

By Senator Clary

4-1338-06

1                                   A bill to be entitled  
2           An act relating to the practice of  
3           architecture; amending s. 481.203, F.S.;  
4           defining the term "construction contract  
5           administration services"; amending s. 481.223,  
6           F.S.; authorizing retired architects to use the  
7           title "architect, retired"; prohibiting a  
8           person from performing certain acts without  
9           employing a registered architect; amending s.  
10          481.225, F.S.; providing additional grounds for  
11          discipline against registered architects;  
12          amending s. 481.229, F.S.; providing an  
13          exception from licensure for professional  
14          engineers under certain circumstances;  
15          providing an effective date.

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

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19           Section 1. Subsection (16) is added to section  
20 481.203, Florida Statutes, to read:

21           481.203 Definitions.--As used in this part:  
22           ~~(16) "Construction contract administration services"~~

23 means:

24           ~~(a) Visiting a construction site as needed to~~  
25 determine whether work is proceeding in accordance with the  
26 technical specifications submitted to the building official  
27 and approved under the terms of the building permit;

28           ~~(b) Processing shop drawings, product samples, and~~  
29 other submittals in connection with the construction work; and

30           ~~(c) Notifying the project owner and the appropriate~~  
31 building official of construction changes that affect building

1 code compliance or code violations; constitute substantial  
2 changes from the technical submittals approved by the building  
3 official; or constitute construction deviation that creates a  
4 hazard to the public.

5 Section 2. Subsection (1) of section 481.223, Florida  
6 Statutes, is amended to read:

7 481.223 Prohibitions; penalties; injunctive relief.--

8 (1) A person may not knowingly:

9 (a) Practice architecture unless the person is an  
10 architect or a registered architect. However, a licensed  
11 architect who relinquishes or does not renew his or her  
12 license may use the title "architect, retired" but may not  
13 render any architectural services;

14 (b) Practice interior design unless the person is a  
15 registered interior designer unless otherwise exempted herein;

16 (c) Use the name or title "architect" or "registered  
17 architect," or "interior designer" or "registered interior  
18 designer," or words to that effect, when the person is not  
19 then the holder of a valid license issued pursuant to this  
20 part;

21 (d) Present as his or her own the license of another;

22 (e) Give false or forged evidence to the board or a  
23 member thereof;

24 (f) Use or attempt to use an architect or interior  
25 designer license that has been suspended, revoked, or placed  
26 on inactive or delinquent status;

27 (g) Employ unlicensed persons to practice architecture  
28 or interior design; ~~or~~

29 (h) Conceal information relative to violations of this  
30 part; ~~or~~

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1           (i) Apply for a construction permit, construct, or  
2 allow the construction of any structure requiring the services  
3 of a registered architect unless such person has employed or  
4 assured the employment of a registered architect to provide  
5 construction contract administration services.

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

8           481.225 Disciplinary proceedings against registered  
9 architects.--

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

12           (m) Failing to report to the appropriate building  
13 official, in writing, whether he or she has been employed to  
14 furnish construction contract administration services on or  
15 before technical submissions for the work are provided to the  
16 building official.

17           (n) Failing to report to the board knowledge of  
18 construction work proceeding without the employment of an  
19 architect to furnish construction contract administration  
20 services.

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

23           481.229 Exceptions; exemptions from licensure.--

24           (8) This part does not preclude the employment of a  
25 qualified professional engineer to perform construction  
26 contract administration services relative to the engineering  
27 technical submittals for a construction project.

28           Section 5. This act shall take effect July 1, 2006.  
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SENATE SUMMARY

Revises provisions relating to the practice of architecture. Authorizes retired architects to use the title "architect, retired." Prohibits the performance of certain acts without employing an architect. Provides grounds for discipline. Provides an exception from licensure for professional engineering.