performed under this part.

8 Section 13. Paragraph (e) of subsection (4) of section  
9 489.117, Florida Statutes, is amended to read:

10 489.117 Registration; specialty contractors.--

11 (4)

12 (e) Any person who is not required to obtain  
13 registration or certification pursuant to s. 489.105(3)(d)-(o)  
14 may perform specialty contracting services for the  
15 construction, remodeling, repair, or improvement of  
16 single-family residences, including a townhouse as defined in  
17 the Florida Building Code, without obtaining a local  
18 professional license if such person is under the supervision  
19 of a certified or registered general, building, or residential  
20 contractor or is under the supervision of the property owner  
21 who is acting as his or her own contractor pursuant to s.

22 489.103(7). As used in this paragraph, supervision shall not  
23 be deemed to require the existence of a direct contract  
24 between the certified or registered general, building, or  
25 residential contractor and the person performing specialty  
26 contracting services.

27 Section 14. Subsections (5) and (6) of section  
28 468.627, Florida Statutes, are amended to read:

29 468.627 Application; examination; renewal; fees.--

30 (5) The certificateholder shall provide proof, in a  
31 form established by board rule, that the certificateholder has

1 completed at least 14 classroom hours of at least 50 minutes  
2 each of continuing education courses during each biennium  
3 since the issuance or renewal of the certificate, including  
4 the specialized or advanced coursework approved by the Florida  
5 Building Commission, as part of the Building Code Training  
6 Program established pursuant to s. 553.841, appropriate to the  
7 licensing category sought. A minimum of 2 of the required 14  
8 classroom hours must be on ethics relating to professional  
9 standards of practice, duties, and responsibilities of the  
10 certificateholder. The board shall by rule establish criteria  
11 for approval of continuing education courses and providers,  
12 and may by rule establish criteria for accepting alternative  
13 nonclassroom continuing education on an hour-for-hour basis.

14 (6) Each certificateholder shall provide to the board  
15 proof of completion of the core curriculum courses, ~~or passing~~  
16 ~~the equivalency test~~ of the Building Code Training Program  
17 established by s. 553.841, within 2 years after commencement  
18 of the program. Continuing education hours spent taking such  
19 core curriculum courses shall count toward the number required  
20 for license renewal. A licensee who passes the equivalency  
21 test in lieu of taking the core curriculum courses shall  
22 receive full credit for core curriculum course hours.

23 Section 15. Present subsection (6) of section 489.115,  
24 Florida Statutes, is renumbered as subsection (7) and amended,  
25 present subsection (7) of that section is renumbered as  
26 subsection (8), and a new subsection (6) is added to that  
27 section, to read:

28 489.115 Certification and registration; endorsement;  
29 reciprocity; renewals; continuing education.--

30 (6) An applicant for initial issuance of a certificate  
31 or registration shall submit to a criminal history records

1 check to determine moral character. If the applicant has been  
2 convicted of a felony, the board may deny licensure to the  
3 applicant based upon the severity of the crime, the  
4 relationship of the crime to contracting, or the potential for  
5 public harm. The board shall also, in denying or approving  
6 licensure, consider the length of time since the commission of  
7 the crime and the rehabilitation of the applicant. The board  
8 may not deny licensure to an applicant based solely upon a  
9 felony conviction or the applicant's failure to provide proof  
10 of restoration of civil rights.

11 ~~(7)(6)~~ An initial applicant shall, along with the  
12 application, and a certificateholder or registrant shall, upon  
13 requesting a change of status, submit to the board a credit  
14 report from a nationally recognized credit agency that  
15 reflects the financial responsibility of the applicant or  
16 certificateholder or registrant. The credit report required  
17 for the initial applicant shall be considered the minimum  
18 evidence necessary to satisfy the board that he or she is  
19 financially responsible to be certified, has the necessary  
20 credit and business reputation to engage in contracting in the  
21 state, and has the minimum financial stability necessary to  
22 avoid the problem of financial mismanagement or misconduct.  
23 The board shall, by rule, adopt guidelines for determination  
24 of financial stability, which may include minimum requirements  
25 for net worth, cash, and bonding for Division I  
26 certificateholders of no more than \$20,000 and for Division II  
27 certificateholders of no more than \$10,000. Fifty percent of  
28 the financial requirements may be met by completing a 14-hour  
29 financial responsibility course approved by the board.

30 Section 16. This act shall take effect July 1, 2006.  
31



1                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
2                                   COMMITTEE SUBSTITUTE FOR  
3   Senate Bill 1894

4 The CS provides that if no state or local license is required  
5 for the scope of work to be performed under the contract, the  
6 individual performing the work shall not be considered  
7 unlicensed.

8 The CS prescribes conditions under which certain business  
9 organizations will be insulated from being deemed unlicensed  
10 under the construction contracting law and the  
11 electrical/alarm system contracting law.

12 It provides an exemption from the regulatory provisions  
13 governing electric/alarm system contractors (part II of ch.  
14 489, F.S.,) for inspections, audits or quality-assurance  
15 services that are performed by a nationally recognized testing  
16 laboratory recognized by the Occupational Safety and Health  
17 Administration as meeting certain federal regulatory  
18 requirements.

19 It exempts certain certified or registered electrical or alarm  
20 system contractors from any local law, ordinance, or code that  
21 requires a contractor to be listed or placarded by a  
22 nationally recognized certification organization.

23 It requires that applicants for licensure as auctioneers file  
24 a complete set of fingerprints for submittal to the Florida  
25 Department of Law Enforcement and the Federal Bureau of  
26 Investigation, and pay the cost of processing.

27 It requires that a license application identify the owner, and  
28 furnish evidence of compliance with fictitious name provisions  
29 if the business is a sole proprietorship and uses a fictitious  
30 name.

31 It requires that a business applicants provide to the Florida  
Board of Auctioneers the name of the partnership and its  
partners, the name of the corporation and its officers,  
directors, and stockholders who are also officers or  
directors, the name of the business and its trustees.

It provides for a five-year disqualification from licensure as  
an auctioneer or apprentice, or as holding an ownership  
interest in an auction business, for any person whose license  
has been revoked. The bill requires that the applicant  
provide a statement of financial responsibility, credit  
history, and business reputation in the auction business to  
the department.

It provides that the department may deny licensure to an  
applicant if any owner, partner, officer, director, trustee,  
or member of the applicant has committed an act or offense in  
any jurisdiction that would constitute a basis for discipline  
of a licensed auctioneer.

It permits an applicant to qualify for licensure as a building  
code inspector or plans examiner if he or she demonstrates a  
combination of technical education in the field of building

1 | code inspection or plans review and experience which totals  
2 | two years with at least 1 year of the experience in  
3 | construction, building code inspection, or plans review with  
4 | no fewer than 20 hours of technical education in ethics and  
5 | professional standards.  
6 |  
7 | It requires that the certification examinations for building  
8 | code enforcement officials be substantially similar to the  
9 | examinations administered by the International Code Council.  
10 | It permits building code enforcement officials employed by  
11 | small counties to provide building code services to another  
12 | small county.  
13 |  
14 | The bill amends the building code enforcement official's bill  
15 | of rights to limit the application of the bill of rights to  
16 | disciplinary investigations and proceedings against licenses  
17 | under part XII of ch. 468, F.S., and to disciplinary  
18 | investigations and proceedings against licenses under part XII  
19 | of ch. 468, F.S., and to disciplinary investigations and  
20 | proceedings relating to the official duties of an enforcement  
21 | official. It authorizes the Florida Building Code  
22 | Administrators and Inspectors Board to discipline building  
23 | code enforcement officials.  
24 |  
25 | It prohibits an enforcement official from accepting labor,  
26 | services, or materials for free or at a noncompetitive rate  
27 | from any person, except immediate family members, who performs  
28 | work that may be under his or her official enforcement  
29 | authority. It also requires a minimum of two hours continuing  
30 | education in ethics.  
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