

1 A bill to be entitled
2 An act relating to regulation of professions; amending s.
3 455.213, F.S.; deleting signature notarization from the
4 information that the Department of Business and
5 Professional Regulation may require in documents submitted
6 for the issuance or renewal of a license; prescribing when
7 an application is received for purposes of certain
8 requirements of the Administrative Procedure Act; amending
9 s. 455.217, F.S.; deleting a provision requiring passage
10 of examinations relating to the practice of professions;
11 amending s. 455.227, F.S.; establishing additional grounds
12 for discipline of professions subject to regulation;
13 prohibiting the failure to report criminal convictions and
14 pleas; prohibiting the failure to complete certain
15 treatment programs; providing penalties; creating s.
16 455.2274, F.S.; authorizing the department's
17 representative to appear in criminal proceedings under
18 certain circumstances and provide certain assistance to
19 the court; amending s. 455.2281, F.S.; authorizing the
20 department to set unlicensed activities special fees for
21 each profession; authorizing the department to adopt rules
22 that reduce or waive the fees under certain circumstances;
23 amending s. 473.305, F.S.; deleting an examination late
24 filing fee applicable to certified public accountant
25 examinees; amending s. 473.308, F.S.; exempting certain
26 applicants from the work experience requirement for
27 licensure as a certified public accountant; amending s.
28 473.311, F.S.; deleting a provision requiring passage of a

29 | rules examination for renewal of license as a certified
30 | public accountant; amending s. 473.313, F.S.; deleting a
31 | provision requiring passage of an examination as a
32 | condition for reactivation of an inactive license as a
33 | certified public accountant; amending s. 475.175, F.S.;
34 | deleting the option to submit a notarized application for
35 | a real estate broker or sales associate license; amending
36 | s. 475.451, F.S.; limiting the attorney exemption from
37 | continuing education requirements to attorneys in good
38 | standing with The Florida Bar; amending s. 475.615, F.S.;
39 | deleting a requirement that an application for a real
40 | estate appraiser certification be notarized; amending s.
41 | 476.134, F.S.; requiring a written examination for a
42 | barbering license; deleting provisions for a practical
43 | examination for barbering license applicants; amending ss.
44 | 489.109 and 489.114, F.S.; deleting provisions relating to
45 | a business organization's certificate of authority for
46 | contracting to conform to changes made by the act;
47 | amending s. 489.117, F.S.; deleting provisions requiring a
48 | contractor applicant to submit proof of a local
49 | occupational license; amending s. 489.119, F.S.; deleting
50 | provisions for the issuance of a certificate of authority
51 | to a business organization for contracting; requiring a
52 | contractor to apply for registration or certification to
53 | qualify a business organization as the qualifying agent;
54 | authorizing the Construction Industry Licensing Board to
55 | deny a registration or certification to qualify a business
56 | organization under certain circumstances; requiring the

57 | qualifying agent of a business organization to present
58 | certain evidence to the board; providing that the board
59 | has discretion to approve a business organization;
60 | amending ss. 489.127, 489.128, 489.129, and 489.132, F.S.;
61 | deleting provisions relating to a business organization's
62 | certificate of authority for contracting to conform to
63 | changes made by the act; amending s. 489.513, F.S.;
64 | deleting a requirement that the local license required for
65 | an electrical or alarm system contractor be an
66 | occupational license; amending s. 489.515, F.S.;
67 | authorizing the Electrical Contractors' Licensing Board to
68 | adopt rules allowing alternative means for a certified
69 | contractor applicant to demonstrate financial
70 | responsibility; amending s. 548.002, F.S.; defining the
71 | term "event" for regulation of pugilistic exhibitions;
72 | amending s. 548.003, F.S.; authorizing the Florida State
73 | Boxing Commission to adopt criteria for the approval of
74 | certain amateur sanctioning organizations; reenacting ss.
75 | 468.436(2)(a), 468.832(1)(a), 468.842(1)(a),
76 | 471.033(1)(a), 472.033(1)(a), 473.323(1)(a), 475.25(1)(a),
77 | 475.624(1), 476.204(1)(h), 477.029(1)(h), 481.225(1)(a),
78 | and 481.325(1)(a), F.S., relating to the discipline of
79 | community association managers or firms, home inspectors,
80 | mold assessors and remediators, engineers, surveyors and
81 | mappers, certified public accountants and accounting
82 | firms, real estate brokers and sales associates, real
83 | estate appraisers, barbers, cosmetologists, architects,
84 | and landscape architects, to incorporate the amendment

85 | made to s. 455.227, F.S., in references thereto; repealing
 86 | s. 509.201, F.S., relating to posting and advertising the
 87 | room rates of a public lodging establishment and related
 88 | penalties; providing an effective date.

89 |

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

91 |

92 | Section 1. Subsection (1) of section 455.213, Florida
 93 | Statutes, is amended to read:

94 | 455.213 General licensing provisions.--

95 | (1) Any person desiring to be licensed shall apply to the
 96 | department in writing. The application for licensure shall be
 97 | submitted ~~made~~ on a form prescribed ~~prepared and furnished~~ by
 98 | the department and must include the applicant's social security
 99 | number. Notwithstanding any other provision of law, the
 100 | department is the sole authority for determining the contents of
 101 | any documents to be submitted for initial licensure and
 102 | licensure renewal. Such documents may contain information
 103 | including, as appropriate: demographics, education, work
 104 | history, personal background, criminal history, finances,
 105 | business information, complaints, inspections, investigations,
 106 | discipline, bonding, ~~signature notarization~~, photographs,
 107 | performance periods, reciprocity, local government approvals,
 108 | supporting documentation, periodic reporting requirements,
 109 | fingerprint requirements, continuing education requirements, and
 110 | ongoing education monitoring. The application shall be
 111 | supplemented as needed to reflect any material change in any
 112 | circumstance or condition stated in the application which takes

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113 place between the initial filing of the application and the
114 final grant or denial of the license and which might affect the
115 decision of the department. In order to further the economic
116 development goals of the state, and notwithstanding any law to
117 the contrary, the department may enter into an agreement with
118 the county tax collector for the purpose of appointing the
119 county tax collector as the department's agent to accept
120 applications for licenses and applications for renewals of
121 licenses. The agreement must specify the time within which the
122 tax collector must forward any applications and accompanying
123 application fees to the department. In cases where a person
124 applies or schedules directly with a national examination
125 organization or examination vendor to take an examination
126 required for licensure, any organization- or vendor-related fees
127 associated with the examination may be paid directly to the
128 organization or vendor. An application is received for purposes
129 of s. 120.60 upon the department's receipt of the application
130 submitted in the format prescribed by the department; the
131 application fee set by the board or, if there is no board, set
132 by the department; and any other fee required by law or rule to
133 be remitted with the application.

134 Section 2. Subsection (7) of section 455.217, Florida
135 Statutes, is amended to read:

136 455.217 Examinations.--This section shall be read in
137 conjunction with the appropriate practice act associated with
138 each regulated profession under this chapter.

139 ~~(7) In addition to meeting any other requirements for~~
140 ~~licensure by examination or by endorsement, an applicant may be~~

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141 ~~required by a board, or by the department, if there is no board,~~
 142 ~~to pass an examination pertaining to state laws and rules~~
 143 ~~applicable to the practice of the profession regulated by that~~
 144 ~~board or by the department.~~

145 Section 3. Paragraphs (t) and (u) are added to subsection
 146 (1) of section 455.227, Florida Statutes, to read:

147 455.227 Grounds for discipline; penalties; enforcement.--

148 (1) The following acts shall constitute grounds for which
 149 the disciplinary actions specified in subsection (2) may be
 150 taken:

151 (t) Failing to report in writing to the board or, if there
 152 is no board, to the department within 30 days after the licensee
 153 is convicted or found guilty of, or entered a plea of nolo
 154 contendere or guilty to, regardless of adjudication, a crime in
 155 any jurisdiction. A licensee must report a conviction, finding
 156 of guilt, plea, or adjudication entered before the effective
 157 date of this paragraph within 30 days after the effective date
 158 of this paragraph.

159 (u) Termination from a treatment program for impaired
 160 practitioners as described in s. 456.076 for failure to comply,
 161 without good cause, with the terms of the monitoring or
 162 treatment contract entered into by the licensee or failing to
 163 successfully complete a drug or alcohol treatment program.

164 Section 4. Section 455.2274, Florida Statutes, is created
 165 to read:

166 455.2274 Criminal proceedings against licensees;
 167 appearances by department representatives.--A representative of
 168 the department may voluntarily appear in a criminal proceeding

169 brought against a person licensed by the department to practice
 170 a profession regulated by the state. The department's
 171 representative is authorized to furnish pertinent information,
 172 make recommendations regarding specific conditions of probation,
 173 and provide other assistance to the court necessary to promote
 174 justice or protect the public. The court may order a
 175 representative of the department to appear in a criminal
 176 proceeding if the crime charged is substantially related to the
 177 qualifications, functions, or duties of a license regulated by
 178 the department.

179 Section 5. Section 455.2281, Florida Statutes, is amended
 180 to read:

181 455.2281 Unlicensed activities; fees; disposition.--In
 182 order to protect the public and to ensure a consumer-oriented
 183 department, it is the intent of the Legislature that vigorous
 184 enforcement of regulation for all professional activities is a
 185 state priority. All enforcement costs should be covered by
 186 professions regulated by the department. Therefore, the
 187 department may ~~shall~~ impose, upon initial licensure and each
 188 renewal thereof, a special fee not to exceed ~~of~~ \$5 per licensee.
 189 The ~~Such~~ fee shall be set by the department by rule for each
 190 profession and shall be in addition to all other fees collected
 191 from each licensee and shall fund efforts to combat unlicensed
 192 activity. Any profession regulated by the department which
 193 offers services that are not subject to regulation when provided
 194 by an unlicensed person may use funds in its unlicensed activity
 195 account to inform the public of such situation. The board with
 196 concurrence of the department, or the department when there is

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197 | no board, may earmark up to \$5 of the current licensure fee for
198 | this purpose, if such board, or profession regulated by the
199 | department, is not in a deficit and has a reasonable cash
200 | balance. The department may adopt rules to waive an unlicensed
201 | activity special fee for up to 2 years if both the operating
202 | account and the unlicensed activity account have an excess cash
203 | balance. A board or profession regulated by the department may
204 | authorize the transfer of funds from the operating fund account
205 | to the unlicensed activity account of that profession if the
206 | operating fund account is not in a deficit and has a reasonable
207 | cash balance. The department shall make direct charges to this
208 | fund by profession and shall not allocate indirect overhead. The
209 | department shall seek board advice regarding enforcement methods
210 | and strategies prior to expenditure of funds; however, the
211 | department may, without board advice, allocate funds to cover
212 | the costs of continuing education compliance monitoring under s.
213 | 455.2177. The department shall directly credit, by profession,
214 | revenues received from the department's efforts to enforce
215 | licensure provisions. The department shall include all financial
216 | and statistical data resulting from unlicensed activity
217 | enforcement and from continuing education compliance monitoring
218 | as separate categories in the quarterly management report
219 | provided for in s. 455.219. The department shall not charge the
220 | account of any profession for the costs incurred on behalf of
221 | any other profession. For an unlicensed activity account, a
222 | balance which remains at the end of a renewal cycle may, with
223 | concurrence of the applicable board and the department, be
224 | transferred to the operating fund account of that profession.

225 Section 6. Section 473.305, Florida Statutes, is amended
 226 to read:

227 473.305 Fees.--The board, by rule, may establish fees to
 228 be paid for applications, examination, reexamination, licensing
 229 and renewal, reinstatement, and recordmaking and recordkeeping.
 230 The fee for the examination shall be established at an amount
 231 that covers the costs for the procurement or development,
 232 administration, grading, and review of the examination. The fee
 233 for the examination is refundable if the applicant is found to
 234 be ineligible to sit for the examination. The fee for initial
 235 application is nonrefundable, and the combined fees for
 236 application and examination may not exceed \$250 plus the actual
 237 per applicant cost to the department for purchase of the
 238 examination from the American Institute of Certified Public
 239 Accountants or a similar national organization. The biennial
 240 renewal fee may not exceed \$250. The board may also establish,
 241 by rule, a reactivation fee, ~~a late filing fee for the law and~~
 242 ~~rules examination,~~ and a delinquency fee not to exceed \$50 for
 243 continuing professional education reporting forms. The board
 244 shall establish fees which are adequate to ensure the continued
 245 operation of the board and to fund the proportionate expenses
 246 incurred by the department which are allocated to the regulation
 247 of public accountants. Fees shall be based on department
 248 estimates of the revenue required to implement this chapter and
 249 the provisions of law with respect to the regulation of
 250 certified public accountants.

251 Section 7. Subsection (4) of section 473.308, Florida
 252 Statutes, is amended to read:

253 473.308 Licensure.--

254 (4) An applicant for licensure after December 31, 2008,
 255 must show that he or she has had 1 year of work experience. This
 256 experience shall include providing any type of service or advice
 257 involving the use of accounting, attest, compilation, management
 258 advisory, financial advisory, tax, or consulting skills, all of
 259 which must be verified by a certified public accountant who is
 260 licensed by a state or territory of the United States and who
 261 has supervised the applicant. This experience is acceptable if
 262 it was gained through employment in government, industry,
 263 academia, or public practice; constituted a substantial part of
 264 the applicant's duties; and was under the supervision of a
 265 certified public accountant licensed by a state or territory of
 266 the United States. The board shall adopt rules specifying
 267 standards and providing for the review and approval of the work
 268 experience required by this section. This subsection does not
 269 apply to an applicant who completed the educational requirements
 270 in subsection (3) by December 31, 2008, and passes the licensure
 271 examination by June 30, 2010.

272 Section 8. Subsection (1) of section 473.311, Florida
 273 Statutes, is amended to read:

274 473.311 Renewal of license.--

275 (1) The department shall renew a license upon receipt of
 276 the renewal application and fee and upon certification by the
 277 board that the licensee has satisfactorily completed the
 278 continuing education requirements of s. 473.312 ~~and has passed~~
 279 ~~an examination approved by the board on chapter 455 and this~~
 280 ~~chapter and the related administrative rules. However, each~~

281 ~~licensee must complete the requirements of s. 473.312(1)(c)~~
 282 ~~prior to taking the examination.~~

283 Section 9. Subsection (3) of section 473.313, Florida
 284 Statutes, is amended to read:

285 473.313 Inactive status.--

286 (3) Any licensee holding an inactive license may be
 287 permitted to reactivate such license in a conditional manner.
 288 The conditions of reactivation shall require, in addition to the
 289 payment of fees, ~~the passing of the examination approved by the~~
 290 ~~board concerning chapter 455 and this chapter, and the related~~
 291 ~~administrative rules, and~~ the completion of required continuing
 292 education.

293 Section 10. Paragraph (a) of subsection (1) of section
 294 475.175, Florida Statutes, is amended to read:

295 475.175 Examinations.--

296 (1) A person shall be entitled to take the license
 297 examination to practice in this state if the person:

298 (a) Submits to the department the appropriate ~~notarized or~~
 299 electronically authenticated application and fee, and a
 300 fingerprint card. The fingerprint card shall be forwarded to the
 301 Division of Criminal Justice Information Systems within the
 302 Department of Law Enforcement for purposes of processing the
 303 fingerprint card to determine if the applicant has a criminal
 304 history record. The fingerprint card shall also be forwarded to
 305 the Federal Bureau of Investigation for purposes of processing
 306 the fingerprint card to determine if the applicant has a
 307 criminal history record. The information obtained by the
 308 processing of the fingerprint card by the Florida Department of

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309 Law Enforcement and the Federal Bureau of Investigation shall be
310 sent to the department for the purpose of determining if the
311 applicant is statutorily qualified for examination. Effective
312 July 1, 2006, an applicant shall provide fingerprints in
313 electronic format.

314 Section 11. Subsection (6) of section 475.451, Florida
315 Statutes, is amended to read:

316 475.451 Schools teaching real estate practice.--

317 (6) Any course prescribed by the commission as a condition
318 precedent to any person's becoming initially licensed as a sales
319 associate may be taught in any real estate school through the
320 use of a video tape of instruction by a currently permitted
321 instructor from any such school or may be taught by distance
322 learning pursuant to s. 475.17(2). The commission may require
323 that any such video tape course have a single session of live
324 instruction by a currently permitted instructor from any such
325 school; however, this requirement shall not exceed 3 classroom
326 hours. All other prescribed courses, except the continuing
327 education course required by s. 475.182, shall be taught by a
328 currently permitted school instructor personally in attendance
329 at such course or by distance learning pursuant to s. 475.17.
330 The continuing education course required by s. 475.182 may be
331 taught by distance learning pursuant to s. 475.17 or by an
332 equivalent correspondence course; however, any such
333 correspondence course shall be required to have a final
334 examination, prepared and administered by the school issuing the
335 correspondence course. The continuing education requirements
336 ~~provided in this section or provided in any other section in~~

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337 | this chapter do not apply ~~with respect to~~ an ~~any~~ attorney who is
 338 | otherwise qualified under ~~the provisions of~~ this chapter and who
 339 | is a certified member in good standing by The Florida Bar.

340 | Section 12. Subsection (5) of section 475.615, Florida
 341 | Statutes, is amended to read:

342 | 475.615 Qualifications for registration or
 343 | certification.--

344 | (5) At the time of filing an ~~a notarized~~ application for
 345 | registration or certification, the applicant must sign a pledge
 346 | to comply with the Uniform Standards of Professional Appraisal
 347 | Practice upon registration or certification and must indicate in
 348 | writing that she or he understands the types of misconduct for
 349 | which disciplinary proceedings may be initiated. The application
 350 | shall expire 1 year after the date received.

351 | Section 13. Subsection (1) of section 476.134, Florida
 352 | Statutes, is amended to read:

353 | 476.134 Examinations.--

354 | (1) Examinations of applicants for licenses as barbers
 355 | shall be offered not less than four times each year. The
 356 | examination of applicants for licenses as barbers shall ~~may~~
 357 | include ~~both a practical demonstration and~~ a written test. The
 358 | board shall have the authority to adopt rules with respect to
 359 | the examination of applicants for licensure. The board may
 360 | provide rules with respect to written ~~or practical~~ examinations
 361 | in such manner as the board may deem fit.

362 | Section 14. Paragraphs (e) through (g) of subsection (1)
 363 | of section 489.109, Florida Statutes, are redesignated as

364 paragraphs (d) through (f), respectively, and present paragraph
 365 (d) of that subsection is amended to read:

366 489.109 Fees.--

367 (1) The board, by rule, shall establish reasonable fees to
 368 be paid for applications, certification and renewal,
 369 registration and renewal, and recordmaking and recordkeeping.

370 The fees shall be established as follows:

371 ~~(d) The board, by rule, may establish a fee for transfer~~
 372 ~~of a certificate of authority from one business organization to~~
 373 ~~another, not to exceed the applicable renewal fee.~~

374 Section 15. Section 489.114, Florida Statutes, is amended
 375 to read:

376 489.114 Evidence of workers' compensation
 377 coverage.--Except as provided in s. 489.115(5) (d), any person,
 378 business organization, or qualifying agent engaged in the
 379 business of contracting in this state and certified or
 380 registered under this part shall, as a condition precedent to
 381 the issuance or renewal of a certificate or registration, ~~or~~
 382 ~~certificate of authority~~ of the contractor, provide to the
 383 Construction Industry Licensing Board, as provided by board
 384 rule, evidence of workers' compensation coverage pursuant to
 385 chapter 440. In the event that the Division of Workers'
 386 Compensation of the Department of Financial Services receives
 387 notice of the cancellation of a policy of workers' compensation
 388 insurance insuring a person or entity governed by this section,
 389 the Division of Workers' Compensation shall certify and identify
 390 all persons or entities by certification or registration license
 391 number to the department after verification is made by the

392 Division of Workers' Compensation that persons or entities
 393 governed by this section are no longer covered by workers'
 394 compensation insurance. Such certification and verification by
 395 the Division of Workers' Compensation may result from records
 396 furnished to the Division of Workers' Compensation by the
 397 persons or entities governed by this section or an investigation
 398 completed by the Division of Workers' Compensation. The
 399 department shall notify the persons or entities governed by this
 400 section who have been determined to be in noncompliance with
 401 chapter 440, and the persons or entities notified shall provide
 402 certification of compliance with chapter 440 to the department
 403 and pay an administrative fine in the amount of \$500. The
 404 failure to maintain workers' compensation coverage as required
 405 by law shall be grounds for the board to revoke, suspend, or
 406 deny the issuance or renewal of a certificate or registration~~,~~
 407 ~~or certificate of authority~~ of the contractor under the
 408 provisions of s. 489.129.

409 Section 16. Paragraph (a) of subsection (1) of section
 410 489.117, Florida Statutes, is amended to read:

411 489.117 Registration; specialty contractors.--

412 (1) (a) Any person engaged in the business of a contractor
 413 in the state shall be registered in the proper classification,
 414 unless he or she is certified. Any person entering the business
 415 of a contractor shall be registered before ~~prior to~~ engaging in
 416 business as a contractor, unless he or she is certified. To be
 417 initially registered, the applicant shall submit the required
 418 fee and file evidence, ~~in a form provided by the department, of~~
 419 ~~holding a current local occupational license required by any~~

420 ~~municipality, county, or development district, if any, for the~~
 421 ~~type of work for which registration is desired and evidence of~~
 422 successful compliance with the local examination and licensing
 423 requirements, if any, in the area for which registration is
 424 desired. An ~~No~~ examination is not ~~shall be~~ required for
 425 registration.

426 Section 17. Section 489.119, Florida Statutes, is amended
 427 to read:

428 489.119 Business organizations; qualifying agents.--

429 (1) If an individual proposes to engage in contracting in
 430 the individual's own name, or a fictitious name where the
 431 individual is doing business as a sole proprietorship,
 432 registration or certification may be issued only to that
 433 individual.

434 (2) If the applicant proposes to engage in contracting as
 435 a business organization, including any partnership, corporation,
 436 business trust, or other legal entity, or in any name other than
 437 the applicant's legal name or a fictitious name where the
 438 applicant is doing business as a sole proprietorship, the
 439 applicant business organization must apply for registration or
 440 certification as the ~~for a certificate of authority through a~~
 441 qualifying agent of the business organization ~~and under the~~
 442 ~~fictitious name, if any.~~

443 (a) An ~~The~~ application for registration or certification
 444 to qualify a business organization ~~a certificate of authority~~
 445 must state the name of the partnership and of its partners; the
 446 name of the corporation and of its officers and directors and
 447 the name of each of its stockholders who is also an officer or

448 director; the name of the business trust and its trustees; or
 449 the name of such other legal entity and its members; and must
 450 state the fictitious name, if any, under which the business
 451 organization is doing business.

452 (b)1. An ~~The~~ application for registration or certification
 453 to qualify a business organization ~~primary qualifying agent~~ must
 454 include an affidavit on a form provided by the board attesting
 455 that the applicant has final approval authority for all
 456 construction work performed by the business organization ~~entity~~
 457 and that the applicant has final approval authority on all
 458 business matters, including contracts, specifications, checks,
 459 drafts, or payments, regardless of the form of payment, made by
 460 the business organization ~~entity~~, except where a financially
 461 responsible officer is approved.

462 2. The application for financially responsible officer
 463 must include an affidavit on a form provided by the board
 464 attesting that the applicant's approval is required for all
 465 checks, drafts, or payments, regardless of the form of payment,
 466 made by the business organization ~~entity~~ and that the applicant
 467 has authority to act for the business organization in all
 468 financial matters.

469 3. The application for secondary qualifying agent must
 470 include an affidavit on a form provided by the board attesting
 471 that the applicant has authority to supervise all construction
 472 work performed by the business organization ~~entity~~ as provided
 473 in s. 489.1195(2).

474 (c) The board may deny an application for registration or
 475 certification to qualify a business organization if the

476 applicant, or any person listed in paragraph (a), has been
 477 involved in past disciplinary actions or on any grounds for
 478 which an individual registration or certification may be denied.

479 ~~(d)~~ ~~(b)~~ The applicant must furnish evidence of statutory
 480 compliance if a fictitious name is used, the provisions of s.
 481 865.09(7) notwithstanding.

482 ~~(e)~~ ~~(e)~~ A joint venture, including a joint venture composed
 483 of qualified business organizations, is itself a separate and
 484 distinct organization that must be qualified ~~and obtain a~~
 485 ~~certificate of authority~~ in accordance with board rules.

486 ~~(d)~~ ~~A certificate of authority must be renewed every 2~~
 487 ~~years. If there is a change in any information that is required~~
 488 ~~to be stated on the application, the business organization~~
 489 ~~shall, within 45 days after such change occurs, mail the correct~~
 490 ~~information to the department.~~

491 (3) (a) A ~~The~~ qualifying agent must ~~shall~~ be certified or
 492 registered under this part in order for the business
 493 organization to operate ~~be issued a certificate of authority~~ in
 494 the category of contracting in ~~the business conducted for~~ which
 495 the qualifying agent is certified or registered. If any
 496 qualifying agent ceases to be affiliated with a ~~such~~ business
 497 organization, he or she shall ~~so~~ inform the department. In
 498 addition, if the ~~such~~ qualifying agent is the only certified or
 499 registered contractor affiliated with the business organization,
 500 the business organization shall notify the department of the
 501 termination of the qualifying agent and shall have 60 days from
 502 the termination of the qualifying agent's affiliation with the
 503 business organization in which to employ another qualifying

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504 agent. The business organization may not engage in contracting
505 until a qualifying agent is employed, unless the executive
506 director or chair of the board has granted a temporary
507 nonrenewable certificate or registration to the financially
508 responsible officer, the president, a partner, or, in the case
509 of a limited partnership, the general partner, who assumes all
510 responsibilities of a primary qualifying agent for the business
511 organization ~~entity~~. This temporary certificate or registration
512 shall only allow the business organization ~~entity~~ to proceed
513 with incomplete contracts. For the purposes of this paragraph,
514 an incomplete contract is one which has been awarded to, or
515 entered into by, the business organization prior to the
516 cessation of affiliation of the qualifying agent with the
517 business organization or one on which the business organization
518 was the low bidder and the contract is subsequently awarded,
519 regardless of whether any actual work has commenced under the
520 contract prior to the qualifying agent ceasing to be affiliated
521 with the business organization.

522 (b) The qualifying agent shall inform the department in
523 writing when he or she proposes to engage in contracting in his
524 or her own name or in affiliation with another business
525 organization, and he or she or such new business organization
526 shall supply the same information to the department as required
527 of applicants under this part.

528 ~~(c) Upon a favorable determination by the board, after~~
529 ~~investigation of the financial responsibility, credit, and~~
530 ~~business reputation of the qualifying agent and the new business~~
531 ~~organization, the department shall issue, without an~~

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532 ~~examination, a new certificate of authority in the business~~
533 ~~organization's name.~~

534 ~~(4) Disciplinary action against a business organization~~
535 ~~holding a certificate of authority shall be administered in the~~
536 ~~same manner and on the same grounds as disciplinary action~~
537 ~~against a contractor. The board may deny the certification of~~
538 ~~any person cited in subsection (2) if the person has been~~
539 ~~involved in past disciplinary actions or on any grounds for~~
540 ~~which individual certification can be denied.~~

541 (4)~~(5)~~ When a certified qualifying agent, on behalf of a
542 business organization, makes application for an occupational
543 license in any municipality or county of this state, the
544 application shall be made with the tax collector in the name of
545 the business organization and the qualifying agent; and the
546 license, when issued, shall be issued to the business
547 organization, upon payment of the appropriate licensing fee and
548 exhibition to the tax collector of a valid certificate for the
549 qualifying agent ~~and a valid certificate of authority for the~~
550 ~~business organization~~ issued by the department, and the state
551 license numbers shall be noted thereon.

552 (5)~~(6)~~ (a) Each registered or certified contractor shall
553 affix the number of his or her registration or certification to
554 each application for a building permit and on each building
555 permit issued and recorded. Each city or county building
556 department shall require, as a precondition for the issuance of
557 the building permit, that the contractor taking out the permit
558 must provide verification giving his or her Construction
559 Industry Licensing Board registration or certification number.

560 (b) The registration or certification number of each
 561 contractor ~~or certificate of authority number for each business~~
 562 ~~organization~~ shall appear in each offer of services, business
 563 proposal, bid, contract, or advertisement, regardless of medium,
 564 as defined by board rule, used by that contractor or business
 565 organization in the practice of contracting.

566 (c) If a vehicle bears the name of a contractor or
 567 business organization, or any text or artwork which would lead a
 568 reasonable person to believe that the vehicle is used for
 569 contracting, the registration or certification number of the
 570 contractor ~~or certificate of authority number of the business~~
 571 ~~organization~~ must be conspicuously and legibly displayed with
 572 the name, text, or artwork. Local governments may also require
 573 that locally licensed contractors must also display their
 574 certificate of competency or license numbers. Nothing in this
 575 paragraph shall be construed to create a mandatory vehicle
 576 signage requirement.

577 (d) For the purposes of this part, the term
 578 "advertisement" does not include business stationery or any
 579 promotional novelties such as balloons, pencils, trinkets, or
 580 articles of clothing.

581 (e) The board shall issue a notice of noncompliance for
 582 the first offense, and may assess a fine or issue a citation for
 583 failure to correct the offense within 30 days or for any
 584 subsequent offense, to any contractor or business organization
 585 that fails to include the certification or, registration, ~~or~~
 586 ~~certificate of authority~~ number as required by this part when
 587 submitting an advertisement for publication, broadcast, or

588 printing or fails to display the certification or registration
 589 ~~or certificate of authority~~ number as required by this part.

590 ~~(6)-(7)~~ Each qualifying agent shall pay the department an
 591 amount equal to the original fee for registration or
 592 certification to qualify ~~a certificate of authority of~~ a new
 593 business organization. If the qualifying agent for a business
 594 organization desires to qualify additional business
 595 organizations, the board shall require the qualifying agent ~~him~~
 596 ~~or her~~ to present evidence of his or her ability to supervise
 597 the construction activities ~~and financial responsibility~~ of each
 598 such organization. Approval of each business organization ~~The~~
 599 ~~issuance of such certificate of authority~~ is discretionary with
 600 the board.

601 ~~(7)-(8)~~(a) A business organization proposing to engage in
 602 contracting is not required to apply for or obtain authorization
 603 under this part to engage in contracting if:

604 1. The business organization employs one or more
 605 registered or certified contractors licensed in accordance with
 606 this part who are responsible for obtaining permits and
 607 supervising all of the business organization's contracting
 608 activities;

609 2. The business organization engages only in contracting
 610 on property owned by the business organization or by its parent,
 611 subsidiary, or affiliated entities; and

612 3. The business organization, or its parent entity if the
 613 business organization is a wholly owned subsidiary, maintains a
 614 minimum net worth of \$20 million.

615 (b) Any business organization engaging in contracting
 616 under this subsection shall provide the board with the name and
 617 license number of each registered or certified contractor
 618 employed by the business organization to supervise its
 619 contracting activities. The business organization is not
 620 required to post a bond or otherwise evidence any financial or
 621 credit information except as necessary to demonstrate compliance
 622 with paragraph (a).

623 (c) A registered or certified contractor employed by a
 624 business organization to supervise its contracting activities
 625 under this subsection shall not be required to post a bond or
 626 otherwise evidence any personal financial or credit information
 627 so long as the individual performs contracting activities
 628 exclusively on behalf of a business organization meeting all of
 629 the requirements of paragraph (a).

630 Section 18. Subsection (1) of section 489.127, Florida
 631 Statutes, is amended to read:

632 489.127 Prohibitions; penalties.--

633 (1) No person shall:

634 (a) Falsely hold himself or herself or a business
 635 organization out as a licensee, certificateholder, or
 636 registrant;

637 (b) Falsely impersonate a certificateholder or registrant;

638 (c) Present as his or her own the certificate or
 639 registration, ~~or certificate of authority~~ of another;

640 (d) Knowingly give false or forged evidence to the board
 641 or a member thereof;

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642 (e) Use or attempt to use a certificate or registration
643 ~~that, or certificate of authority which~~ has been suspended or
644 revoked;

645 (f) Engage in the business or act in the capacity of a
646 contractor or advertise himself or herself or a business
647 organization as available to engage in the business or act in
648 the capacity of a contractor without being duly registered or
649 certified ~~or having a certificate of authority;~~

650 (g) Operate a business organization engaged in contracting
651 after 60 days following the termination of its only qualifying
652 agent without designating another primary qualifying agent,
653 except as provided in ss. 489.119 and 489.1195;

654 (h) Commence or perform work for which a building permit
655 is required pursuant to part IV of chapter 553 without such
656 building permit being in effect; or

657 (i) Willfully or deliberately disregard or violate any
658 municipal or county ordinance relating to uncertified or
659 unregistered contractors.

660

661 For purposes of this subsection, a person or business
662 organization operating on an inactive or suspended certificate
663 or registration, ~~or certificate of authority~~ is not duly
664 certified or registered and is considered unlicensed. A business
665 tax receipt issued under the authority of chapter 205 is not a
666 license for purposes of this part.

667 Section 19. Paragraph (b) of subsection (1) of section
668 489.128, Florida Statutes, is amended to read:

669 489.128 Contracts entered into by unlicensed contractors
670 unenforceable.--

671 (1) As a matter of public policy, contracts entered into
672 on or after October 1, 1990, by an unlicensed contractor shall
673 be unenforceable in law or in equity by the unlicensed
674 contractor.

675 (b) For purposes of this section, an individual or
676 business organization may not be considered unlicensed for
677 failing to have a business tax receipt issued under the
678 authority of chapter 205. ~~A business organization may not be
679 considered unlicensed for failing to have a certificate of
680 authority as required by ss. 489.119 and 489.127. For purposes
681 of this section, a business organization entering into the
682 contract may not be considered unlicensed if, before the date
683 established by paragraph (c), an individual possessing a license
684 required by this part concerning the scope of the work to be
685 performed under the contract has submitted an application for a
686 certificate of authority designating that individual as a
687 qualifying agent for the business organization entering into the
688 contract, and the application was not acted upon by the
689 department or applicable board within the time limitations
690 imposed by s. 120.60.~~

691 Section 20. Subsections (1), (5), and (7) of section
692 489.129, Florida Statutes, are amended to read:

693 489.129 Disciplinary proceedings.--

694 (1) The board may take any of the following actions
695 against any certificateholder or registrant: place on probation
696 or reprimand the licensee, revoke, suspend, or deny the issuance

697 or renewal of the certificate or, registration, ~~or certificate~~
698 ~~of authority~~, require financial restitution to a consumer for
699 financial harm directly related to a violation of a provision of
700 this part, impose an administrative fine not to exceed \$10,000
701 per violation, require continuing education, or assess costs
702 associated with investigation and prosecution, if the
703 contractor, financially responsible officer, or business
704 organization for which the contractor is a primary qualifying
705 agent, a financially responsible officer, or a secondary
706 qualifying agent responsible under s. 489.1195 is found guilty
707 of any of the following acts:

708 (a) Obtaining a certificate or, registration, ~~or~~
709 ~~certificate of authority~~ by fraud or misrepresentation.

710 (b) Being convicted or found guilty of, or entering a plea
711 of nolo contendere to, regardless of adjudication, a crime in
712 any jurisdiction which directly relates to the practice of
713 contracting or the ability to practice contracting.

714 (c) Violating any provision of chapter 455.

715 (d) Performing any act which assists a person or entity in
716 engaging in the prohibited uncertified and unregistered practice
717 of contracting, if the certificateholder or registrant knows or
718 has reasonable grounds to know that the person or entity was
719 uncertified and unregistered.

720 (e) Knowingly combining or conspiring with an uncertified
721 or unregistered person by allowing his or her certificate or,
722 registration, ~~or certificate of authority~~ to be used by the
723 uncertified or unregistered person with intent to evade the
724 provisions of this part. When a certificateholder or registrant

725 | allows his or her certificate or registration to be used by one
 726 | or more business organizations without having any active
 727 | participation in the operations, management, or control of such
 728 | business organizations, such act constitutes prima facie
 729 | evidence of an intent to evade the provisions of this part.

730 | (f) Acting in the capacity of a contractor under any
 731 | certificate or registration issued hereunder except in the name
 732 | of the certificateholder or registrant as set forth on the
 733 | issued certificate or registration, or in accordance with the
 734 | personnel of the certificateholder or registrant as set forth in
 735 | the application for the certificate or registration, or as later
 736 | changed as provided in this part.

737 | (g) Committing mismanagement or misconduct in the practice
 738 | of contracting that causes financial harm to a customer.
 739 | Financial mismanagement or misconduct occurs when:

740 | 1. Valid liens have been recorded against the property of
 741 | a contractor's customer for supplies or services ordered by the
 742 | contractor for the customer's job; the contractor has received
 743 | funds from the customer to pay for the supplies or services; and
 744 | the contractor has not had the liens removed from the property,
 745 | by payment or by bond, within 75 days after the date of such
 746 | liens;

747 | 2. The contractor has abandoned a customer's job and the
 748 | percentage of completion is less than the percentage of the
 749 | total contract price paid to the contractor as of the time of
 750 | abandonment, unless the contractor is entitled to retain such
 751 | funds under the terms of the contract or refunds the excess
 752 | funds within 30 days after the date the job is abandoned; or

753 3. The contractor's job has been completed, and it is
754 shown that the customer has had to pay more for the contracted
755 job than the original contract price, as adjusted for subsequent
756 change orders, unless such increase in cost was the result of
757 circumstances beyond the control of the contractor, was the
758 result of circumstances caused by the customer, or was otherwise
759 permitted by the terms of the contract between the contractor
760 and the customer.

761 (h) Being disciplined by any municipality or county for an
762 act or violation of this part.

763 (i) Failing in any material respect to comply with the
764 provisions of this part or violating a rule or lawful order of
765 the board.

766 (j) Abandoning a construction project in which the
767 contractor is engaged or under contract as a contractor. A
768 project may be presumed abandoned after 90 days if the
769 contractor terminates the project without just cause or without
770 proper notification to the owner, including the reason for
771 termination, or fails to perform work without just cause for 90
772 consecutive days.

773 (k) Signing a statement with respect to a project or
774 contract falsely indicating that the work is bonded; falsely
775 indicating that payment has been made for all subcontracted
776 work, labor, and materials which results in a financial loss to
777 the owner, purchaser, or contractor; or falsely indicating that
778 workers' compensation and public liability insurance are
779 provided.

780 (l) Committing fraud or deceit in the practice of
781 contracting.

782 (m) Committing incompetency or misconduct in the practice
783 of contracting.

784 (n) Committing gross negligence, repeated negligence, or
785 negligence resulting in a significant danger to life or
786 property.

787 (o) Proceeding on any job without obtaining applicable
788 local building department permits and inspections.

789 (p) Intimidating, threatening, coercing, or otherwise
790 discouraging the service of a notice to owner under part I of
791 chapter 713 or a notice to contractor under chapter 255 or part
792 I of chapter 713.

793 (q) Failing to satisfy within a reasonable time, the terms
794 of a civil judgment obtained against the licensee, or the
795 business organization qualified by the licensee, relating to the
796 practice of the licensee's profession.

797
798 For the purposes of this subsection, construction is considered
799 to be commenced when the contract is executed and the contractor
800 has accepted funds from the customer or lender. A contractor
801 does not commit a violation of this subsection when the
802 contractor relies on a building code interpretation rendered by
803 a building official or person authorized by s. 553.80 to enforce
804 the building code, absent a finding of fraud or deceit in the
805 practice of contracting, or gross negligence, repeated
806 negligence, or negligence resulting in a significant danger to

807 | life or property on the part of the building official, in a
 808 | proceeding under chapter 120.

809 | (5) The board may not reinstate the certification or
 810 | registration, ~~or certificate of authority~~ of, or cause a
 811 | certificate or, registration, ~~or certificate of authority~~ to be
 812 | issued to, a person who or business organization which the board
 813 | has determined is unqualified or whose certificate or
 814 | registration, ~~or certificate of authority~~ the board has
 815 | suspended until it is satisfied that such person or business
 816 | organization has complied with all the terms and conditions set
 817 | forth in the final order and is capable of competently engaging
 818 | in the business of contracting.

819 | (7) The board shall not issue or renew a certificate or
 820 | registration, ~~or certificate of authority~~ to any person or
 821 | business organization that has been assessed a fine, interest,
 822 | or costs associated with investigation and prosecution, or has
 823 | been ordered to pay restitution, until such fine, interest, or
 824 | costs associated with investigation and prosecution or
 825 | restitution are paid in full or until all terms and conditions
 826 | of the final order have been satisfied.

827 | Section 21. Subsection (5) of section 489.132, Florida
 828 | Statutes, is amended to read:

829 | 489.132 Prohibited acts by unlicensed principals;
 830 | investigation; hearing; penalties.--

831 | (5) The department may suspend, revoke, or deny issuance
 832 | or renewal of a certificate or, registration, ~~or certificate of~~
 833 | ~~authority~~ for any individual or business organization that
 834 | associates a person as an officer, director, or partner, or in a

835 managerial or supervisory capacity, after such person has been
 836 found under a final order to have violated this section or was
 837 an officer, director, partner, trustee, or manager of a business
 838 organization disciplined by the board by revocation, suspension,
 839 or fine in excess of \$2,500, upon finding reasonable cause that
 840 such person knew or reasonably should have known of the conduct
 841 leading to the discipline.

842 Section 22. Subsection (5) of section 489.513, Florida
 843 Statutes, is amended to read:

844 489.513 Registration; application; requirements.--

845 (5) Registration permits the registrant to engage in
 846 contracting only in the area and for the type of work covered by
 847 the registration, unless local licenses are issued for other
 848 areas and types of work or unless certification is obtained.
 849 When a registrant desires to register in an additional area of
 850 the state, he or she shall ~~first~~ comply with any local
 851 requirements of that area and then file a request with the
 852 department, together with evidence of holding a current
 853 ~~occupational license or~~ license issued by the county or
 854 municipality for the area or areas in which he or she desires to
 855 be registered, whereupon his or her evidence of registration
 856 shall be endorsed by the department to reflect valid
 857 registration for the new area or areas.

858 Section 23. Paragraph (b) of subsection (1) of section
 859 489.515, Florida Statutes, is amended to read:

860 489.515 Issuance of certificates; registrations.--

861 (1)

862 (b) The board shall certify as qualified for certification
 863 any person who satisfies the requirements of s. 489.511 and who
 864 submits satisfactory evidence that he or she has obtained both
 865 workers' compensation insurance or an acceptable exemption
 866 certificate issued by the department and public liability and
 867 property damage insurance for the health, safety, and welfare of
 868 the public in amounts determined by rule of the board, and
 869 furnishes evidence of financial responsibility, credit, and
 870 business reputation of either himself or herself or the business
 871 organization he or she desires to qualify. The board may adopt
 872 rules authorizing an alternative means for an applicant to
 873 demonstrate financial responsibility by providing minimum credit
 874 scores or bonds payable as prescribed by rule for financially
 875 responsible officers under s. 489.1195.

876 Section 24. Subsections (8) through (22) of section
 877 548.002, Florida Statutes, are renumbered as subsections (9)
 878 through (23), respectively, and a new subsection (8) is added to
 879 that section, to read:

880 548.002 Definitions.--As used in this chapter, the term:
 881 (8) "Event" means one or more matches comprising a show.

882 Section 25. Paragraph (k) of subsection (2) of section
 883 548.003, Florida Statutes, is amended to read:

884 548.003 Florida State Boxing Commission.--

885 (2) The Florida State Boxing Commission, as created by
 886 subsection (1), shall administer the provisions of this chapter.
 887 The commission has authority to adopt rules pursuant to ss.
 888 120.536(1) and 120.54 to implement the provisions of this

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889 chapter and to implement each of the duties and responsibilities
890 conferred upon the commission, including, but not limited to:

891 (k) Establishment of criteria for approval, disapproval,
892 suspension of approval, and revocation of approval of amateur
893 sanctioning organizations for amateur boxing, and kickboxing,
894 and mixed martial arts matches held in this state, including,
895 but not limited to, the health and safety standards the
896 organizations use before, during, and after the matches to
897 ensure the health, safety, and well-being of the amateurs
898 participating in the matches, including the qualifications and
899 numbers of health care personnel required to be present, the
900 qualifications required for referees, and other requirements
901 relating to the health, safety, and well-being of the amateurs
902 participating in the matches. The commission may adopt by rule,
903 or incorporate by reference into rule, the health and safety
904 standards of USA Boxing as the minimum health and safety
905 standards for an amateur boxing sanctioning organization, and
906 the health and safety standards of the International Sport
907 Kickboxing Association as the minimum health and safety
908 standards for an amateur kickboxing sanctioning organization.
909 The commission shall review its rules for necessary revision at
910 least every 2 years and may adopt by rule, or incorporate by
911 reference into rule, the then-existing current health and safety
912 standards of USA Boxing and the International Sport Kickboxing
913 Association. The commission may adopt emergency rules to
914 administer this paragraph.

915 Section 26. For the purpose of incorporating the amendment
916 made by this act to subsection (1) of section 455.227, Florida

917 Statutes, in a reference thereto, paragraph (a) of subsection
 918 (2) of section 468.436, Florida Statutes, is reenacted to read:
 919 468.436 Disciplinary proceedings.--

920 (2) The following acts constitute grounds for which the
 921 disciplinary actions in subsection (4) may be taken:

922 (a) Violation of any provision of s. 455.227(1).

923 Section 27. For the purpose of incorporating the amendment
 924 made by this act to subsection (1) of section 455.227, Florida
 925 Statutes, in a reference thereto, paragraph (a) of subsection
 926 (1) of section 468.832, Florida Statutes, is reenacted to read:

927 468.832 Disciplinary proceedings.--

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

930 (a) Violation of any provision of this part or s.
 931 455.227(1);

932 Section 28. For the purpose of incorporating the amendment
 933 made by this act to subsection (1) of section 455.227, Florida
 934 Statutes, in a reference thereto, paragraph (a) of subsection
 935 (1) of section 468.842, Florida Statutes, is reenacted to read:

936 468.842 Disciplinary proceedings.--

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

939 (a) Violation of any provision of this part or s.
 940 455.227(1);

941 Section 29. For the purpose of incorporating the amendment
 942 made by this act to subsection (1) of section 455.227, Florida
 943 Statutes, in a reference thereto, paragraph (a) of subsection
 944 (1) of section 471.033, Florida Statutes, is reenacted to read:

945 471.033 Disciplinary proceedings.--

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

948 (a) Violating any provision of s. 455.227(1), s. 471.025,
949 or s. 471.031, or any other provision of this chapter or rule of
950 the board or department.

951 Section 30. For the purpose of incorporating the amendment
952 made by this act to section (1) of section 455.227, Florida
953 Statutes, in a reference thereto, paragraph (a) of subsection
954 (1) of section 472.033, Florida Statutes, is reenacted to read:

955 472.033 Disciplinary proceedings.--

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

958 (a) Violation of any provision of s. 472.031 or s.
959 455.227(1);

960 Section 31. For the purpose of incorporating the amendment
961 made by this act to subsection (1) of section 455.227, Florida
962 Statutes, in a reference thereto, paragraph (a) of subsection
963 (1) of section 473.323, Florida Statutes, is reenacted to read:

964 473.323 Disciplinary proceedings.--

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

967 (a) Violation of any provision of s. 455.227(1) or any
968 other provision of this chapter.

969 Section 32. For the purpose of incorporating the amendment
970 made by this act to subsection (1) of section 455.227, Florida
971 Statutes, in a reference thereto, paragraph (a) of subsection
972 (1) of section 475.25, Florida Statutes, is reenacted to read:

973 475.25 Discipline.--

974 (1) The commission may deny an application for licensure,
 975 registration, or permit, or renewal thereof; may place a
 976 licensee, registrant, or permittee on probation; may suspend a
 977 license, registration, or permit for a period not exceeding 10
 978 years; may revoke a license, registration, or permit; may impose
 979 an administrative fine not to exceed \$5,000 for each count or
 980 separate offense; and may issue a reprimand, and any or all of
 981 the foregoing, if it finds that the licensee, registrant,
 982 permittee, or applicant:

983 (a) Has violated any provision of s. 455.227(1) or s.
 984 475.42. However, licensees under this part are exempt from the
 985 provisions of s. 455.227(1)(i).

986 Section 33. For the purpose of incorporating the amendment
 987 made by this act to subsection (1) of section 455.227, Florida
 988 Statutes, in a reference thereto, subsection (1) of section
 989 475.624, Florida Statutes, is reenacted to read:

990 475.624 Discipline.--The board may deny an application for
 991 registration or certification; may investigate the actions of
 992 any appraiser registered, licensed, or certified under this
 993 part; may reprimand or impose an administrative fine not to
 994 exceed \$5,000 for each count or separate offense against any
 995 such appraiser; and may revoke or suspend, for a period not to
 996 exceed 10 years, the registration, license, or certification of
 997 any such appraiser, or place any such appraiser on probation, if
 998 it finds that the registered trainee, licensee, or
 999 certificateholder:

1000 (1) Has violated any provisions of this part or s.
 1001 455.227(1); however, certificateholders, registrants, and
 1002 licensees under this part are exempt from the provisions of s.
 1003 455.227(1) (i).

1004 Section 34. For the purpose of incorporating the amendment
 1005 made by this act to subsection (1) of section 455.227, Florida
 1006 Statutes, in a reference thereto, paragraph (h) of subsection
 1007 (1) of section 476.204, Florida Statutes, is reenacted to read:

1008 476.204 Penalties.--

1009 (1) It is unlawful for any person to:

1010 (h) Violate any provision of s. 455.227(1), s. 476.194, or
 1011 s. 476.214.

1012 Section 35. For the purpose of incorporating the amendment
 1013 made by this act to subsection (1) of section 455.227, Florida
 1014 Statutes, in a reference thereto, paragraph (h) of subsection
 1015 (1) of section 477.029, Florida Statutes, is reenacted to read:

1016 477.029 Penalty.--

1017 (1) It is unlawful for any person to:

1018 (h) Violate any provision of s. 455.227(1), s. 477.0265,
 1019 or s. 477.028.

1020 Section 36. For the purpose of incorporating the amendment
 1021 made by this act to subsection (1) of section 455.227, Florida
 1022 Statutes, in a reference thereto, paragraph (a) of subsection
 1023 (1) of section 481.225, Florida Statutes, is reenacted to read:

1024 481.225 Disciplinary proceedings against registered
 1025 architects.--

1026 (1) The following acts constitute grounds for which the
 1027 disciplinary actions in subsection (3) may be taken:

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1028 (a) Violating any provision of s. 455.227(1), s. 481.221,
 1029 or s. 481.223, or any rule of the board or department lawfully
 1030 adopted pursuant to this part or chapter 455.

1031 Section 37. For the purpose of incorporating the amendment
 1032 made by this act to subsection (1) of section 455.227, Florida
 1033 Statutes, in a reference thereto, paragraph (a) of subsection
 1034 (1) of section 481.325, Florida Statutes, is reenacted to read:

1035 481.325 Disciplinary proceedings.--

1036 (1) The following acts constitute grounds for which the
 1037 disciplinary actions in subsection (3) may be taken:

1038 (a) Violation of any provision of s. 455.227(1), s.
 1039 481.321, or s. 481.323.

1040 Section 38. Section 509.201, Florida Statutes, is
 1041 repealed.

1042 Section 39. This act shall take effect October 1, 2009.