By the Committee on Regulated Industries; and Senator Aronberg

580-2466-07

1	A bill to be entitled
2	An act relating to construction contracting;
3	amending s. 489.127, F.S.; prohibiting a
4	certified or registered contractor from
5	performing work for which the contractor is not
6	properly licensed or from subcontracting work
7	to an unlicensed person to perform work that
8	requires a license; providing a penalty;
9	authorizing local jurisdictions to issue civil
10	citations for violations of certain specified
11	building laws; providing an effective date.
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13	Be It Enacted by the Legislature of the State of Florida:
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15	Section 1. Present paragraph (d) of subsection (4) of
16	section 489.127, Florida Statutes, is redesignated as
17	paragraph (e), and a new paragraph (d) is added to that
18	subsection, and paragraph (o) of subsection (5) of that
19	section is amended, to read:
20	489.127 Prohibitions; penalties
21	(4)
22	(d) A certified or registered contractor, or a
23	contractor authorized by a local construction licensing board,
24	may not perform work for which he or she is not properly
25	licensed, subcontract to unlicensed persons to perform work
26	that requires a license, or fail to obtain required permits.
27	$\underline{\text{(e)}}$ (d)1. A person who violates this subsection commits
28	a misdemeanor of the first degree, punishable as provided in
29	s. 775.082 or s. 775.083.
30	2. A person who violates this subsection after having
31	been previously found guilty of such violation commits a

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CODING: Words stricken are deletions; words underlined are additions.

1	felony of the third degree, punishable as provided in s.
2	775.082 or s. 775.083.
3	(5) Each county or municipality may, at its option,
4	designate one or more of its code enforcement officers, as
5	defined in chapter 162, to enforce, as set out in this
6	subsection, the provisions of subsection (1) and s. 489.132(1)
7	against persons who engage in activity for which a county or
8	municipal certificate of competency or license or state
9	certification or registration is required.
10	(o) Nothing in This subsection does not shall be
11	construed to authorize local jurisdictions to exercise
12	disciplinary authority or procedures established in this
13	subsection against an individual holding a proper valid
14	certificate issued pursuant to this part. However, a local
15	jurisdiction may issue civil citations for the following
16	violations:
17	1. Failure to obtain a required building permit.
18	2. Aiding and abetting unlicensed activity during a
19	state of emergency declared by an executive order of the
20	Governor.
21	3. Fraud or willful building code violation.
22	4. Failure to use a license number in marketing or
23	advertising.
24	5. Failure to obtain required inspections.
25	Section 2. This act shall take effect July 1, 2007.
26	
27	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
28	COMMITTEE SUBSTITUTE FOR <u>Senate Bill 2504</u>
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30	The CS deletes cross references and the abandonment of a
31	project as a violation that a local jurisdiction may issue a civil citation. It adds fraud or willful building code violations under the violations.
	violations under the violations. 2