

1 A bill to be entitled
2 An act relating to the regulation of professions; amending
3 s. 455.203, F.S.; requiring the Department of Business and
4 Professional Regulation to increase the renewal period for
5 licenses from biennially to quadrennially; amending s.
6 455.2124, F.S.; authorizing a board or the department to
7 require completion of certain continuing education
8 requirements by inactive licensees seeking to regain
9 active status; amending s. 455.2179, F.S.; revising fees
10 for approval of continuing education providers and courses
11 to conform to the quadrennial license renewal periods
12 required by the act; amending s. 455.2228, F.S.;
13 conforming the continuing education requirements for
14 recertification or relicensing under the Barbers' Act and
15 the Florida Cosmetology Act to the quadrennial license
16 renewal periods required by this act; amending s.
17 455.2281, F.S.; revising the unlicensed activity fees
18 imposed upon renewal of a license to conform to the
19 quadrennial renewal periods required by the act; amending
20 s. 455.271, F.S.; authorizing a delinquent status licensee
21 whose license expires to submit a written request for a
22 grace period to reactivate the license; requiring such
23 licensee to pay a fee and complete certain continuing
24 education requirements; revising the continuing education
25 and fee requirements for changing the status of an
26 inactive or delinquent license to conform to the
27 quadrennial renewal periods required by the act; amending
28 s. 455.273, F.S.; conforming requirements for license

29 renewal notices to the quadrennial renewal periods
30 required by the act; amending ss. 468.3851 and 468.3852,
31 F.S.; increasing the renewal period for auctioneer
32 licenses; revising requirements for license reactivation
33 fees to conform to the increased renewal period; amending
34 s. 468.403, F.S.; providing conditions under which a
35 nonresident licensed as a talent agency in another state
36 qualifies for licensure in this state; amending ss.
37 468.404, 468.4336, and 468.435, F.S.; increasing the
38 license renewal periods for talent agencies and community
39 association managers; revising license and renewal fees to
40 conform to the increased renewal period; amending s.
41 468.453, F.S.; revising license fees for athlete agents to
42 conform to the quadrennial renewal periods required by the
43 act; providing conditions under which a nonresident
44 licensed as an athlete agent in another state qualifies
45 for licensure in this state; amending s. 468.525, F.S.;
46 providing conditions under which a nonresident licensed as
47 an employee leasing company in another state qualifies for
48 licensure in this state; amending ss. 468.526 and 468.527,
49 F.S.; increasing the license renewal period for employee
50 leasing companies and employee leasing company groups;
51 revising license and renewal fees to conform to the
52 increased renewal period; amending s. 468.613, F.S.;
53 providing conditions under which a nonresident licensed or
54 certified as a building code administrator or inspector in
55 another state qualifies for certification in this state;
56 amending ss. 468.8315, 468.8412, and 468.8415, F.S.;

57 | increasing the license renewal periods for home
58 | inspectors, mold assessors, and mold remediators; revising
59 | license and renewal fees to conform to the increased
60 | renewal periods; amending s. 469.004, F.S.; revising
61 | continuing education requirements relating to asbestos
62 | abatement to conform to the quadrennial license renewal
63 | period required by the act; amending s. 469.005, F.S.;
64 | providing conditions under which a nonresident licensed as
65 | an asbestos consultant or asbestos contractor in another
66 | state qualifies for licensure in this state; amending s.
67 | 469.008, F.S.; revising certain fees relating to asbestos
68 | abatement to conform to the quadrennial license renewal
69 | period required by the act; amending ss. 471.011 and
70 | 471.017, F.S.; increasing the license renewal period for
71 | engineers; revising license and renewal fees to conform to
72 | the increased renewal period; amending ss. 472.011 and
73 | 472.017, F.S.; increasing the license renewal period for
74 | professional surveyors and mappers; revising license and
75 | renewal fees to conform to the increased renewal period;
76 | amending ss. 473.305 and 473.311, F.S.; increasing the
77 | license renewal period for certified public accountants;
78 | revising license renewal fees to conform to the increased
79 | renewal period; amending ss. 474.2065 and 474.211, F.S.;
80 | increasing the license renewal period for veterinarians;
81 | revising the license fee to conform to the increased
82 | renewal period; amending s. 474.217, F.S.; revising the
83 | period during which a nonresident licensed as a
84 | veterinarian in another state may be licensed by

85 | endorsement in this state; amending s. 475.180, F.S.;

86 | providing conditions under which a nonresident licensed as

87 | a real estate broker, broker associate, or sales associate

88 | in another state qualifies for licensure in this state;

89 | amending s. 475.182, F.S.; revising continuing education

90 | requirements for real estate brokers, broker associates,

91 | and sales associates to conform to the quadrennial license

92 | renewal periods required by the act; amending s. 476.114,

93 | F.S.; authorizing certain persons to take the examination

94 | for licensure as a barber; requiring that certain persons

95 | desiring to be a barber apply to the department in writing

96 | under certain conditions; amending s. 476.144, F.S.;

97 | conforming a cross-reference; amending ss. 476.154 and

98 | 476.192, F.S.; increasing the license renewal period for

99 | barbers; revising license and renewal fees to conform to

100 | the increased renewal period; amending s. 477.019, F.S.;

101 | authorizing certain persons to take the examination for

102 | licensure as a cosmetologist; requiring that certain

103 | persons desiring to be a cosmetologist apply to the

104 | department in writing under certain conditions; revising

105 | the continuing education requirements for cosmetology

106 | licensees and registered specialists to conform to the

107 | quadrennial license renewal period required by the act;

108 | amending s. 477.026, F.S.; revising certain fees for

109 | cosmetologists, specialty salons, specialists, hair

110 | braiders and wrappers, and body wrappers to conform to the

111 | quadrennial license renewal period required by the act;

112 | amending s. 481.207, F.S.; revising license renewal and

113 delinquency fees for architects and interior designers to
114 conform to the quadrennial license renewal period required
115 by the act; amending s. 481.209, F.S.; authorizing any
116 person meeting certain criteria to take the examination
117 for licensure as an interior designer; requiring that such
118 persons apply to the department in writing and remit a
119 nonrefundable application fee; requiring the department to
120 adopt the application form; amending s. 481.215, F.S.;
121 increasing the license renewal period for architects and
122 interior designers; revising continuing education
123 requirements to conform to the increased renewal period;
124 amending ss. 481.307 and 481.313, F.S.; increasing the
125 license renewal period for landscape architects; revising
126 license renewal fees and continuing education requirements
127 to conform to the increased renewal period; amending s.
128 489.109, F.S.; revising certain fees for construction
129 contractors to conform to the quadrennial license renewal
130 periods required by the act; amending s. 489.111, F.S.;
131 authorizing a person applying for licensure as a
132 contractor to substitute for certain experience
133 requirements the passing of a prelicensure course approved
134 by the Construction Industry Licensing Board and
135 established by department rule; amending s. 489.115, F.S.;
136 revising the continuing education requirements for
137 contractor certificateholders and registrants to conform
138 to the quadrennial certification and registration renewal
139 periods required by the act; providing conditions under
140 which a nonresident licensed or certified as a contractor

141 in another state qualifies for certification in this
142 state; amending s. 489.118, F.S.; deleting an obsolete
143 provision; amending s. 489.509, F.S.; revising certain
144 fees for electrical and alarm system contractors to
145 conform to the quadrennial certification and registration
146 renewal periods required by the act; amending s. 489.511,
147 F.S.; providing conditions under which a nonresident
148 licensed or certified as an electrical or alarm system
149 contractor in another state qualifies for certification in
150 this state; amending s. 489.515, F.S.; authorizing the
151 Electrical Contractors' Licensing Board to adopt certain
152 alternative means by which an applicant for certification
153 may demonstrate financial responsibility; amending s.
154 489.517, F.S.; increasing the certification and
155 registration renewal periods for electrical and alarm
156 system contractors; revising the continuing education
157 requirements for electrical and alarm system contractors
158 to conform to the increased renewal periods; amending s.
159 492.104, F.S.; revising the license renewal fees for
160 professional geologists to conform to the quadrennial
161 license renewal period required by the act; amending s.
162 492.105, F.S.; requiring that a person desiring to be
163 licensed in this state as a professional geologist apply
164 to the department in writing, remit a nonrefundable
165 application fee, and meet certain requirements; requiring
166 the department to adopt the application form; amending s.
167 492.108, F.S.; conforming a cross-reference; amending ss.
168 492.109 and 492.111, F.S.; increasing the license renewal

169 period for professional geologists; revising the
 170 continuing education requirements for professional
 171 geologists to conform to the increased renewal period;
 172 providing an effective date.

173

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

175

176 Section 1. Subsection (1) of section 455.203, Florida
 177 Statutes, is amended to read:

178 455.203 Department; powers and duties.--The department,
 179 for the boards under its jurisdiction, shall:

180 (1) Effective June 30, 2010, adopt rules requiring
 181 ~~establishing a procedure for the quadrennial biennial~~ renewal of
 182 licenses; ~~however, the department may issue up to a 4-year~~
 183 ~~license to selected licensees notwithstanding any other~~
 184 ~~provisions of law to the contrary.~~ Fees for such renewal shall
 185 not exceed the fee caps for individual professions on an
 186 annualized basis as authorized by law.

187 Section 2. Section 455.2124, Florida Statutes, is amended
 188 to read:

189 455.2124 Proration of or not requiring continuing
 190 education.--A board, or the department when there is no board,
 191 may:

192 (1) Prorate continuing education for new licensees by
 193 requiring half of the required continuing education for any
 194 applicant who becomes licensed with more than half the renewal
 195 period remaining and no continuing education for any applicant
 196 who becomes licensed with half or less than half of the renewal

CS/HB 1413

2009

197 period remaining; ~~or~~

198 (2) Require no continuing education until the first full
199 renewal cycle of the licensee; ~~or-~~

200 (3) Require the completion of no more than one renewal
201 cycle of continuing education requirements by an inactive
202 licensee seeking to regain active status.

203
204 These options ~~shall~~ also apply when continuing education is
205 first required or the number of hours required is increased by
206 law or the board, or the department when there is no board.

207 Section 3. Subsection (3) of section 455.2179, Florida
208 Statutes, is amended to read:

209 455.2179 Continuing education provider and course
210 approval; cease and desist orders.--

211 (3) Each board authorized to approve continuing education
212 providers, or the department if there is no board, may
213 establish, by rule, a fee not to exceed \$500 ~~\$250~~ for anyone
214 seeking approval to provide continuing education courses and may
215 establish, by rule, a quadrennial ~~biennial~~ fee not to exceed
216 \$500 ~~\$250~~ for the renewal of providership of such courses. The
217 Florida Real Estate Commission, authorized under the provisions
218 of chapter 475 to approve prelicensure, precertification, and
219 postlicensure education providers, may establish, by rule, an
220 application fee not to exceed \$500 ~~\$250~~ for anyone seeking
221 approval to offer prelicensure, precertification, or
222 postlicensure education courses and may establish, by rule, a
223 quadrennial ~~biennial~~ fee not to exceed \$500 ~~\$250~~ for the renewal
224 of such courses. Such postlicensure education courses are

CS/HB 1413

2009

225 subject to the reporting, monitoring, and compliance provisions
 226 of this section and ss. 455.2177 and 455.2178.

227 Section 4. Subsections (1) and (2) of section 455.2228,
 228 Florida Statutes, are amended to read:

229 455.2228 Barbers and cosmetologists; instruction on HIV
 230 and AIDS.--

231 (1) The board, or the department where there is no board,
 232 shall require each person licensed or certified under chapter
 233 476 or chapter 477 to complete a continuing educational course
 234 approved by the board, or the department where there is no
 235 board, on human immunodeficiency virus and acquired immune
 236 deficiency syndrome as part of quadrennial ~~biennial~~ relicensure
 237 or recertification. The course shall consist of education on
 238 modes of transmission, infection control procedures, clinical
 239 management, and prevention of human immunodeficiency virus and
 240 acquired immune deficiency syndrome, with an emphasis on
 241 appropriate behavior and attitude change.

242 (2) When filing fees for each quadrennial ~~biennial~~
 243 renewal, each licensee shall submit confirmation of having
 244 completed said course, on a form provided by the board or by the
 245 department if there is no board. At the time of the subsequent
 246 quadrennial ~~biennial~~ renewal when coursework is to be completed,
 247 if the licensee has not submitted confirmation which has been
 248 received and recorded by the board, or department if there is no
 249 board, the department shall not renew the license.

250 Section 5. Section 455.2281, Florida Statutes, is amended
 251 to read:

252 455.2281 Unlicensed activities; fees; disposition.--In

253 | order to protect the public and to ensure a consumer-oriented
 254 | department, it is the intent of the Legislature that vigorous
 255 | enforcement of regulation for all professional activities is a
 256 | state priority. All enforcement costs should be covered by
 257 | professions regulated by the department. Therefore, the
 258 | department shall impose, upon initial licensure and each renewal
 259 | thereof, a special fee of \$10 ~~\$5~~ per licensee. Such fee shall be
 260 | in addition to all other fees collected from each licensee and
 261 | shall fund efforts to combat unlicensed activity. Any profession
 262 | regulated by the department which offers services that are not
 263 | subject to regulation when provided by an unlicensed person may
 264 | use funds in its unlicensed activity account to inform the
 265 | public of such situation. The board with concurrence of the
 266 | department, or the department when there is no board, may
 267 | earmark \$10 ~~\$5~~ of the current licensure fee for this purpose, if
 268 | such board, or profession regulated by the department, is not in
 269 | a deficit and has a reasonable cash balance. A board or
 270 | profession regulated by the department may authorize the
 271 | transfer of funds from the operating fund account to the
 272 | unlicensed activity account of that profession if the operating
 273 | fund account is not in a deficit and has a reasonable cash
 274 | balance. The department shall make direct charges to this fund
 275 | by profession and shall not allocate indirect overhead. The
 276 | department shall seek board advice regarding enforcement methods
 277 | and strategies before ~~prior to~~ expenditure of funds; however,
 278 | the department may, without board advice, allocate funds to
 279 | cover the costs of continuing education compliance monitoring
 280 | under s. 455.2177. The department shall directly credit, by

CS/HB 1413

2009

281 | profession, revenues received from the department's efforts to
282 | enforce licensure provisions. The department shall include all
283 | financial and statistical data resulting from unlicensed
284 | activity enforcement and from continuing education compliance
285 | monitoring as separate categories in the quarterly management
286 | report provided for in s. 455.219. The department shall not
287 | charge the account of any profession for the costs incurred on
288 | behalf of any other profession. For an unlicensed activity
289 | account, a balance which remains at the end of a renewal cycle
290 | may, with concurrence of the applicable board and the
291 | department, be transferred to the operating fund account of that
292 | profession.

293 | Section 6. Paragraph (a) of subsection (6) and subsections
294 | (7), (8), and (10) of section 455.271, Florida Statutes, are
295 | amended to read:

296 | 455.271 Inactive and delinquent status.--

297 | (6) (a) A delinquent status licensee must affirmatively
298 | apply with a complete application, as defined by rule of the
299 | board, or the department if there is no board, for active or
300 | inactive status during the licensure cycle in which a licensee
301 | becomes delinquent. Failure by a delinquent status licensee to
302 | become active or inactive before the expiration of the current
303 | licensure cycle renders ~~shall render~~ the license void without
304 | any further action by the board or the department. Upon
305 | expiration of the license, the licensee may request in writing a
306 | grace period of 45 calendar days for the reactivation of the
307 | license. Along with the written request, the licensee must pay a
308 | fee not to exceed \$50 and complete one renewal cycle of

309 continuing education requirements.

310

311 This subsection does not apply to individuals subject to
312 regulation under chapter 473.

313 (7) Each board, or the department when there is no board,
314 shall, by rule, impose an additional delinquency fee, not to
315 exceed the quadrennial ~~biennial~~ renewal fee for an active status
316 license, on a delinquent status licensee when such licensee
317 applies for active or inactive status.

318 (8) Each board, or the department when there is no board,
319 shall, by rule, impose an additional fee, not to exceed the
320 quadrennial ~~biennial~~ renewal fee for an active status license,
321 for processing a licensee's request to change licensure status
322 at any time other than at the beginning of a licensure cycle.

323 (10) Before reactivation, an inactive or delinquent
324 licensee shall meet the same continuing education requirements,
325 if any, imposed on an active status licensee for all quadrennial
326 ~~biennial~~ licensure periods in which the licensee was inactive or
327 delinquent.

328 Section 7. Subsection (2) of section 455.273, Florida
329 Statutes, is amended to read:

330 455.273 Renewal and cancellation notices.--

331 (2) Each licensure renewal notification and each notice of
332 pending cancellation of licensure must state conspicuously that
333 a licensee who remains on inactive status for more than two
334 consecutive quadrennial ~~biennial~~ licensure cycles and who wishes
335 to reactivate the license may be required to demonstrate the
336 competency to resume active practice by sitting for a special

CS/HB 1413

2009

337 | purpose examination or by completing other reactivation
 338 | requirements, as defined by rule of the board or the department
 339 | when there is no board.

340 | Section 8. Subsection (2) of section 468.3851, Florida
 341 | Statutes, is amended to read:

342 | 468.3851 Renewal of license.--

343 | (2) The department shall adopt rules establishing a
 344 | procedure for the quadrennial ~~biennial~~ renewal of licenses.

345 | Section 9. Section 468.3852, Florida Statutes, is amended
 346 | to read:

347 | 468.3852 Reactivation of license; fee.--The board shall
 348 | prescribe by rule a fee not to exceed \$250 for the reactivation
 349 | of an inactive license. The fee shall be in addition to the
 350 | current quadrennial ~~biennial~~ renewal fee.

351 | Section 10. Subsection (10) is added to section 468.403,
 352 | Florida Statutes, to read:

353 | 468.403 License requirements.--

354 | (10) A nonresident who has been licensed in good standing
 355 | for at least 2 years in another state qualifies for licensure in
 356 | this state if the nonresident completes a course on Florida laws
 357 | and rules and passes the resulting examination.

358 | Section 11. Subsection (1) of section 468.404, Florida
 359 | Statutes, is amended to read:

360 | 468.404 License; fees; renewals.--

361 | (1) The department by rule shall establish quadrennial
 362 | ~~biennial~~ fees for initial licensing, renewal of license, and
 363 | reinstatement of license, none of which fees shall exceed \$800
 364 | ~~\$400~~. The department may by rule establish a delinquency fee of

CS/HB 1413

2009

365 no more than \$50. The fees shall be adequate to proportionately
 366 fund the expenses of the department which are allocated to the
 367 regulation of talent agencies and shall be based on the
 368 department's estimate of the revenue required to administer this
 369 part.

370 Section 12. Subsection (2) of section 468.4336, Florida
 371 Statutes, is amended to read:

372 468.4336 Renewal of license.--

373 (2) The department shall adopt rules establishing a
 374 procedure for the quadrennial ~~biennial~~ renewal of licenses.

375 Section 13. Paragraphs (c) and (d) of subsection (1) of
 376 section 468.435, Florida Statutes, are amended to read:

377 468.435 Fees; establishment; disposition.--

378 (1) The council shall, by rule, establish fees for the
 379 described purposes and within the ranges specified in this
 380 section:

381 (c) Initial license fee: not less than \$50 ~~\$25~~, or more
 382 than \$200 ~~\$100~~.

383 (d) Renewal of license fee: not less than \$50 ~~\$25~~, or more
 384 than \$200 ~~\$100~~.

385 Section 14. Paragraph (c) of subsection (2) of section
 386 468.453, Florida Statutes, is amended, and subsection (8) is
 387 added to that section, to read:

388 468.453 Licensure required; qualifications; license
 389 nontransferable; service of process; temporary license; license
 390 or application from another state.--

391 (2) A person shall be licensed as an athlete agent if the
 392 applicant:

393 (c) Has completed the application form and remitted an
 394 application fee not to exceed \$500, an active licensure fee not
 395 to exceed \$4,000 ~~\$2,000~~, and all other applicable fees provided
 396 for in this part or in chapter 455.

397 (8) A nonresident who has been licensed in good standing
 398 for at least 2 years in another state qualifies for licensure in
 399 this state if the nonresident completes a course on Florida laws
 400 and rules and passes the resulting examination.

401 Section 15. Subsection (5) is added to section 468.525,
 402 Florida Statutes, to read:

403 468.525 License requirements.--

404 (5) A nonresident who has been licensed in good standing
 405 for 2 years in another state qualifies for licensure in this
 406 state contingent upon each owner's or operator's completion of a
 407 criminal background investigation as provided for in this part.
 408 The board may deny an applicant for lack of good moral character
 409 as provided in this part.

410 Section 16. Subsections (3), (4), and (5) of section
 411 468.526, Florida Statutes, are amended to read:

412 468.526 License required; fees.--

413 (3) Each employee leasing company and employee leasing
 414 company group licensee shall pay to the department upon the
 415 initial issuance of a license and upon each renewal thereafter a
 416 license fee not to exceed \$5,000 ~~\$2,500~~ to be established by the
 417 board. In addition to the license fee, the board shall establish
 418 an annual assessment for each employee leasing company and each
 419 employee leasing company group sufficient to cover all costs for
 420 regulation of the profession pursuant to this chapter, chapter

421 455, and any other applicable provisions of law. The annual
 422 assessment shall:

423 (a) Be due and payable upon initial licensure and
 424 subsequent renewals thereof and 1 year before the expiration of
 425 any licensure period; and

426 (b) Be based on a fixed percentage, variable classes, or a
 427 combination of both, as determined by the board, of gross
 428 Florida payroll for employees leased to clients by the applicant
 429 or licensee during the period beginning five quarters before and
 430 ending one quarter before each assessment. It is the intent of
 431 the Legislature that the greater weight of total fees for
 432 licensure and assessments should be on larger companies and
 433 groups.

434 (4) The total licensure fee and annual assessments during
 435 a licensure period shall not exceed:

436 (a) Twenty ~~Ten~~ thousand dollars for an employee leasing
 437 company.

438 (b) Twenty-eight ~~Fourteen~~ thousand dollars for an employee
 439 leasing company group.

440 (5) Each controlling person licensee shall pay to the
 441 department upon the initial issuance of a license and upon each
 442 renewal thereafter a license fee to be established by the board
 443 in an amount not to exceed \$4,000 ~~\$2,000~~.

444 Section 17. Subsection (2) of section 468.527, Florida
 445 Statutes, is amended to read:

446 468.527 Licensure and license renewal.--

447 (2) Each license issued to an employee leasing company,
 448 employee leasing company group, or controlling person shall be

CS/HB 1413

2009

449 renewed quadrennially ~~biennially~~. The department shall renew a
450 license upon receipt of a renewal application and the applicable
451 renewal fee.

452 Section 18. Section 468.613, Florida Statutes, is amended
453 to read:

454 468.613 Certification by endorsement.--The board shall
455 examine other certification or training programs, as applicable,
456 upon submission to the board for its consideration of an
457 application for certification by endorsement. The board shall
458 waive its examination, qualification, education, or training
459 requirements, to the extent that such examination,
460 qualification, education, or training requirements of the
461 applicant are determined by the board to be comparable with
462 those established by the board. A nonresident who has been
463 licensed or certified in good standing for at least 2 years in
464 another state qualifies for certification in this state if the
465 nonresident completes a course on Florida laws and rules and
466 passes the resulting examination.

467 Section 19. Subsection (2) of section 468.8315, Florida
468 Statutes, is amended to read:

469 468.8315 Renewal of license.--

470 (2) The department shall adopt rules establishing a
471 procedure for the quadrennial ~~biennial~~ renewal of licenses.

472 Section 20. Subsections (3), (4), (5), (6), and (7) of
473 section 468.8412, Florida Statutes, are amended to read:

474 468.8412 Fees.--

475 (3) The fee for an initial license shall not exceed \$400
476 ~~\$200~~.

CS/HB 1413

2009

477 (4) The fee for an initial certificate of authorization
 478 shall not exceed \$400 ~~\$200~~.

479 (5) The fee for a quadrennial ~~biennial~~ license renewal
 480 shall not exceed \$800 ~~\$400~~.

481 (6) The fee for a quadrennial ~~biennial~~ certificate of
 482 authorization renewal shall not exceed \$800 ~~\$400~~.

483 (7) The fee for licensure by endorsement shall not exceed
 484 \$400 ~~\$200~~.

485 Section 21. Subsection (2) of section 468.8415, Florida
 486 Statutes, is amended to read:

487 468.8415 Renewal of license.--

488 (2) The department shall adopt rules establishing a
 489 procedure for the quadrennial ~~biennial~~ renewal of licenses.

490 Section 22. Subsection (3) of section 469.004, Florida
 491 Statutes, is amended to read:

492 469.004 License; asbestos consultant; asbestos
 493 contractor.--

494 (3) A license issued under this chapter must be renewed
 495 every 4 ~~2~~ years. Before an asbestos contractor's license may be
 496 renewed, the licensee must complete a 1-day course of continuing
 497 education during each of the preceding 4 ~~2~~ years. Before an
 498 asbestos consultant's license may be renewed, the licensee must
 499 complete a 2-day course of continuing education during each of
 500 the preceding 4 ~~2~~ years.

501 Section 23. Subsection (7) is added to section 469.005,
 502 Florida Statutes, to read:

503 469.005 License requirements.--All applicants for
 504 licensure as either asbestos consultants or asbestos contractors

505 shall:

506 (7) If he or she is a nonresident who has been licensed in
 507 good standing for at least 2 years in another state, qualify for
 508 licensure in this state if he or she completes a course on
 509 Florida laws and rules and passes the resulting examination.

510 Section 24. Section 469.008, Florida Statutes, is amended
 511 to read:

512 469.008 Fees.--The department shall establish, by rule,
 513 reasonable fees to be paid for applications, examinations,
 514 licensing and renewal, recordmaking, and recordkeeping. Fees for
 515 application, initial licensure, renewal, or reactivation may not
 516 exceed \$1,000 ~~\$500~~ per applicant. The department may, by rule,
 517 establish late renewal penalty fees, in an amount not to exceed
 518 the initial licensure fee.

519 Section 25. Subsections (3), (4), (5), and (7) of section
 520 471.011, Florida Statutes, are amended to read:

521 471.011 Fees.--

522 (3) The initial license fee shall not exceed \$250 ~~\$125~~.

523 (4) The fee for a certificate of authorization shall not
 524 exceed \$250 ~~\$125~~.

525 (5) The quadrennial ~~biennial~~ renewal fee shall not exceed
 526 \$250 ~~\$125~~.

527 (7) The fee for licensure by endorsement shall not exceed
 528 \$300 ~~\$150~~.

529 Section 26. Subsection (2) of section 471.017, Florida
 530 Statutes, is amended to read:

531 471.017 Renewal of license.--

532 (2) The board shall adopt rules establishing a procedure

CS/HB 1413

2009

533 for the quadrennial ~~biennial~~ renewal of licenses.

534 Section 27. Subsections (3), (4), (5), and (7) of section
535 472.011, Florida Statutes, are amended to read:

536 472.011 Fees.--

537 (3) The initial license fee shall not exceed \$400 ~~\$200~~.

538 (4) The fee for a certificate of authorization shall not
539 exceed \$250 ~~\$125~~.

540 (5) The quadrennial ~~biennial~~ renewal fee shall not exceed
541 \$1,000 ~~\$500~~.

542 (7) The fee for licensure by endorsement shall not exceed
543 \$400 ~~\$200~~.

544 Section 28. Subsection (2) of section 472.017, Florida
545 Statutes, is amended to read:

546 472.017 Renewal of license.--

547 (2) The department shall adopt rules establishing a
548 procedure for the quadrennial ~~biennial~~ renewal of licenses.

549 Section 29. Section 473.305, Florida Statutes, is amended
550 to read:

551 473.305 Fees.--The board, by rule, may establish fees to
552 be paid for applications, examination, reexamination, licensing
553 and renewal, reinstatement, and recordmaking and recordkeeping.
554 The fee for the examination shall be established at an amount
555 that covers the costs for the procurement or development,
556 administration, grading, and review of the examination. The fee
557 for the examination is refundable if the applicant is found to
558 be ineligible to sit for the examination. The fee for initial
559 application is nonrefundable, and the combined fees for
560 application and examination may not exceed \$250 plus the actual

561 per applicant cost to the department for purchase of the
 562 examination from the American Institute of Certified Public
 563 Accountants or a similar national organization. The quadrennial
 564 ~~biennial~~ renewal fee may not exceed \$500 ~~\$250~~. The board may
 565 also establish, by rule, a reactivation fee, a late filing fee
 566 for the law and rules examination, and a delinquency fee not to
 567 exceed \$50 for continuing professional education reporting
 568 forms. The board shall establish fees which are adequate to
 569 ensure the continued operation of the board and to fund the
 570 proportionate expenses incurred by the department which are
 571 allocated to the regulation of public accountants. Fees shall be
 572 based on department estimates of the revenue required to
 573 implement this chapter and the provisions of law with respect to
 574 the regulation of certified public accountants.

575 Section 30. Subsection (2) of section 473.311, Florida
 576 Statutes, is amended to read:

577 473.311 Renewal of license.--

578 (2) The department shall adopt rules establishing a
 579 procedure for the quadrennial ~~biennial~~ renewal of licenses.

580 Section 31. Section 474.2065, Florida Statutes, is amended
 581 to read:

582 474.2065 Fees.--The board, by rule, shall establish fees
 583 for application and examination, reexamination, license renewal,
 584 inactive status, renewal of inactive status, license
 585 reactivation, periodic inspection of veterinary establishments,
 586 and duplicate copies of licenses, certificates, and permits. The
 587 fee for the initial application and examination may not exceed
 588 \$650 plus the actual per applicant cost to the department for

589 purchase of portions of the examination from the Professional
 590 Examination Service for the American Veterinary Medical
 591 Association or a similar national organization. The fee for
 592 licensure by endorsement may not exceed \$1,000 ~~\$500~~. The fee for
 593 temporary licensure may not exceed \$200. The board shall
 594 establish fees that are adequate to ensure its continued
 595 operation and to fund the proportionate expenses incurred by the
 596 department which are allocated to the regulation of
 597 veterinarians. Fees shall be based on departmental estimates of
 598 the revenue required to administer this chapter and the
 599 provisions relating to the regulation of veterinarians.

600 Section 32. Subsection (2) of section 474.211, Florida
 601 Statutes, is amended to read:

602 474.211 Renewal of license.--

603 (2) The department shall adopt rules establishing a
 604 procedure for the quadrennial ~~biennial~~ renewal of licenses.

605 Section 33. Subsection (1) of section 474.217, Florida
 606 Statutes, is amended to read:

607 474.217 Licensure by endorsement.--

608 (1) The department shall issue a license by endorsement to
 609 any applicant who, upon applying to the department and remitting
 610 a fee set by the board, demonstrates to the board that she or
 611 he:

612 (a) Has demonstrated, in a manner designated by rule of
 613 the board, knowledge of the laws and rules governing the
 614 practice of veterinary medicine in this state; and

615 (b)1. Either holds, and has held for the 2 ~~3~~ years
 616 immediately preceding the application for licensure, a valid,

CS/HB 1413

2009

617 active license to practice veterinary medicine in another state
618 of the United States, the District of Columbia, or a territory
619 of the United States, provided that the requirements for
620 licensure in the issuing state, district, or territory are
621 equivalent to or more stringent than the requirements of this
622 chapter; or

623 2. Meets the qualifications of s. 474.207(2)(b) and has
624 successfully completed a state, regional, national, or other
625 examination which is equivalent to or more stringent than the
626 examination given by the department and has passed the board's
627 clinical competency examination or another clinical competency
628 examination specified by rule of the board.

629 Section 34. Subsection (1) of section 475.180, Florida
630 Statutes, is amended to read:

631 475.180 Nonresident licenses.--

632 (1) Notwithstanding the prelicensure requirements set
633 forth under ss. 475.17(2) and (6) and 475.175, the commission in
634 its discretion may enter into written agreements with similar
635 licensing authorities of other states, territories, or
636 jurisdictions of the United States or foreign national
637 jurisdictions to ensure for Florida licensees nonresident
638 licensure opportunities comparable to those afforded to
639 nonresidents by this section. Whenever the commission determines
640 that another jurisdiction does not offer nonresident licensure
641 to Florida licensees substantially comparable to those afforded
642 to licensees of that jurisdiction by this section, the
643 commission shall require licensees of that jurisdiction who
644 apply for nonresident licensure to meet education, experience,

CS/HB 1413

2009

645 and examination requirements substantially comparable to those
646 required by that jurisdiction with respect to Florida licensees
647 who seek nonresident licensure, not to exceed such requirements
648 as prescribed in ss. 475.17(2) and (6) and 475.175. A
649 nonresident who has been licensed in good standing for at least
650 2 years in another state qualifies for licensure in this state
651 if the nonresident completes a course on Florida laws and rules
652 and passes the resulting examination.

653 Section 35. Paragraph (a) of subsection (1) of section
654 475.182, Florida Statutes, is amended to read:

655 475.182 Renewal of license; continuing education.--

656 (1)(a) The department shall renew a license upon receipt
657 of the renewal application and fee. The renewal application for
658 an active license as broker, broker associate, or sales
659 associate shall include proof satisfactory to the commission
660 that the licensee has, since the issuance or renewal of her or
661 his current license, satisfactorily completed at least 28 ~~14~~
662 classroom hours of 50 minutes each of a continuing education
663 course during each quadrennium ~~biennium~~ of a license period, as
664 prescribed by the commission. Approval or denial of a specialty
665 course must be based on the extent to which the course content
666 focuses on real estate issues relevant to the modern practice of
667 real estate by a real estate licensee, including technology used
668 in the real estate industry. The commission may accept as a
669 substitute for such continuing education course, on a classroom-
670 hour-for-classroom-hour basis, any satisfactorily completed
671 education course that the commission finds is adequate to
672 educate licensees within the intent of this section, including

CS/HB 1413

2009

673 | an approved distance learning course. However, the commission
 674 | may not require, for the purpose of satisfactorily completing an
 675 | approved correspondence or distance learning course, a written
 676 | examination that is to be taken at a centralized location and is
 677 | to be monitored.

678 | Section 36. Section 476.114, Florida Statutes, is amended
 679 | to read:

680 | 476.114 Examination; prerequisites.--

681 | (1) (a) A person who is at least 16 years of age may apply
 682 | to take the examination for licensure as a barber.

683 | (b) A person desiring to be licensed as a barber shall
 684 | apply to the department in writing if the applicant: for
 685 | licensure.

686 | ~~(2) An applicant shall be eligible for licensure by~~
 687 | ~~examination to practice barbering if the applicant:~~

688 | ~~(a) Is at least 16 years of age;~~

689 | ~~(b) Pays the required application fee; and~~

690 | ~~(c) 1. Holds an active valid license to practice barbering~~
 691 | ~~in another state, has held the license for at least 1 year, and~~
 692 | ~~does not qualify for licensure by endorsement as provided for in~~
 693 | ~~s. 476.144(5); or~~

694 | 2. Has received a minimum of 1,200 hours of training as
 695 | established by the board, which shall include, but shall not be
 696 | limited to, the equivalent of completion of services directly
 697 | related to the practice of barbering at one of the following:

698 | a. A school of barbering licensed pursuant to chapter
 699 | 1005;

700 | b. A barbering program within the public school system; or

701 c. A government-operated barbering program in this state.

702
 703 The board shall establish by rule procedures whereby the school
 704 or program may certify that a person is qualified to take the
 705 required examination after the completion of a minimum of 1,000
 706 actual school hours. If the person passes the examination, she
 707 or he shall have satisfied this requirement; but if the person
 708 fails the examination, she or he shall not be qualified to take
 709 the examination again until the completion of the full
 710 requirements provided by this section.

711 (2)~~(3)~~ An applicant who meets the requirements set forth
 712 in subparagraphs (1) (b) 1. and 2. ~~(2) (e) 1. and 2.~~ who fails to
 713 pass the examination may take subsequent examinations as many
 714 times as necessary to pass, except that the board may specify by
 715 rule reasonable timeframes for rescheduling the examination and
 716 additional training requirements for applicants who, after the
 717 third attempt, fail to pass the examination. Before ~~Prior to~~
 718 reexamination, the applicant must file the appropriate form and
 719 pay the reexamination fee as required by rule.

720 Section 37. Subsection (6) of section 476.144, Florida
 721 Statutes, is amended to read:

722 476.144 Licensure.--

723 (6) A person may apply for a restricted license to
 724 practice barbering. The board shall adopt rules specifying
 725 procedures for an applicant to obtain a restricted license if
 726 the applicant:

727 (a)1. Has successfully completed a restricted barber
 728 course, as established by rule of the board, at a school of

CS/HB 1413

2009

729 | barbering licensed pursuant to chapter 1005, a barbering program
 730 | within the public school system, or a government-operated
 731 | barbering program in this state; or

732 | 2.a. Holds or has within the previous 5 years held an
 733 | active valid license to practice barbering in another state or
 734 | country or has held a Florida barbering license which has been
 735 | declared null and void for failure to renew the license, and the
 736 | applicant fulfilled the requirements of s. 476.114(1)(b)2. ~~s.~~
 737 | ~~476.114(2)(c)2.~~ for initial licensure; and

738 | b. Has not been disciplined relating to the practice of
 739 | barbering in the previous 5 years; and

740 | (b) Passes a written examination on the laws and rules
 741 | governing the practice of barbering in Florida, as established
 742 | by the board, and a practical examination approved by the board.

743 |
 744 | The restricted license shall limit the licensee's practice to
 745 | those specific areas in which the applicant has demonstrated
 746 | competence pursuant to rules adopted by the board.

747 | Section 38. Section 476.154, Florida Statutes, is amended
 748 | to read:

749 | 476.154 Quadrennial ~~Biennial~~ renewal of licenses.--

750 | (1) Each licensed barber who continues in active practice
 751 | or service shall renew her or his license quadrennially
 752 | ~~biennially~~ and pay the required fee.

753 | (2) Any license or certificate of registration issued
 754 | pursuant to this act for a period less than the established
 755 | quadrennial ~~biennial~~ issuance period may be issued for that
 756 | lesser period of time, and the department shall adjust the

CS/HB 1413

2009

757 required fee accordingly. The board shall adopt rules providing
758 for such partial period fee adjustments.

759 (3) ~~(a)~~ The department shall renew a license upon receipt
760 of the renewal application and fee.

761 ~~(b) The department shall adopt rules establishing a~~
762 ~~procedure for the biennial renewal of licenses.~~

763 Section 39. Paragraphs (a) and (c) of subsection (1) of
764 section 476.192, Florida Statutes, are amended to read:

765 476.192 Fees; disposition.--

766 (1) The board shall set by rule fees according to the
767 following schedule:

768 (a) For barbers, fees for original licensing, license
769 renewal, and delinquent renewal shall not exceed \$200 ~~\$100~~.

770 (c) For barbershops, fees for license application,
771 original licensing, license renewal, and delinquent renewal
772 shall not exceed \$300 ~~\$150~~.

773 Section 40. Section 477.019, Florida Statutes, is amended
774 to read:

775 477.019 Cosmetologists; qualifications; licensure;
776 supervised practice; license renewal; endorsement; continuing
777 education.--

778 (1) (a) A person who is at least 16 years of age may apply
779 to take the examination for licensure as a cosmetologist
780 ~~desiring to be licensed as a cosmetologist shall apply to the~~
781 ~~department for licensure.~~

782 (b) A person desiring to be licensed as a cosmetologist
783 shall apply to the department in writing

784 ~~(2) An applicant shall be eligible for licensure by~~

CS/HB 1413

2009

785 ~~examination to practice cosmetology~~ if the applicant:

786 1. Has passed the licensure examination, achieving a
787 passing grade as established by rule of the board;

788 ~~(a) Is at least 16 years of age or has received a high~~
789 ~~school diploma;~~

790 ~~(b) Pays the required application fee, which is not~~
791 ~~refundable, and the required examination fee, which is~~
792 ~~refundable if the applicant is determined to not be eligible for~~
793 ~~licensure for any reason other than failure to successfully~~
794 ~~complete the licensure examination; and~~

795 2.(e)1. Is authorized to practice cosmetology in another
796 state or country, has been so authorized for at least 1 year,
797 and does not qualify for licensure by endorsement as provided
798 for in subsection (5) ~~(6)~~; or

799 3.2. Has received, before examination, a minimum of 1,200
800 hours of training as established by the board, which shall
801 include, but shall not be limited to, the equivalent of
802 completion of services directly related to the practice of
803 cosmetology at one of the following:

804 a. A school of cosmetology licensed pursuant to chapter
805 1005.

806 b. A cosmetology program within the public school system.

807 c. The Cosmetology Division of the Florida School for the
808 Deaf and the Blind, provided the division meets the standards of
809 this chapter.

810 d. A government-operated cosmetology program in this
811 state.

812

CS/HB 1413

2009

813 The board shall establish by rule procedures whereby the school
814 or program may certify that a person is qualified to take the
815 required examination after the completion of a minimum of 1,000
816 actual school hours. If the person then passes the examination,
817 he or she shall have satisfied this requirement; but if the
818 person fails the examination, he or she shall not be qualified
819 to take the examination again until the completion of the full
820 requirements provided by this section.

821 ~~(2)(3)~~ An application for the licensure examination for
822 any license under this section may be submitted for examination
823 approval in the last 100 hours of training by a pregraduate of a
824 licensed cosmetology school or a program within the public
825 school system, which school or program is certified by the
826 Department of Education ~~with fees as required in paragraph~~
827 ~~(2)(b)~~. Upon approval, the applicant may schedule the
828 examination on a date when the training hours are completed. An
829 applicant shall have 6 months from the date of approval to take
830 the examination. After the 6 months have passed, if the
831 applicant failed to take the examination, the applicant must
832 reapply. The board shall establish by rule the procedures for
833 the pregraduate application process.

834 ~~(3)(4)~~ Upon an applicant receiving a passing grade, as
835 established by board rule, demonstrating qualifications under
836 this section, ~~on the examination~~ and paying the initial
837 licensing fee, the department shall issue a license to practice
838 cosmetology.

839 ~~(4)(5)~~ If an applicant passes all parts of the examination
840 for licensure as a cosmetologist, he or she may practice in the

CS/HB 1413

2009

841 time between passing the examination and receiving a physical
842 copy of his or her license if he or she practices under the
843 supervision of a licensed cosmetologist in a licensed salon. An
844 applicant who fails any part of the examination may not practice
845 as a cosmetologist and may immediately apply for reexamination.

846 (5)~~(6)~~ Renewal of license registration shall be
847 accomplished pursuant to rules adopted by the board.

848 (6)~~(7)~~ The board shall adopt rules specifying procedures
849 for the licensure by endorsement of practitioners desiring to be
850 licensed in this state who hold a current active license in
851 another state and who have met qualifications substantially
852 similar to, equivalent to, or greater than the qualifications
853 required of applicants from this state.

854 (7)~~(8)~~(a) The board shall prescribe by rule continuing
855 education requirements intended to ensure protection of the
856 public through updated training of licensees and registered
857 specialists, not to exceed 32 ~~16~~ hours quadrennially ~~biennially~~,
858 as a condition for renewal of a license or registration as a
859 specialist under this chapter. Continuing education courses
860 shall include, but not be limited to, the following subjects as
861 they relate to the practice of cosmetology: human
862 immunodeficiency virus and acquired immune deficiency syndrome;
863 Occupational Safety and Health Administration regulations;
864 workers' compensation issues; state and federal laws and rules
865 as they pertain to cosmetologists, cosmetology, salons,
866 specialists, specialty salons, and booth renters; chemical
867 makeup as it pertains to hair, skin, and nails; and
868 environmental issues. Courses given at cosmetology conferences

869 may be counted toward the number of continuing education hours
 870 required if approved by the board.

871 (b) Any person whose occupation or practice is confined
 872 solely to hair braiding, hair wrapping, or body wrapping is
 873 exempt from the continuing education requirements of this
 874 subsection.

875 (c) The board may, by rule, require any licensee in
 876 violation of a continuing education requirement to take a
 877 refresher course or refresher course and examination in addition
 878 to any other penalty. The number of hours for the refresher
 879 course may not exceed 48 hours.

880 Section 41. Subsection (1) of section 477.026, Florida
 881 Statutes, is amended to read:

882 477.026 Fees; disposition.--

883 (1) The board shall set fees according to the following
 884 schedule:

885 (a) For cosmetologists, fees for original licensing,
 886 license renewal, and delinquent renewal shall not exceed \$50
 887 ~~\$25~~.

888 (b) For cosmetologists, fees for endorsement application,
 889 examination, and reexamination shall not exceed \$50.

890 (c) For cosmetology and specialty salons, fees for license
 891 application, original licensing, license renewal, and delinquent
 892 renewal shall not exceed \$100 ~~\$50~~.

893 (d) For specialists, fees for application and endorsement
 894 registration shall not exceed \$60 ~~\$30~~.

895 (e) For specialists, fees for initial registration,
 896 registration renewal, and delinquent renewal shall not exceed

CS/HB 1413

2009

897 \$100 ~~\$50~~.

898 (f) For hair braiders, hair wrappers, and body wrappers,
899 fees for registration shall not exceed \$50 ~~\$25~~.

900 Section 42. Section 481.207, Florida Statutes, is amended
901 to read:

902 481.207 Fees.--The board, by rule, may establish separate
903 fees for architects and interior designers, to be paid for
904 applications, examination, reexamination, licensing and renewal,
905 delinquency, reinstatement, and recordmaking and recordkeeping.
906 The examination fee shall be in an amount that covers the cost
907 of obtaining and administering the examination and shall be
908 refunded if the applicant is found ineligible to sit for the
909 examination. The application fee is nonrefundable. The fee for
910 initial application and examination for architects and interior
911 designers may not exceed \$775 plus the actual per applicant cost
912 to the department for purchase of the examination from the
913 National Council of Architectural Registration Boards or the
914 National Council of Interior Design Qualifications,
915 respectively, or similar national organizations. The quadrennial
916 ~~biennial~~ renewal fee for architects may not exceed \$400 ~~\$200~~.
917 The quadrennial ~~biennial~~ renewal fee for interior designers may
918 not exceed \$1,000 ~~\$500~~. The delinquency fee may not exceed the
919 quadrennial ~~biennial~~ renewal fee established by the board for an
920 active license. The board shall establish fees that are adequate
921 to ensure the continued operation of the board and to fund the
922 proportionate expenses incurred by the department which are
923 allocated to the regulation of architects and interior
924 designers. Fees shall be based on department estimates of the

CS/HB 1413

2009

925 revenue required to implement this part and the provisions of
 926 law with respect to the regulation of architects and interior
 927 designers.

928 Section 43. Subsection (2) of section 481.209, Florida
 929 Statutes, is amended to read:

930 481.209 Examinations.--

931 (2) (a) Any person may take the examination for licensure
 932 as an interior designer.

933 (b) A person desiring to be licensed as a registered
 934 interior designer shall apply to the department in writing on a
 935 form prescribed by the department, shall remit a nonrefundable
 936 application fee, and must for licensure. The department shall
 937 administer the licensure examination for interior designers to
 938 each applicant who has completed the application form and
 939 remitted the application and examination fees specified in s.
 940 481.207 and who the board certifies:

941 1. Have passed the examination for licensure;

942 2. (a) Be ~~is~~ a graduate from an interior design program of
 943 5 years or more and have ~~has~~ completed 1 year of diversified
 944 interior design experience;

945 3. (b) Be ~~is~~ a graduate from an interior design program of
 946 4 years or more and have ~~has~~ completed 2 years of diversified
 947 interior design experience;

948 4. (c) Have ~~Has~~ completed at least 3 years in an interior
 949 design curriculum and have ~~has~~ completed 3 years of diversified
 950 interior design experience; or

951 5. (d) Be ~~is~~ a graduate from an interior design program of
 952 at least 2 years and have ~~has~~ completed 4 years of diversified

953 interior design experience.

954

955 Subsequent to October 1, 2000, for the purpose of having the
 956 educational qualification required under this subsection
 957 accepted by the board, the applicant must complete his or her
 958 education at a program, school, or college of interior design
 959 whose curriculum has been approved by the board as of the time
 960 of completion. Subsequent to October 1, 2003, all of the
 961 required amount of educational credits shall have been obtained
 962 in a program, school, or college of interior design whose
 963 curriculum has been approved by the board, as of the time each
 964 educational credit is gained. The board shall adopt rules
 965 providing for the review and approval of programs, schools, and
 966 colleges of interior design and courses of interior design study
 967 based on a review and inspection by the board of the curriculum
 968 of programs, schools, and colleges of interior design in the
 969 United States, including those programs, schools, and colleges
 970 accredited by the Foundation for Interior Design Education
 971 Research. The board shall adopt rules providing for the review
 972 and approval of diversified interior design experience required
 973 by this subsection.

974 Section 44. Subsections (2) and (3) of section 481.215,
 975 Florida Statutes, are amended to read:

976 481.215 Renewal of license.--

977 (2) The department shall adopt rules establishing a
 978 procedure for the quadrennial ~~biennial~~ renewal of licenses.

979 (3) No license renewal shall be issued to an architect or
 980 an interior designer by the department until the licensee

CS/HB 1413

2009

981 submits proof satisfactory to the department that, during the 4
 982 ~~2~~ years before ~~prior to~~ application for renewal, the licensee
 983 participated per quadrennium ~~biennium~~ in not less than 40 ~~20~~
 984 hours of at least 50 minutes each per quadrennium ~~biennium~~ of
 985 continuing education approved by the board. The board shall
 986 approve only continuing education that builds upon the basic
 987 knowledge of architecture or interior design. The board may make
 988 exception from the requirements of continuing education in
 989 emergency or hardship cases.

990 Section 45. Section 481.307, Florida Statutes, is amended
 991 to read:

992 481.307 Fees.--The board, by rule, may establish fees to
 993 be paid for applications, examination, reexamination, licensing
 994 and renewal, delinquency, reinstatement, and recordmaking and
 995 recordkeeping. The examination fee shall be in an amount that
 996 covers the costs of obtaining and administering the examination
 997 and shall be refunded if the applicant is found ineligible to
 998 sit for the examination. The application fee is nonrefundable.
 999 The combined fees for initial application and examination may
 1000 not exceed \$800 plus the actual per applicant cost to the
 1001 department for purchase of portions of the examination from the
 1002 Council of Landscape Architectural Registration Boards or a
 1003 similar national organization. The quadrennial ~~biennial~~ renewal
 1004 fee may not exceed \$1,200 ~~\$600~~. The delinquency fee may not
 1005 exceed the quadrennial ~~biennial~~ renewal fee established by the
 1006 board for an active license. The board shall establish fees that
 1007 are adequate to ensure the continued operation of the board and
 1008 to fund the proportionate expenses incurred by the department

CS/HB 1413

2009

1009 | which are allocated to the regulation of landscape architects.
 1010 | Fees shall be based on department estimates of the revenue
 1011 | required to implement this part and the provisions of law with
 1012 | respect to the regulation of landscape architects.

1013 | Section 46. Subsections (2) and (3) of section 481.313,
 1014 | Florida Statutes, are amended to read:

1015 | 481.313 Renewal of license.--

1016 | (2) The department shall adopt rules establishing a
 1017 | procedure for the quadrennial ~~biennial~~ renewal of licenses.

1018 | (3) No license renewal shall be issued to a landscape
 1019 | architect by the department until the licensee submits proof,
 1020 | satisfactory to the department, that during the 4-year ~~2-year~~
 1021 | period before ~~prior to~~ application for renewal, the licensee
 1022 | participated in such continuing education courses required by
 1023 | the board. The board shall approve only continuing education
 1024 | courses that relate to and increase the basic knowledge of
 1025 | landscape architecture. The board may make an exception from the
 1026 | requirements of continuing education in emergency or hardship
 1027 | cases.

1028 | Section 47. Paragraphs (a) and (b) of subsection (1) and
 1029 | subsection (3) of section 489.109, Florida Statutes, are amended
 1030 | to read:

1031 | 489.109 Fees.--

1032 | (1) The board, by rule, shall establish reasonable fees to
 1033 | be paid for applications, certification and renewal,
 1034 | registration and renewal, and recordmaking and recordkeeping.

1035 | The fees shall be established as follows:

1036 | (a) With respect to an applicant for a certificate, the

CS/HB 1413

2009

1037 initial application fee may not exceed \$150, and, if an
1038 examination cost is included in the application fee, the
1039 combined amount may not exceed \$350. The initial certification
1040 fee and the renewal fee may not exceed \$400 ~~\$200~~. However, any
1041 applicant who seeks certification under this part by taking a
1042 practical examination must pay as an examination fee the actual
1043 cost incurred by the department in developing, preparing,
1044 administering, scoring, score reporting, and evaluating the
1045 examination, if the examination is conducted by the department.

1046 (b) With respect to an applicant for registration, the
1047 initial application fee may not exceed \$100, and the initial
1048 registration fee and the renewal fee may not exceed \$400 ~~\$200~~.

1049 (3) In addition to the fees provided in subsection (1) for
1050 application and renewal for certification and registration, all
1051 certificateholders and registrants must pay a fee of \$8 ~~\$4~~ to
1052 the department at the time of application or renewal. The funds
1053 must be transferred at the end of each licensing period to the
1054 Department of Community Affairs to fund projects relating to the
1055 building construction industry or continuing education programs
1056 offered to persons engaged in the building construction industry
1057 in Florida, to be selected by the Florida Building Commission.
1058 The board shall, at the time the funds are transferred, advise
1059 the Department of Community Affairs on the most needed areas of
1060 research or continuing education based on significant changes in
1061 the industry's practices or on changes in the state building
1062 code or on the most common types of consumer complaints or on
1063 problems costing the state or local governmental entities
1064 substantial waste. The board's advice is not binding on the

1065 Department of Community Affairs. The Department of Community
 1066 Affairs shall ensure the distribution of research reports and
 1067 the availability of continuing education programs to all
 1068 segments of the building construction industry to which they
 1069 relate. The Department of Community Affairs shall report to the
 1070 board in October of each year, summarizing the allocation of the
 1071 funds by institution and summarizing the new projects funded and
 1072 the status of previously funded projects.

1073 Section 48. Subsections (3) and (4) of section 489.111,
 1074 Florida Statutes, are renumbered as subsections (4) and (5),
 1075 respectively, and a new subsection (3) is added to that section,
 1076 to read:

1077 489.111 Licensure by examination.--

1078 (3) Successfully passing a prelicensure course approved by
 1079 the Construction Industry Licensing Board and established by
 1080 department rule may be substituted for the experience
 1081 requirements set forth in subsection (2).

1082 Section 49. Paragraphs (a) and (b) of subsection (4) of
 1083 section 489.115, Florida Statutes, are amended, and subsection
 1084 (10) is added to that section, to read:

1085 489.115 Certification and registration; endorsement;
 1086 reciprocity; renewals; continuing education.--

1087 (4) (a) Each certificateholder or registrant who desires to
 1088 continue as a certificateholder or registrant shall renew the
 1089 certificate or registration every 4 ~~2~~ years. The department
 1090 shall mail each certificateholder and registrant an application
 1091 for renewal.

1092 (b)1. Each certificateholder or registrant shall provide

CS/HB 1413

2009

1093 | proof, in a form established by rule of the board, that the
 1094 | certificateholder or registrant has completed at least 28 ~~14~~
 1095 | classroom hours of at least 50 minutes each of continuing
 1096 | education courses during each quadrennium ~~biennium~~ since the
 1097 | issuance or renewal of the certificate or registration. The
 1098 | board shall establish by rule that a portion of the required 28
 1099 | ~~14~~ hours must deal with the subject of workers' compensation,
 1100 | business practices, workplace safety, and, for applicable
 1101 | licensure categories, wind mitigation methodologies, and 2 hours
 1102 | ~~1 hour~~ of which must deal with laws and rules. The board shall
 1103 | by rule establish criteria for the approval of continuing
 1104 | education courses and providers, including requirements relating
 1105 | to the content of courses and standards for approval of
 1106 | providers, and may by rule establish criteria for accepting
 1107 | alternative nonclassroom continuing education on an hour-for-
 1108 | hour basis. The board shall prescribe by rule the continuing
 1109 | education, if any, which is required during the first
 1110 | quadrennium ~~biennium~~ of initial licensure. A person who has been
 1111 | licensed for less than an entire quadrennium ~~biennium~~ must not
 1112 | be required to complete the full 28 ~~14~~ hours of continuing
 1113 | education.

1114 | 2. In addition, the board may approve specialized
 1115 | continuing education courses on compliance with the wind
 1116 | resistance provisions for one and two family dwellings contained
 1117 | in the Florida Building Code and any alternate methodologies for
 1118 | providing such wind resistance which have been approved for use
 1119 | by the Florida Building Commission. Division I
 1120 | certificateholders or registrants who demonstrate proficiency

CS/HB 1413

2009

1121 upon completion of such specialized courses may certify plans
1122 and specifications for one and two family dwellings to be in
1123 compliance with the code or alternate methodologies, as
1124 appropriate, except for dwellings located in floodways or
1125 coastal hazard areas as defined in ss. 60.3D and E of the
1126 National Flood Insurance Program.

1127 3. Each certificateholder or registrant shall provide to
1128 the board proof of completion of the core curriculum courses, or
1129 passing the equivalency test of the Building Code Training
1130 Program established under s. 553.841, specific to the licensing
1131 category sought, within 2 years after commencement of the
1132 program or of initial certification or registration, whichever
1133 is later. Classroom hours spent taking core curriculum courses
1134 shall count toward the number required for renewal of
1135 certificates or registration. A certificateholder or registrant
1136 who passes the equivalency test in lieu of taking the core
1137 curriculum courses shall receive full credit for core curriculum
1138 course hours.

1139 4. The board shall require, by rule adopted pursuant to
1140 ss. 120.536(1) and 120.54, a specified number of hours in
1141 specialized or advanced module courses, approved by the Florida
1142 Building Commission, on any portion of the Florida Building
1143 Code, adopted pursuant to part IV of chapter 553, relating to
1144 the contractor's respective discipline.

1145 (10) A nonresident who has been licensed or certified in
1146 good standing for at least 2 years in another state qualifies
1147 for certification in this state if the nonresident completes a
1148 course on Florida laws and rules and passes the resulting

1149 examination.

1150 Section 50. Section 489.118, Florida Statutes, is amended
1151 to read:

1152 489.118 Certification of registered contractors;
1153 grandfathering provisions.--The board shall, upon receipt of a
1154 completed application and appropriate fee, issue a certificate
1155 in the appropriate category to any contractor registered under
1156 this part who makes application to the board and can show that
1157 he or she meets each of the following requirements:

1158 (1) Currently holds a valid registered local license in
1159 one of the contractor categories defined in s. 489.105(3)(a)-
1160 (p).

1161 (2) Has, for that category, passed a written examination
1162 that the board finds to be substantially similar to the
1163 examination required to be licensed as a certified contractor
1164 under this part. For purposes of this subsection, a written,
1165 proctored examination such as that produced by the National
1166 Assessment Institute, Block and Associates, NAI/Block, Experior
1167 Assessments, Professional Testing, Inc., or Assessment Systems,
1168 Inc., is ~~shall be~~ considered to be substantially similar to the
1169 examination required to be licensed as a certified contractor.
1170 The board may not impose or make any requirements regarding the
1171 nature or content of these cited examinations.

1172 (3) Has at least 5 years of experience as a contractor in
1173 that contracting category, or as an inspector or building
1174 administrator with oversight over that category, at the time of
1175 application. For contractors, only time periods in which the
1176 contractor license is active and the contractor is not on

CS/HB 1413

2009

1177 probation ~~shall~~ count toward the 5 years required by this
 1178 subsection.

1179 (4) Has not had his or her contractor's license revoked at
 1180 any time, had his or her contractor's license suspended within
 1181 the last 5 years, or been assessed a fine in excess of \$500
 1182 within the last 5 years.

1183 (5) Is in compliance with the insurance and financial
 1184 responsibility requirements in s. 489.115(5).

1185
 1186 ~~Applicants wishing to obtain a certificate pursuant to this~~
 1187 ~~section must make application by November 1, 2005.~~

1188 Section 51. Section 489.509, Florida Statutes, is amended
 1189 to read:

1190 489.509 Fees.--

1191 (1) The board, by rule, shall establish fees to be paid
 1192 for applications, examination, reexamination, transfers,
 1193 licensing and renewal, reinstatement, and recordmaking and
 1194 recordkeeping. The examination fee shall be in an amount that
 1195 covers the cost of obtaining and administering the examination
 1196 and shall be refunded if the applicant is found ineligible to
 1197 sit for the examination. The application fee is nonrefundable.
 1198 The fee for initial application and examination for
 1199 certification of electrical contractors may not exceed \$400. The
 1200 initial application fee for registration may not exceed \$150.
 1201 The quadrennial ~~biennial~~ renewal fee may not exceed \$800 ~~\$400~~
 1202 for certificateholders and ~~\$200~~ for registrants. The fee for
 1203 initial application and examination for certification of alarm
 1204 system contractors may not exceed \$400. The quadrennial ~~biennial~~

1205 renewal fee for certified alarm system contractors may not
 1206 exceed \$900 ~~\$450~~. The board may establish a fee for a temporary
 1207 certificate as an alarm system contractor not to exceed \$75. The
 1208 board may also establish by rule a delinquency fee not to exceed
 1209 \$50. The fee to transfer a certificate or registration from one
 1210 business organization to another may not exceed \$200. The fee
 1211 for reactivation of an inactive license may not exceed \$50. The
 1212 board shall establish fees that are adequate to ensure the
 1213 continued operation of the board. Fees shall be based on
 1214 department estimates of the revenue required to implement this
 1215 part and the provisions of law with respect to the regulation of
 1216 electrical contractors and alarm system contractors.

1217 (2) A person who is registered or holds a valid
 1218 certificate may go on inactive status during which time he or
 1219 she shall not engage in contracting, but may retain the
 1220 certificate or registration on an inactive basis, on payment of
 1221 a renewal fee during the inactive period, not to exceed \$50 per
 1222 renewal period.

1223 (3) Eight ~~Four~~ dollars of each fee under subsection (1)
 1224 paid to the department at the time of application or renewal
 1225 shall be transferred at the end of each licensing period to the
 1226 Department of Community Affairs to fund projects relating to the
 1227 building construction industry or continuing education programs
 1228 offered to persons engaged in the building construction industry
 1229 in Florida. The board shall, at the time the funds are
 1230 transferred, advise the Department of Community Affairs on the
 1231 most needed areas of research or continuing education based on
 1232 significant changes in the industry's practices or on the most

CS/HB 1413

2009

1233 common types of consumer complaints or on problems costing the
 1234 state or local governmental entities substantial waste. The
 1235 board's advice is not binding on the Department of Community
 1236 Affairs. The Department of Community Affairs shall ensure the
 1237 distribution of research reports and the availability of
 1238 continuing education programs to all segments of the building
 1239 construction industry to which they relate. The Department of
 1240 Community Affairs shall report to the board in October of each
 1241 year, summarizing the allocation of the funds by institution and
 1242 summarizing the new projects funded and the status of previously
 1243 funded projects.

1244 Section 52. Subsection (7) is added to section 489.511,
 1245 Florida Statutes, to read:

1246 489.511 Certification; application; examinations;
 1247 endorsement.--

1248 (7) A nonresident who has been licensed or certified in
 1249 good standing for at least 2 years in another state qualifies
 1250 for certification in this state if the nonresident completes a
 1251 course on Florida laws and rules and passes the resulting
 1252 examination.

1253 Section 53. Paragraph (b) of subsection (1) of section
 1254 489.515, Florida Statutes, is amended to read:

1255 489.515 Issuance of certificates; registrations.--

1256 (1)

1257 (b) The board shall certify as qualified for certification
 1258 any person who satisfies the requirements of s. 489.511 and who
 1259 submits satisfactory evidence that he or she has obtained both
 1260 workers' compensation insurance or an acceptable exemption

CS/HB 1413

2009

1261 certificate issued by the department and public liability and
 1262 property damage insurance for the health, safety, and welfare of
 1263 the public in amounts determined by rule of the board, and
 1264 furnishes evidence of financial responsibility, credit, and
 1265 business reputation of either himself or herself or the business
 1266 organization he or she desires to qualify. The board may adopt
 1267 rules authorizing an alternative means by which an applicant may
 1268 demonstrate financial responsibility by requiring minimum credit
 1269 scores or bonds payable as prescribed by board rule.

1270 Section 54. Subsection (2), paragraph (a) of subsection
 1271 (3), and paragraph (b) of subsection (4) of section 489.517,
 1272 Florida Statutes, are amended to read:

1273 489.517 Renewal of certificate or registration; continuing
 1274 education.--

1275 (2) The department shall adopt rules establishing a
 1276 procedure for the quadrennial ~~biennial~~ renewal of certificates
 1277 and registrations.

1278 (3) (a) Each certificateholder or registrant shall provide
 1279 proof, in a form established by rule of the board, that the
 1280 certificateholder or registrant has completed at least 28 ~~14~~
 1281 classroom hours of at least 50 minutes each of continuing
 1282 education courses during each quadrennium ~~biennium~~ since the
 1283 issuance or renewal of the certificate or registration. The
 1284 board shall by rule establish criteria for the approval of
 1285 continuing education courses and providers and may by rule
 1286 establish criteria for accepting alternative nonclassroom
 1287 continuing education on an hour-for-hour basis.

1288 (4)

CS/HB 1413

2009

1289 (b) Of the 28 ~~14~~ classroom hours of continuing education
 1290 required, at least 14 ~~7~~ hours must be on technical subjects, 2
 1291 hours ~~1-hour~~ on workers' compensation, 2 hours ~~1-hour~~ on
 1292 workplace safety, 2 hours ~~1-hour~~ on business practices, and for
 1293 alarm system contractors and electrical contractors engaged in
 1294 alarm system contracting, 4 hours ~~2-hours~~ on false alarm
 1295 prevention.

1296 Section 55. Subsections (4) and (5) of section 492.104,
 1297 Florida Statutes, are amended to read:

1298 492.104 Rulemaking authority.--The Board of Professional
 1299 Geologists has authority to adopt rules pursuant to ss.
 1300 120.536(1) and 120.54 to implement this chapter. Every licensee
 1301 shall be governed and controlled by this chapter and the rules
 1302 adopted by the board. The board is authorized to set, by rule,
 1303 fees for application, examination, certificate of authorization,
 1304 late renewal, initial licensure, and license renewal. These fees
 1305 should not exceed the cost of implementing the application,
 1306 examination, initial licensure, and license renewal or other
 1307 administrative process and shall be established as follows:

1308 (4) The quadrennial ~~biennial~~ renewal fee shall not exceed
 1309 \$300 ~~\$150~~.

1310 (5) The fee for a certificate of authorization shall not
 1311 exceed \$700 ~~\$350~~ and the fee for renewal of the certificate
 1312 shall not exceed \$700 ~~\$350~~.

1313 Section 56. Subsection (1) of section 492.105, Florida
 1314 Statutes, is amended to read:

1315 492.105 Licensure by examination; requirements; fees.--

1316 (1) (a) Any person who is at least 18 years of age may take

1317 the examination for licensure as a geologist.

1318 (b) Any person desiring to be licensed as a professional
 1319 geologist shall apply to the department in writing on a form
 1320 prescribed by the department, shall remit a nonrefundable
 1321 application fee, and must ~~to take the licensure examination. The~~
 1322 ~~written licensure examination shall be designed to test an~~
 1323 ~~applicant's qualifications to practice professional geology, and~~
 1324 ~~shall include such subjects as will tend to ascertain the~~
 1325 ~~applicant's knowledge of the theory and the practice of~~
 1326 ~~professional geology and may include such subjects as are taught~~
 1327 ~~in curricula of accredited colleges and universities. The~~
 1328 ~~department shall examine each applicant who the board certifies:~~

1329 1. Have passed the examination for licensure by achieving
 1330 a passing score as established by rule of the board.

1331 ~~(a) Has completed the application form and remitted a~~
 1332 ~~nonrefundable application fee and an examination fee which is~~
 1333 ~~refundable if the applicant is found to be ineligible to take~~
 1334 ~~the examination.~~

1335 ~~(b) Is at least 18 years of age.~~

1336 2.(e) Have ~~Has~~ not committed any act or offense in any
 1337 jurisdiction which would constitute the basis for disciplining a
 1338 professional geologist licensed pursuant to this chapter.

1339 3.(d) Fulfill ~~Fulfills~~ the following educational
 1340 requirements at a college or university the geological curricula
 1341 of which meet the criteria established by an accrediting agency
 1342 recognized by the United States Department of Education:

1343 a.1- ~~Graduation~~ from such college or university with a
 1344 major in geology or other related science acceptable to the

1345 board; and

1346 ~~b.2.~~ Satisfactory completion of at least 30 semester hours
1347 of geological courses, 24 of which must be at the third or
1348 fourth year or graduate level.

1349 ~~4.(e)~~ Have ~~Has~~ at least 7 years of professional geological
1350 work experience, which shall include a minimum of 3 years of
1351 professional geological work under the supervision of a licensed
1352 or qualified geologist or professional engineer registered under
1353 chapter 471 as qualified in the field or discipline of
1354 professional engineering involved; or have a minimum of 5
1355 accumulative years' experience in responsible charge of
1356 geological work. The following criteria of education and
1357 experience qualify, as specified, toward accumulation of the
1358 required 7 years of professional geological work:

1359 ~~a.1.~~ Each year of undergraduate study in the geological
1360 sciences shall count as 1/2 year of the experience requirement,
1361 up to a maximum of 2 years, and each year of graduate study
1362 shall count as 1 year of the experience requirement.

1363 ~~b.2.~~ Credit for undergraduate study, graduate study, and
1364 graduate courses, individually or in any combination thereof,
1365 shall in no case exceed a total of 2 years toward meeting the
1366 requirements for at least 7 years of professional geological
1367 work.

1368 ~~c.3.~~ Full-time teaching or research in the geological
1369 sciences at the college level shall be credited year for year
1370 toward meeting the requirement in this category.

1371 ~~d.4.~~ The ability of the applicant shall have been
1372 demonstrated by his or her having performed the work in a

1373 responsible position as determined by the board.

1374 Section 57. Paragraph (a) of subsection (1) of section
1375 492.108, Florida Statutes, is amended to read:

1376 492.108 Licensure by endorsement; requirements; fees.--

1377 (1) The department shall issue a license by endorsement to
1378 any applicant who, upon applying to the department and remitting
1379 an application fee, has been certified by the board that he or
1380 she:

1381 (a) Has met the qualifications for licensure in s.
1382 492.105(1) ~~s. 492.105(1)(b)-(e)~~.

1383 Section 58. Subsection (2) of section 492.109, Florida
1384 Statutes, is amended to read:

1385 492.109 Renewal of license; fees.--

1386 (2) The department shall adopt rules establishing a
1387 procedure for the quadrennial ~~biennial~~ renewal of licenses.

1388 Section 59. Subsection (2) of section 492.111, Florida
1389 Statutes, is amended to read:

1390 492.111 Practice of professional geology by a firm,
1391 corporation, or partnership; certificate of authorization.--The
1392 practice of, or offer to practice, professional geology by
1393 individual professional geologists licensed under the provisions
1394 of this chapter through a firm, corporation, or partnership
1395 offering geological services to the public through individually
1396 licensed professional geologists as agents, employees, officers,
1397 or partners thereof is permitted subject to the provisions of
1398 this chapter, provided that:

1399 (2) The firm, corporation, or partnership has been issued
1400 a certificate of authorization by the department as provided in

CS/HB 1413

2009

1401 | this chapter. For purposes of this section, a certificate of
1402 | authorization shall be required of any firm, corporation,
1403 | partnership, association, or person practicing under a
1404 | fictitious name and offering geological services to the public;
1405 | except that, when an individual is practicing professional
1406 | geology in her or his own name, she or he shall not be required
1407 | to obtain a certificate of authorization under this section.
1408 | Such certificate of authorization shall be renewed every 4 ~~2~~
1409 | years.

1410 | Section 60. This act shall take effect upon becoming a
1411 | law.