

1 A bill to be entitled
2 An act relating to the Department of Business and
3 Professional Regulation; amending s. 455.213, F.S.;
4 deleting signature notarization from the information that
5 the department may require in documents submitted for the
6 issuance or renewal of a license; prescribing when an
7 application is received for purposes of certain
8 requirements of the Administrative Procedure Act; amending
9 s. 455.227, F.S.; establishing additional grounds for
10 discipline of professions subject to regulation;
11 prohibiting the failure to report criminal convictions and
12 pleas; prohibiting the failure to complete certain
13 treatment programs; providing penalties; creating s.
14 455.2274, F.S.; authorizing the department's
15 representative to appear in criminal proceedings under
16 certain circumstances and provide certain assistance to
17 the court; amending s. 455.2281, F.S.; authorizing the
18 department to set unlicensed activities special fees for
19 each profession; authorizing the department to adopt rules
20 that reduce or waive the fees under certain circumstances;
21 amending s. 468.609, F.S.; deleting a requirement that
22 applicants for building code administrator certification
23 complete a certain core curriculum before taking the
24 certification examination; amending ss. 468.627 and
25 471.0195, F.S.; deleting provisions requiring building
26 code administrator and inspector certificateholders and
27 engineer licensees to complete a certain core curriculum
28 or pass an equivalency test of the Florida Building Code

29 Compliance and Mitigation Program; amending s. 473.305,
30 F.S.; deleting an examination late filing fee applicable
31 to certified public accountant examinees; amending s.
32 473.311, F.S.; deleting a provision requiring passage of a
33 rules examination for renewal of license as a certified
34 public accountant; amending s. 473.313, F.S.; deleting a
35 provision requiring passage of an examination as a
36 condition for reactivation of an inactive license as a
37 certified public accountant; amending s. 475.175, F.S.;
38 deleting the option to submit a notarized application for
39 a real estate broker or sales associate license; amending
40 s. 475.451, F.S.; limiting the attorney exemption from
41 continuing education requirements to attorneys in good
42 standing with The Florida Bar; amending s. 475.615, F.S.;
43 deleting a requirement that an application for a real
44 estate appraiser certification be notarized; amending ss.
45 476.134 and 476.144, F.S.; requiring a written examination
46 for a barbering license; deleting provisions for a
47 practical examination for barbering license applicants;
48 amending ss. 481.215 and 481.313, F.S.; deleting
49 provisions requiring architect, interior designer, and
50 landscape architect licensees to complete a certain core
51 curriculum or pass an equivalency test of the Florida
52 Building Code Compliance and Mitigation Program; amending
53 s. 489.105, F.S.; revising the term "specialty contractor"
54 to require that the scope of work and responsibility of a
55 specialty contractor be established in a category of
56 construction contracting adopted by rule of the

57 Construction Industry Licensing Board; amending s.
58 489.109, F.S.; limiting fees for registration or
59 certification to qualify a business organization for
60 contracting; deleting provisions relating to a business
61 organization's certificate of authority to conform to
62 changes made by the act; amending s. 489.114, F.S.;
63 deleting provisions relating to a business organization's
64 certificate of authority to conform to changes made by the
65 act; amending s. 489.115, F.S.; deleting provisions
66 requiring construction contractor certificateholders and
67 registrants to complete a certain core curriculum or pass
68 an equivalency test of the Florida Building Code
69 Compliance and Mitigation Program; amending s. 489.117,
70 F.S.; revising requirements for the registration of
71 certain contractors; deleting provisions requiring a
72 contractor applicant to submit proof of a local
73 occupational license; specifying circumstances under which
74 a specialty contractor holding a local license is not
75 required to register with the board; deleting provisions
76 for the issuance of tracking registrations to certain
77 contractors who are not eligible for registration as
78 specialty contractors; limiting the licensing and
79 disciplinary actions that local jurisdictions must report
80 to the board to certain actions of registered contractors;
81 deleting provisions requiring the board to establish
82 uniform job scopes for any construction contracting
83 license category; amending s. 489.119, F.S.; deleting
84 provisions for the issuance of a certificate of authority

85 | to a business organization for contracting; requiring a
86 | contractor to apply for registration or certification to
87 | qualify a business organization as the qualifying agent;
88 | authorizing the board to deny a registration or
89 | certification to qualify a business organization under
90 | certain circumstances; providing application procedures
91 | and requirements for the issuance of a business tax
92 | receipt to a business organization; deleting provisions
93 | for the issuance of an occupational license to a business
94 | organization; authorizing a local government to impose
95 | fines against certified or registered contractors under
96 | certain circumstances; requiring the qualifying agent of a
97 | business organization to present certain evidence to the
98 | board; providing that the board has discretion to approve
99 | a business organization; amending s. 489.127, F.S.;
100 | deleting provisions relating to a business organization's
101 | certificate of authority for contracting to conform to
102 | changes made by the act; amending s. 489.128, F.S.;
103 | revising the circumstances under which a person is
104 | considered an unlicensed contractor; deleting provisions
105 | relating to a business organization's certificate of
106 | authority for contracting to conform to changes made by
107 | the act; amending ss. 489.129 and 489.132, F.S.; deleting
108 | provisions relating to a business organization's
109 | certificate of authority for contracting to conform to
110 | changes made by the act; amending s. 489.1455, F.S.;
111 | deleting provisions requiring certain journeymen licensees
112 | to complete a certain core curriculum or pass an

113 | equivalency test of the Florida Building Code Compliance
114 | and Mitigation Program; amending s. 489.505, F.S.;
115 | revising the term "specialty contractor" to require that
116 | the scope of practice of a specialty contractor be
117 | established in a category of electrical or alarm system
118 | contracting adopted by rule of the Electrical Contractors'
119 | Licensing Board; amending s. 489.513, F.S.; deleting a
120 | requirement that the local license required for an
121 | electrical or alarm system contractor be an occupational
122 | license; limiting the licensing and disciplinary actions
123 | that local jurisdictions must report to the board to
124 | certain actions of registered contractors; deleting
125 | provisions requiring the board to establish uniform job
126 | scopes for any electrical and alarm system contracting
127 | license category; amending s. 489.516, F.S.; authorizing
128 | local officials to require a contractor to obtain a
129 | business tax receipt; deleting provisions requiring a
130 | contractor to pay an occupational license fee; amending s.
131 | 489.517, F.S.; deleting provisions requiring electrical
132 | and alarm system contractor certificateholders and
133 | registrants to complete a certain core curriculum or pass
134 | an equivalency test of the Florida Building Code
135 | Compliance and Mitigation Program; amending s. 489.521,
136 | F.S.; providing application procedures and requirements
137 | for the issuance of a business tax receipt to a business
138 | organization; deleting provisions for the issuance of an
139 | occupational license to a business organization; amending
140 | s. 489.5315, F.S.; specifying that certain electrical or

141 alarm system contractors are not required to obtain a
142 business tax receipt; deleting a provision exempting
143 certain contractors from requirements for an occupational
144 license to conform to changes made by the act; amending s.
145 489.532, F.S.; revising the circumstances under which a
146 person is considered an unlicensed electrical or alarm
147 system contractor; amending s. 489.537, F.S.; authorizing
148 a county or municipality to collect fees for business tax
149 receipts from electrical and alarm system contractors;
150 deleting a provision authorizing the collection of
151 occupational license fees; amending s. 509.233, F.S.;
152 authorizing local governments to establish, by ordinance,
153 local exemption procedures to allow patrons' dogs within
154 certain designated outdoor portions of public food service
155 establishments; deleting provisions for a pilot program
156 that limits the authority for such local exemption
157 procedures to a specified time; deleting a provision that
158 provides for the future review and repeal of such pilot
159 program; amending s. 548.002, F.S.; defining the term
160 "event" for regulation of pugilistic exhibitions; amending
161 s. 548.003, F.S.; authorizing the Florida State Boxing
162 Commission to adopt criteria for the approval of certain
163 amateur sanctioning organizations; authorizing the
164 commission to adopt health and safety standards for
165 amateur mixed martial arts; reenacting ss. 468.436(2)(a),
166 468.832(1)(a), 468.842(1)(a), 471.033(1)(a),
167 472.033(1)(a), 473.323(1)(a), 475.25(1)(a), 475.624(1),
168 476.204(1)(h), 477.029(1)(h), 481.225(1)(a), and

169 481.325(1)(a), F.S., relating to the discipline of
 170 community association managers or firms, home inspectors,
 171 mold assessors and remediators, engineers, surveyors and
 172 mappers, certified public accountants and accounting
 173 firms, real estate brokers and sales associates, real
 174 estate appraisers, barbers, cosmetologists, architects,
 175 and landscape architects, to incorporate the amendment
 176 made to s. 455.227, F.S., in references thereto; repealing
 177 s. 509.201, F.S., relating to posting and advertising the
 178 room rates of a public lodging establishment and related
 179 penalties; providing for retroactive application;
 180 providing effective dates.

181

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

183

184 Section 1. Subsection (1) of section 455.213, Florida
 185 Statutes, is amended to read:

186 455.213 General licensing provisions.--

187 (1) Any person desiring to be licensed shall apply to the
 188 department in writing. The application for licensure shall be
 189 submitted ~~made~~ on a form prescribed ~~prepared and furnished~~ by
 190 the department and must include the applicant's social security
 191 number. Notwithstanding any other provision of law, the
 192 department is the sole authority for determining the contents of
 193 any documents to be submitted for initial licensure and
 194 licensure renewal. Such documents may contain information
 195 including, as appropriate: demographics, education, work
 196 history, personal background, criminal history, finances,

197 business information, complaints, inspections, investigations,
198 discipline, bonding, ~~signature notarization~~, photographs,
199 performance periods, reciprocity, local government approvals,
200 supporting documentation, periodic reporting requirements,
201 fingerprint requirements, continuing education requirements, and
202 ongoing education monitoring. The application shall be
203 supplemented as needed to reflect any material change in any
204 circumstance or condition stated in the application which takes
205 place between the initial filing of the application and the
206 final grant or denial of the license and which might affect the
207 decision of the department. In order to further the economic
208 development goals of the state, and notwithstanding any law to
209 the contrary, the department may enter into an agreement with
210 the county tax collector for the purpose of appointing the
211 county tax collector as the department's agent to accept
212 applications for licenses and applications for renewals of
213 licenses. The agreement must specify the time within which the
214 tax collector must forward any applications and accompanying
215 application fees to the department. In cases where a person
216 applies or schedules directly with a national examination
217 organization or examination vendor to take an examination
218 required for licensure, any organization- or vendor-related fees
219 associated with the examination may be paid directly to the
220 organization or vendor. An application is received for purposes
221 of s. 120.60 upon the department's receipt of the application
222 submitted in the format prescribed by the department; the
223 application fee set by the board or, if there is no board, set

224 by the department; and any other fee required by law or rule to
 225 be remitted with the application.

226 Section 2. Paragraphs (t) and (u) are added to subsection
 227 (1) of section 455.227, Florida Statutes, to read:

228 455.227 Grounds for discipline; penalties; enforcement.--

229 (1) The following acts shall constitute grounds for which
 230 the disciplinary actions specified in subsection (2) may be
 231 taken:

232 (t) Failing to report in writing to the board or, if there
 233 is no board, to the department within 30 days after the licensee
 234 is convicted or found guilty of, or entered a plea of nolo
 235 contendere or guilty to, regardless of adjudication, a crime in
 236 any jurisdiction. A licensee must report a conviction, finding
 237 of guilt, plea, or adjudication entered before the effective
 238 date of this paragraph within 30 days after the effective date
 239 of this paragraph.

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

245 Section 3. Section 455.2274, Florida Statutes, is created
 246 to read:

247 455.2274 Criminal proceedings against licensees;
 248 appearances by department representatives.--A representative of
 249 the department may voluntarily appear in a criminal proceeding
 250 brought against a person licensed by the department to practice
 251 a profession regulated by the state. The department's

252 representative is authorized to furnish pertinent information,
 253 make recommendations regarding specific conditions of probation,
 254 and provide other assistance to the court necessary to promote
 255 justice or protect the public. The court may order a
 256 representative of the department to appear in a criminal
 257 proceeding if the crime charged is substantially related to the
 258 qualifications, functions, or duties of a license regulated by
 259 the department.

260 Section 4. Section 455.2281, Florida Statutes, is amended
 261 to read:

262 455.2281 Unlicensed activities; fees; disposition.--In
 263 order to protect the public and to ensure a consumer-oriented
 264 department, it is the intent of the Legislature that vigorous
 265 enforcement of regulation for all professional activities is a
 266 state priority. All enforcement costs should be covered by
 267 professions regulated by the department. Therefore, the
 268 department may ~~shall~~ impose, upon initial licensure and each
 269 renewal thereof, a special fee not to exceed ~~of~~ \$5 per licensee.
 270 The ~~Such~~ fee shall be set by the department by rule for each
 271 profession and shall be in addition to all other fees collected
 272 from each licensee and shall fund efforts to combat unlicensed
 273 activity. Any profession regulated by the department which
 274 offers services that are not subject to regulation when provided
 275 by an unlicensed person may use funds in its unlicensed activity
 276 account to inform the public of such situation. The board with
 277 concurrence of the department, or the department when there is
 278 no board, may earmark up to \$5 of the current licensure fee for
 279 this purpose, if such board, or profession regulated by the

280 department, is not in a deficit and has a reasonable cash
281 balance. The department may adopt rules to waive an unlicensed
282 activity special fee for up to 2 years if both the operating
283 account and the unlicensed activity account have an excess cash
284 balance. A board or profession regulated by the department may
285 authorize the transfer of funds from the operating fund account
286 to the unlicensed activity account of that profession if the
287 operating fund account is not in a deficit and has a reasonable
288 cash balance. The department shall make direct charges to this
289 fund by profession and shall not allocate indirect overhead. The
290 department shall seek board advice regarding enforcement methods
291 and strategies prior to expenditure of funds; however, the
292 department may, without board advice, allocate funds to cover
293 the costs of continuing education compliance monitoring under s.
294 455.2177. The department shall directly credit, by profession,
295 revenues received from the department's efforts to enforce
296 licensure provisions. The department shall include all financial
297 and statistical data resulting from unlicensed activity
298 enforcement and from continuing education compliance monitoring
299 as separate categories in the quarterly management report
300 provided for in s. 455.219. The department shall not charge the
301 account of any profession for the costs incurred on behalf of
302 any other profession. For an unlicensed activity account, a
303 balance which remains at the end of a renewal cycle may, with
304 concurrence of the applicable board and the department, be
305 transferred to the operating fund account of that profession.

306 Section 5. Paragraph (d) of subsection (3) of section
307 468.609, Florida Statutes, is amended to read:

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308 468.609 Administration of this part; standards for
309 certification; additional categories of certification.--

310 (3) A person may take the examination for certification as
311 a building code administrator pursuant to this part if the
312 person:

313 ~~(d) After the building code training program is~~
314 ~~established under s. 553.841, demonstrates successful completion~~
315 ~~of the core curriculum approved by the Florida Building~~
316 ~~Commission, appropriate to the licensing category sought.~~

317 Section 6. Subsection (6) of section 468.627, Florida
318 Statutes, is amended to read:

319 468.627 Application; examination; renewal; fees.--

320 ~~(6) Each certificateholder shall provide to the board~~
321 ~~proof of completion of the core curriculum courses of the~~
322 ~~building code training program established by s. 553.841, within~~
323 ~~2 years after commencement of the program. Each new~~
324 ~~certificateholder shall provide to the board proof of completion~~
325 ~~of the core curriculum courses of the building code training~~
326 ~~program established in s. 553.841 within the first 2-year period~~
327 ~~after initial licensure. Continuing education hours spent taking~~
328 ~~such core curriculum courses shall count toward the number~~
329 ~~required for license renewal.~~

330 Section 7. Section 471.0195, Florida Statutes, is amended
331 to read:

332 471.0195 Florida Building Code training for
333 engineers.--All licensees actively participating in the design
334 of engineering works or systems in connection with buildings,
335 structures, or facilities and systems covered by the Florida

336 Building Code shall take continuing education courses and submit
 337 proof to the board, at such times and in such manner as
 338 established by the board by rule, that the licensee has
 339 completed ~~the core curriculum courses and~~ any specialized or
 340 advanced courses on any portion of the Florida Building Code
 341 applicable to the licensee's area of practice ~~or has passed the~~
 342 ~~appropriate equivalency test of the Building Code Training~~
 343 ~~Program as required by s. 553.841.~~ The board shall record
 344 reported continuing education courses on a system easily
 345 accessed by code enforcement jurisdictions for evaluation when
 346 determining license status for purposes of processing design
 347 documents. Local jurisdictions shall be responsible for
 348 notifying the board when design documents are submitted for
 349 building construction permits by persons who are not in
 350 compliance with this section. The board shall take appropriate
 351 action as provided by its rules when such noncompliance is
 352 determined to exist.

353 Section 8. Section 473.305, Florida Statutes, is amended
 354 to read:

355 473.305 Fees.--The board, by rule, may establish fees to
 356 be paid for applications, examination, reexamination, licensing
 357 and renewal, reinstatement, and recordmaking and recordkeeping.
 358 The fee for the examination shall be established at an amount
 359 that covers the costs for the procurement or development,
 360 administration, grading, and review of the examination. The fee
 361 for the examination is refundable if the applicant is found to
 362 be ineligible to sit for the examination. The fee for initial
 363 application is nonrefundable, and the combined fees for

364 application and examination may not exceed \$250 plus the actual
 365 per applicant cost to the department for purchase of the
 366 examination from the American Institute of Certified Public
 367 Accountants or a similar national organization. The biennial
 368 renewal fee may not exceed \$250. The board may also establish,
 369 by rule, a reactivation fee, ~~a late filing fee for the law and~~
 370 ~~rules examination,~~ and a delinquency fee not to exceed \$50 for
 371 continuing professional education reporting forms. The board
 372 shall establish fees which are adequate to ensure the continued
 373 operation of the board and to fund the proportionate expenses
 374 incurred by the department which are allocated to the regulation
 375 of public accountants. Fees shall be based on department
 376 estimates of the revenue required to implement this chapter and
 377 the provisions of law with respect to the regulation of
 378 certified public accountants.

379 Section 9. Subsection (1) of section 473.311, Florida
 380 Statutes, is amended to read:

381 473.311 Renewal of license.--

382 (1) The department shall renew a license upon receipt of
 383 the renewal application and fee and upon certification by the
 384 board that the licensee has satisfactorily completed the
 385 continuing education requirements of s. 473.312 ~~and has passed~~
 386 ~~an examination approved by the board on chapter 455 and this~~
 387 ~~chapter and the related administrative rules. However, each~~
 388 ~~licensee must complete the requirements of s. 473.312(1)(c)~~
 389 ~~prior to taking the examination.~~

390 Section 10. Subsection (3) of section 473.313, Florida
 391 Statutes, is amended to read:

392 473.313 Inactive status.--

393 (3) Any licensee holding an inactive license may be
 394 permitted to reactivate such license in a conditional manner.
 395 The conditions of reactivation shall require, in addition to the
 396 payment of fees, ~~the passing of the examination approved by the~~
 397 ~~board concerning chapter 455 and this chapter, and the related~~
 398 ~~administrative rules, and~~ the completion of required continuing
 399 education.

400 Section 11. Paragraph (a) of subsection (1) of section
 401 475.175, Florida Statutes, is amended to read:

402 475.175 Examinations.--

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

405 (a) Submits to the department the appropriate ~~notarized or~~
 406 electronically authenticated application and fee, and a
 407 fingerprint card. The fingerprint card shall be forwarded to the
 408 Division of Criminal Justice Information Systems within the
 409 Department of Law Enforcement for purposes of processing the
 410 fingerprint card to determine if the applicant has a criminal
 411 history record. The fingerprint card shall also be forwarded to
 412 the Federal Bureau of Investigation for purposes of processing
 413 the fingerprint card to determine if the applicant has a
 414 criminal history record. The information obtained by the
 415 processing of the fingerprint card by the Florida Department of
 416 Law Enforcement and the Federal Bureau of Investigation shall be
 417 sent to the department for the purpose of determining if the
 418 applicant is statutorily qualified for examination. Effective

419 July 1, 2006, an applicant shall provide fingerprints in
 420 electronic format.

421 Section 12. Subsection (6) of section 475.451, Florida
 422 Statutes, is amended to read:

423 475.451 Schools teaching real estate practice.--

424 (6) Any course prescribed by the commission as a condition
 425 precedent to any person's becoming initially licensed as a sales
 426 associate may be taught in any real estate school through the
 427 use of a video tape of instruction by a currently permitted
 428 instructor from any such school or may be taught by distance
 429 learning pursuant to s. 475.17(2). The commission may require
 430 that any such video tape course have a single session of live
 431 instruction by a currently permitted instructor from any such
 432 school; however, this requirement shall not exceed 3 classroom
 433 hours. All other prescribed courses, except the continuing
 434 education course required by s. 475.182, shall be taught by a
 435 currently permitted school instructor personally in attendance
 436 at such course or by distance learning pursuant to s. 475.17.
 437 The continuing education course required by s. 475.182 may be
 438 taught by distance learning pursuant to s. 475.17 or by an
 439 equivalent correspondence course; however, any such
 440 correspondence course shall be required to have a final
 441 examination, prepared and administered by the school issuing the
 442 correspondence course. The continuing education requirements
 443 ~~provided in this section or provided in any other section in~~
 444 ~~this chapter do not apply with respect to~~ an any attorney who is
 445 otherwise qualified under ~~the provisions of this chapter~~ and who
 446 is a member in good standing of The Florida Bar.

447 Section 13. Subsection (5) of section 475.615, Florida
 448 Statutes, is amended to read:

449 475.615 Qualifications for registration or
 450 certification.--

451 (5) At the time of filing an ~~a notarized~~ application for
 452 registration or certification, the applicant must sign a pledge
 453 to comply with the Uniform Standards of Professional Appraisal
 454 Practice upon registration or certification and must indicate in
 455 writing that she or he understands the types of misconduct for
 456 which disciplinary proceedings may be initiated. The application
 457 shall expire 1 year after the date received.

458 Section 14. Subsection (1) of section 476.134, Florida
 459 Statutes, is amended to read:

460 476.134 Examinations.--

461 (1) Examinations of applicants for licenses as barbers
 462 shall be offered not less than four times each year. The
 463 examination of applicants for licenses as barbers shall ~~may~~
 464 include ~~both a practical demonstration and~~ a written test. The
 465 board shall have the authority to adopt rules with respect to
 466 the examination of applicants for licensure. The board may
 467 provide rules with respect to written ~~or practical~~ examinations
 468 in such manner as the board may deem fit.

469 Section 15. Paragraph (b) of subsection (6) of section
 470 476.144, Florida Statutes, is amended to read:

471 476.144 Licensure.--

472 (6) A person may apply for a restricted license to
 473 practice barbering. The board shall adopt rules specifying

474 procedures for an applicant to obtain a restricted license if
 475 the applicant:

476 (b) Passes a written examination on the laws and rules
 477 governing the practice of barbering in Florida, as established
 478 by the board, ~~and a practical examination approved by the board.~~

479
 480 The restricted license shall limit the licensee's practice to
 481 those specific areas in which the applicant has demonstrated
 482 competence pursuant to rules adopted by the board.

483 Section 16. Subsection (6) of section 481.215, Florida
 484 Statutes, is renumbered as subsection (5), and present
 485 subsection (5) of that section is amended to read:

486 481.215 Renewal of license.--

487 ~~(5) Each licensee shall provide to the board proof of~~
 488 ~~completion of the core curriculum courses, or passing the~~
 489 ~~equivalency test of the Building Code Training Program~~
 490 ~~established by s. 553.841, within 2 years after commencement of~~
 491 ~~the program or after initial licensure, whichever is later.~~
 492 ~~Hours spent taking core curriculum courses shall count toward~~
 493 ~~the number required for license renewal. A licensee who passes~~
 494 ~~the equivalency test in lieu of taking the core curriculum~~
 495 ~~courses shall receive full credit for such core curriculum~~
 496 ~~course hours.~~

497 Section 17. Subsection (6) of section 481.313, Florida
 498 Statutes, is renumbered as subsection (5), and present
 499 subsection (5) of that section is amended to read:

500 481.313 Renewal of license.--

501 ~~(5) Each licenseholder shall provide to the board proof of~~

502 ~~completion of the core curriculum courses, or passing the~~
503 ~~equivalency test of the Building Code Training Program~~
504 ~~established by s. 553.841, within 2 years after commencement of~~
505 ~~the program or of initial licensure, whichever is later. Hours~~
506 ~~spent taking core curriculum courses shall count toward the~~
507 ~~number required for license renewal. A licensee who passes the~~
508 ~~equivalency test in lieu of taking the core curriculum courses~~
509 ~~shall receive full credit for core curriculum course hours.~~

510 Section 18. Paragraph (q) of subsection (3) of section
511 489.105, Florida Statutes, is amended to read:

512 489.105 Definitions.--As used in this part:

513 (3) "Contractor" means the person who is qualified for,
514 and shall only be responsible for, the project contracted for
515 and means, except as exempted in this part, the person who, for
516 compensation, undertakes to, submits a bid to, or does himself
517 or herself or by others construct, repair, alter, remodel, add
518 to, demolish, subtract from, or improve any building or
519 structure, including related improvements to real estate, for
520 others or for resale to others; and whose job scope is
521 substantially similar to the job scope described in one of the
522 subsequent paragraphs of this subsection. For the purposes of
523 regulation under this part, "demolish" applies only to
524 demolition of steel tanks over 50 feet in height; towers over 50
525 feet in height; other structures over 50 feet in height, other
526 than buildings or residences over three stories tall; and
527 buildings or residences over three stories tall. Contractors are
528 subdivided into two divisions, Division I, consisting of those

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529 contractors defined in paragraphs (a)-(c), and Division II,
530 consisting of those contractors defined in paragraphs (d)-(q):

531 (q) "Specialty contractor" means a contractor whose scope
532 of work and responsibility is limited to a particular phase of
533 construction established in a category adopted by board rule and
534 whose scope is limited to a subset of the activities described
535 in ~~the categories established in~~ one of the paragraphs of this
536 subsection.

537 Section 19. Paragraph (c) of subsection (1) of section
538 489.109, Florida Statutes, is redesignated as paragraph (d),
539 present paragraph (d) is amended, and a new paragraph (c) is
540 added to that subsection, to read:

541 489.109 Fees.--

542 (1) The board, by rule, shall establish reasonable fees to
543 be paid for applications, certification and renewal,
544 registration and renewal, and recordmaking and recordkeeping.
545 The fees shall be established as follows:

546 (c) With respect to an application for registration or
547 certification to qualify a business organization, the initial
548 application fee and the renewal fee may not exceed \$50.

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

552 Section 20. Section 489.114, Florida Statutes, is amended
553 to read:

554 489.114 Evidence of workers' compensation
555 coverage.--Except as provided in s. 489.115(5)(d), any person,
556 business organization, or qualifying agent engaged in the

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557 business of contracting in this state and certified or
558 registered under this part shall, as a condition precedent to
559 the issuance or renewal of a certificate or registration~~, or~~
560 ~~certificate of authority~~ of the contractor, provide to the
561 Construction Industry Licensing Board, as provided by board
562 rule, evidence of workers' compensation coverage pursuant to
563 chapter 440. In the event that the Division of Workers'
564 Compensation of the Department of Financial Services receives
565 notice of the cancellation of a policy of workers' compensation
566 insurance insuring a person or entity governed by this section,
567 the Division of Workers' Compensation shall certify and identify
568 all persons or entities by certification or registration license
569 number to the department after verification is made by the
570 Division of Workers' Compensation that persons or entities
571 governed by this section are no longer covered by workers'
572 compensation insurance. Such certification and verification by
573 the Division of Workers' Compensation may result from records
574 furnished to the Division of Workers' Compensation by the
575 persons or entities governed by this section or an investigation
576 completed by the Division of Workers' Compensation. The
577 department shall notify the persons or entities governed by this
578 section who have been determined to be in noncompliance with
579 chapter 440, and the persons or entities notified shall provide
580 certification of compliance with chapter 440 to the department
581 and pay an administrative fine in the amount of \$500. The
582 failure to maintain workers' compensation coverage as required
583 by law shall be grounds for the board to revoke, suspend, or
584 deny the issuance or renewal of a certificate or registration~~,~~

585 ~~or certificate of authority~~ of the contractor under the
586 provisions of s. 489.129.

587 Section 21. Paragraph (b) of subsection (4) of section
588 489.115, Florida Statutes, is amended to read:

589 489.115 Certification and registration; endorsement;
590 reciprocity; renewals; continuing education.--

591 (4)

592 (b)1. Each certificateholder or registrant shall provide
593 proof, in a form established by rule of the board, that the
594 certificateholder or registrant has completed at least 14
595 classroom hours of at least 50 minutes each of continuing
596 education courses during each biennium since the issuance or
597 renewal of the certificate or registration. The board shall
598 establish by rule that a portion of the required 14 hours must
599 deal with the subject of workers' compensation, business
600 practices, workplace safety, and, for applicable licensure
601 categories, wind mitigation methodologies, and 1 hour of which
602 must deal with laws and rules. The board shall by rule establish
603 criteria for the approval of continuing education courses and
604 providers, including requirements relating to the content of
605 courses and standards for approval of providers, and may by rule
606 establish criteria for accepting alternative nonclassroom
607 continuing education on an hour-for-hour basis. The board shall
608 prescribe by rule the continuing education, if any, which is
609 required during the first biennium of initial licensure. A
610 person who has been licensed for less than an entire biennium
611 must not be required to complete the full 14 hours of continuing
612 education.

613 2. In addition, the board may approve specialized
614 continuing education courses on compliance with the wind
615 resistance provisions for one and two family dwellings contained
616 in the Florida Building Code and any alternate methodologies for
617 providing such wind resistance which have been approved for use
618 by the Florida Building Commission. Division I
619 certificateholders or registrants who demonstrate proficiency
620 upon completion of such specialized courses may certify plans
621 and specifications for one and two family dwellings to be in
622 compliance with the code or alternate methodologies, as
623 appropriate, except for dwellings located in floodways or
624 coastal hazard areas as defined in ss. 60.3D and E of the
625 National Flood Insurance Program.

626 ~~3. Each certificateholder or registrant shall provide to~~
627 ~~the board proof of completion of the core curriculum courses, or~~
628 ~~passing the equivalency test of the Building Code Training~~
629 ~~Program established under s. 553.841, specific to the licensing~~
630 ~~category sought, within 2 years after commencement of the~~
631 ~~program or of initial certification or registration, whichever~~
632 ~~is later. Classroom hours spent taking core curriculum courses~~
633 ~~shall count toward the number required for renewal of~~
634 ~~certificates or registration. A certificateholder or registrant~~
635 ~~who passes the equivalency test in lieu of taking the core~~
636 ~~curriculum courses shall receive full credit for core curriculum~~
637 ~~course hours.~~

638 3.4. The board shall require, by rule adopted pursuant to
639 ss. 120.536(1) and 120.54, a specified number of hours in
640 specialized or advanced module courses, approved by the Florida

641 Building Commission, on any portion of the Florida Building
642 Code, adopted pursuant to part IV of chapter 553, relating to
643 the contractor's respective discipline.

644 Section 22. Paragraph (a) of subsection (1) and
645 subsections (4) and (5) of section 489.117, Florida Statutes,
646 are amended to read:

647 489.117 Registration; specialty contractors.--

648 (1) (a) Any person engaged in the business of a contractor
649 as defined in s. 489.105(3) (a)-(o) must ~~in the state shall be~~
650 ~~registered in the proper classification, unless he or she is~~
651 ~~certified. Any person entering the business of a contractor~~
652 ~~shall be registered~~ before ~~prior to~~ engaging in business as a
653 contractor in this state, unless he or she is certified. To be
654 initially registered, the applicant shall submit the required
655 fee and file evidence, ~~in a form provided by the department, of~~
656 ~~holding a current local occupational license required by any~~
657 ~~municipality, county, or development district, if any, for the~~
658 ~~type of work for which registration is desired and evidence of~~
659 successful compliance with the local examination and licensing
660 requirements, if any, in the area for which registration is
661 desired. An ~~No~~ examination is not ~~shall be~~ required for
662 registration.

663 (4) (a) A person holding a local license whose job scope
664 does not substantially correspond to either the job scope of one
665 of the contractor categories defined in s. 489.105(3) (a)-(o), or
666 the job scope of one of the certified specialty contractor
667 categories ~~previously established by board rule as of the~~
668 ~~effective date of this provision, is~~ is ~~shall~~ not be required to

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669 register with the board to perform contracting activities within
670 the scope of such specialty license.

671 ~~(b) A local jurisdiction may require an individual holding~~
672 ~~a local specialty contractor license in a category which~~
673 ~~pursuant to paragraph (a) does not permit registration to obtain~~
674 ~~a tracking registration from the board, provided that the board~~
675 ~~has established by rule that the activities which comprise the~~
676 ~~job scope of the local specialty contractor license involve~~
677 ~~lifesafety considerations and a significant potential danger to~~
678 ~~the consumer.~~

679 (b)(e) The local jurisdictions are ~~shall be~~ responsible
680 for providing the following information to the board within 30
681 days after licensure of, or any disciplinary action against, a
682 locally licensed contractor who is registered under this part:

683 1. Licensure information.7
684 2. Code violation information pursuant to s. 553.781.7 ~~and~~
685 3. Disciplinary information.7 ~~on locally licensed~~
686 ~~individuals to the board within 30 days after licensure or any~~
687 ~~disciplinary action, and~~

688
689 The board shall maintain such licensure and disciplinary
690 information as it is provided to the board ~~them~~, and shall make
691 the ~~such~~ information available through the automated information
692 system provided pursuant to s. 455.2286. ~~The biennial tracking~~
693 ~~registration fee shall not exceed \$40.~~

694 ~~(c)(d) Neither the board nor the department assumes any~~
695 ~~responsibility for providing discipline pursuant to having~~
696 ~~provided the tracking registration. Providing discipline to such~~

697 locally licensed contractors ~~is individuals shall be the~~
 698 responsibility of the local jurisdiction. ~~Failure to obtain a~~
 699 ~~tracking registration shall not be considered a violation of~~
 700 ~~this chapter; however, a local jurisdiction requiring such~~
 701 ~~tracking registration may levy such penalties for failure to~~
 702 ~~obtain the tracking registration as it chooses to provide~~
 703 ~~through local ordinance.~~

704 (d) ~~(e)~~ Any person who is not required to obtain
 705 registration or certification pursuant to s. 489.105(3) (d)-(o)
 706 may perform ~~specialty~~ contracting services for the construction,
 707 remodeling, repair, or improvement of single-family residences,
 708 including a townhouse as defined in the Florida Building Code,
 709 without obtaining a local ~~professional~~ license if such person is
 710 under the supervision of a certified or registered general,
 711 building, or residential contractor. As used in this paragraph,
 712 supervision shall not be deemed to require the existence of a
 713 direct contract between the certified or registered general,
 714 building, or residential contractor and the person performing
 715 specialty contracting services.

716 ~~(5) In order to establish uniformity among the job scopes~~
 717 ~~established by local jurisdictions, the board shall, by rule,~~
 718 ~~establish the job scope for any licensure category registered by~~
 719 ~~the board under this part. The board shall not arbitrarily limit~~
 720 ~~such scopes and shall restrict the job scopes only to the~~
 721 ~~minimum extent necessary to ensure uniformity.~~

722 Section 23. Section 489.119, Florida Statutes, is amended
 723 to read:

724 489.119 Business organizations; qualifying agents.--

725 (1) If an individual proposes to engage in contracting in
726 the individual's own name, or a fictitious name where the
727 individual is doing business as a sole proprietorship,
728 registration or certification may be issued only to that
729 individual.

730 (2) If the applicant proposes to engage in contracting as
731 a business organization, including any partnership, corporation,
732 business trust, or other legal entity, or in any name other than
733 the applicant's legal name or a fictitious name where the
734 applicant is doing business as a sole proprietorship, the
735 applicant business organization must apply for registration or
736 certification as the ~~for a certificate of authority through a~~
737 qualifying agent of the business organization ~~and under the~~
738 ~~fictitious name, if any.~~

739 (a) An ~~The~~ application for registration or certification
740 to qualify a business organization ~~a certificate of authority~~
741 must state the name of the partnership and of its partners; the
742 name of the corporation and of its officers and directors and
743 the name of each of its stockholders who is also an officer or
744 director; the name of the business trust and its trustees; or
745 the name of such other legal entity and its members; and must
746 state the fictitious name, if any, under which the business
747 organization is doing business.

748 (b)1. An ~~The~~ application for registration or certification
749 to qualify a business organization ~~primary qualifying agent~~ must
750 include an affidavit on a form provided by the board attesting
751 that the applicant has final approval authority for all
752 construction work performed by the business organization ~~entity~~

753 and that the applicant has final approval authority on all
754 business matters, including contracts, specifications, checks,
755 drafts, or payments, regardless of the form of payment, made by
756 the business organization ~~entity~~, except where a financially
757 responsible officer is approved.

758 2. The application for financially responsible officer
759 must include an affidavit on a form provided by the board
760 attesting that the applicant's approval is required for all
761 checks, drafts, or payments, regardless of the form of payment,
762 made by the business organization ~~entity~~ and that the applicant
763 has authority to act for the business organization in all
764 financial matters.

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

770 (c) The board may deny an application for registration or
771 certification to qualify a business organization if the
772 applicant, or any person listed in paragraph (a), has been
773 involved in past disciplinary actions or on any grounds for
774 which an individual registration or certification may be denied.

775 ~~(d)-(b)~~ The applicant must furnish evidence of statutory
776 compliance if a fictitious name is used, the provisions of s.
777 865.09(7) notwithstanding.

778 ~~(e)-(e)~~ A joint venture, including a joint venture composed
779 of qualified business organizations, is itself a separate and

780 distinct organization that must be qualified ~~and obtain a~~
781 ~~certificate of authority~~ in accordance with board rules.

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

787 (3) (a) A ~~The~~ qualifying agent must ~~shall~~ be certified or
788 registered under this part in order for the business
789 organization to operate ~~be issued a certificate of authority~~ in
790 the category of contracting in the business ~~conducted for~~ which
791 the qualifying agent is certified or registered. If any
792 qualifying agent ceases to be affiliated with a ~~such~~ business
793 organization, he or she shall ~~se~~ inform the department. In
794 addition, if the ~~such~~ qualifying agent is the only certified or
795 registered contractor affiliated with the business organization,
796 the business organization shall notify the department of the
797 termination of the qualifying agent and shall have 60 days from
798 the termination of the qualifying agent's affiliation with the
799 business organization in which to employ another qualifying
800 agent. The business organization may not engage in contracting
801 until a qualifying agent is employed, unless the executive
802 director or chair of the board has granted a temporary
803 nonrenewable certificate or registration to the financially
804 responsible officer, the president, a partner, or, in the case
805 of a limited partnership, the general partner, who assumes all
806 responsibilities of a primary qualifying agent for the business
807 organization ~~entity~~. This temporary certificate or registration

808 shall only allow the business organization ~~entity~~ to proceed
809 with incomplete contracts. For the purposes of this paragraph,
810 an incomplete contract is one which has been awarded to, or
811 entered into by, the business organization prior to the
812 cessation of affiliation of the qualifying agent with the
813 business organization or one on which the business organization
814 was the low bidder and the contract is subsequently awarded,
815 regardless of whether any actual work has commenced under the
816 contract prior to the qualifying agent ceasing to be affiliated
817 with the business organization.

818 (b) The qualifying agent shall inform the department in
819 writing when he or she proposes to engage in contracting in his
820 or her own name or in affiliation with another business
821 organization, and he or she or such new business organization
822 shall supply the same information to the department as required
823 of applicants under this part.

824 ~~(c) Upon a favorable determination by the board, after~~
825 ~~investigation of the financial responsibility, credit, and~~
826 ~~business reputation of the qualifying agent and the new business~~
827 ~~organization, the department shall issue, without an~~
828 ~~examination, a new certificate of authority in the business~~
829 ~~organization's name.~~

830 ~~(4) Disciplinary action against a business organization~~
831 ~~holding a certificate of authority shall be administered in the~~
832 ~~same manner and on the same grounds as disciplinary action~~
833 ~~against a contractor. The board may deny the certification of~~
834 ~~any person cited in subsection (2) if the person has been~~

835 ~~involved in past disciplinary actions or on any grounds for~~
836 ~~which individual certification can be denied.~~

837 (4)~~(5)~~ When a certified qualifying agent, on behalf of a
838 business organization, makes application for a business tax
839 receipt ~~an occupational license~~ in any municipality or county of
840 this state, the application shall be made with the tax collector
841 in the name of the business organization and the qualifying
842 agent; and the license, when issued, shall be issued to the
843 business organization, upon payment of the appropriate licensing
844 fee and exhibition to the tax collector of a valid certificate
845 for the qualifying agent ~~and a valid certificate of authority~~
846 ~~for the business organization~~ issued by the department, and the
847 state license numbers shall be noted thereon.

848 (5)~~(6)~~(a) Each registered or certified contractor shall
849 affix the number of his or her registration or certification to
850 each application for a building permit and on each building
851 permit issued and recorded. Each city or county building
852 department shall require, as a precondition for the issuance of
853 the building permit, that the contractor taking out the permit
854 must provide verification giving his or her Construction
855 Industry Licensing Board registration or certification number.

856 (b) The registration or certification number of each
857 contractor ~~or certificate of authority number for each business~~
858 ~~organization~~ shall appear in each offer of services, business
859 proposal, bid, contract, or advertisement, regardless of medium,
860 as defined by board rule, used by that contractor or business
861 organization in the practice of contracting.

862 (c) If a vehicle bears the name of a contractor or
863 business organization, or any text or artwork which would lead a
864 reasonable person to believe that the vehicle is used for
865 contracting, the registration or certification number of the
866 contractor ~~or certificate of authority number of the business~~
867 ~~organization~~ must be conspicuously and legibly displayed with
868 the name, text, or artwork. Local governments may also require
869 that locally licensed contractors must also display their
870 certificate of competency or license numbers. Nothing in this
871 paragraph shall be construed to create a mandatory vehicle
872 signage requirement.

873 (d) For the purposes of this part, the term
874 "advertisement" does not include business stationery or any
875 promotional novelties such as balloons, pencils, trinkets, or
876 articles of clothing.

877 (e) The board shall issue a notice of noncompliance for
878 the first offense, and may assess a fine or issue a citation for
879 failure to correct the offense within 30 days or for any
880 subsequent offense, to any contractor or business organization
881 that fails to include the certification or registration, ~~or~~
882 ~~certificate of authority~~ number as required by this part when
883 submitting an advertisement for publication, broadcast, or
884 printing or fails to display the certification or registration,
885 ~~or certificate of authority~~ number as required by this part.

886 (f) In addition to any other penalty prescribed by law, a
887 local government may impose a civil fine pursuant to s.
888 489.127(5) against a person who is not certified or registered
889 under this part if the person:

890 1. Claims to be licensed in any offer of services,
 891 business proposal, bid, contract, or advertisement, but who does
 892 not possess a valid competency-based license issued by a local
 893 government in this state to perform the specified construction
 894 services; or

895 2. Claims to be insured in any offer of services, business
 896 proposal, bid, contract, or advertisement, but whose performance
 897 of the subject work is not covered by a general liability or
 898 workers' compensation insurance policy.

899 ~~(6)-(7)~~ Each qualifying agent shall pay the department an
 900 amount equal to the original fee for registration or
 901 certification to qualify ~~a certificate of authority of~~ a new
 902 business organization. If the qualifying agent for a business
 903 organization desires to qualify additional business
 904 organizations, the board shall require the qualifying agent ~~him~~
 905 ~~or her~~ to present evidence of his or her ability to supervise
 906 the construction activities ~~and financial responsibility~~ of each
 907 such organization. Approval of each business organization ~~The~~
 908 ~~issuance of such certificate of authority~~ is discretionary with
 909 the board.

910 ~~(7)-(8)~~ (a) A business organization proposing to engage in
 911 contracting is not required to apply for or obtain authorization
 912 under this part to engage in contracting if:

913 1. The business organization employs one or more
 914 registered or certified contractors licensed in accordance with
 915 this part who are responsible for obtaining permits and
 916 supervising all of the business organization's contracting
 917 activities;

918 2. The business organization engages only in contracting
 919 on property owned by the business organization or by its parent,
 920 subsidiary, or affiliated entities; and

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

924 (b) Any business organization engaging in contracting
 925 under this subsection shall provide the board with the name and
 926 license number of each registered or certified contractor
 927 employed by the business organization to supervise its
 928 contracting activities. The business organization is not
 929 required to post a bond or otherwise evidence any financial or
 930 credit information except as necessary to demonstrate compliance
 931 with paragraph (a).

932 (c) A registered or certified contractor employed by a
 933 business organization to supervise its contracting activities
 934 under this subsection shall not be required to post a bond or
 935 otherwise evidence any personal financial or credit information
 936 so long as the individual performs contracting activities
 937 exclusively on behalf of a business organization meeting all of
 938 the requirements of paragraph (a).

939 Section 24. Subsection (1) of section 489.127, Florida
 940 Statutes, is amended to read:

941 489.127 Prohibitions; penalties.--

942 (1) No person shall:

943 (a) Falsely hold himself or herself or a business
 944 organization out as a licensee, certificateholder, or
 945 registrant;

946 (b) Falsely impersonate a certificateholder or registrant;

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

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

951 (e) Use or attempt to use a certificate or registration
 952 that, ~~or certificate of authority which~~ has been suspended or
 953 revoked;

954 (f) Engage in the business or act in the capacity of a
 955 contractor or advertise himself or herself or a business
 956 organization as available to engage in the business or act in
 957 the capacity of a contractor without being duly registered or
 958 certified ~~or having a certificate of authority~~;

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

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

966 (i) Willfully or deliberately disregard or violate any
 967 municipal or county ordinance relating to uncertified or
 968 unregistered contractors.

969

970 For purposes of this subsection, a person or business
 971 organization operating on an inactive or suspended certificate
 972 or registration, ~~or certificate of authority~~ is not duly
 973 certified or registered and is considered unlicensed. A business

974 tax receipt issued under the authority of chapter 205 is not a
 975 license for purposes of this part.

976 Section 25. Effective upon this act becoming a law,
 977 paragraph (a) of subsection (1) of section 489.128, Florida
 978 Statutes, is amended to read:

979 489.128 Contracts entered into by unlicensed contractors
 980 unenforceable.--

981 (1) As a matter of public policy, contracts entered into
 982 on or after October 1, 1990, by an unlicensed contractor shall
 983 be unenforceable in law or in equity by the unlicensed
 984 contractor.

985 (a) For purposes of this section, an individual is
 986 unlicensed if the individual does not have a license required by
 987 this part concerning the scope of the work to be performed under
 988 the contract. A business organization is unlicensed if the
 989 business organization does not have a primary or secondary
 990 qualifying agent in accordance with this part concerning the
 991 scope of the work to be performed under the contract. For
 992 purposes of this section, if a ~~no~~ state ~~or local~~ license is not
 993 required for the scope of work to be performed under the
 994 contract, the individual performing that work is ~~shall~~ not ~~be~~
 995 considered unlicensed.

996 Section 26. Paragraph (b) of subsection (1) of section
 997 489.128, Florida Statutes, is amended to read:

998 489.128 Contracts entered into by unlicensed contractors
 999 unenforceable.--

1000 (1) As a matter of public policy, contracts entered into
 1001 on or after October 1, 1990, by an unlicensed contractor shall

1002 be unenforceable in law or in equity by the unlicensed
 1003 contractor.

1004 (b) For purposes of this section, an individual or
 1005 business organization may not be considered unlicensed for
 1006 failing to have a business tax receipt issued under the
 1007 authority of chapter 205. ~~A business organization may not be~~
 1008 ~~considered unlicensed for failing to have a certificate of~~
 1009 ~~authority as required by ss. 489.119 and 489.127. For purposes~~
 1010 ~~of this section, a business organization entering into the~~
 1011 ~~contract may not be considered unlicensed if, before the date~~
 1012 ~~established by paragraph (c), an individual possessing a license~~
 1013 ~~required by this part concerning the scope of the work to be~~
 1014 ~~performed under the contract has submitted an application for a~~
 1015 ~~certificate of authority designating that individual as a~~
 1016 ~~qualifying agent for the business organization entering into the~~
 1017 ~~contract, and the application was not acted upon by the~~
 1018 ~~department or applicable board within the time limitations~~
 1019 ~~imposed by s. 120.60.~~

1020 Section 27. Subsections (1), (5), and (7) of section
 1021 489.129, Florida Statutes, are amended to read:

1022 489.129 Disciplinary proceedings.--

1023 (1) The board may take any of the following actions
 1024 against any certificateholder or registrant: place on probation
 1025 or reprimand the licensee, revoke, suspend, or deny the issuance
 1026 or renewal of the certificate or registration, ~~or certificate~~
 1027 ~~of authority~~, require financial restitution to a consumer for
 1028 financial harm directly related to a violation of a provision of
 1029 this part, impose an administrative fine not to exceed \$10,000

1030 per violation, require continuing education, or assess costs
 1031 associated with investigation and prosecution, if the
 1032 contractor, financially responsible officer, or business
 1033 organization for which the contractor is a primary qualifying
 1034 agent, a financially responsible officer, or a secondary
 1035 qualifying agent responsible under s. 489.1195 is found guilty
 1036 of any of the following acts:

1037 (a) Obtaining a certificate or registration, ~~or~~
 1038 ~~certificate of authority~~ by fraud or misrepresentation.

1039 (b) Being convicted or found guilty of, or entering a plea
 1040 of nolo contendere to, regardless of adjudication, a crime in
 1041 any jurisdiction which directly relates to the practice of
 1042 contracting or the ability to practice contracting.

1043 (c) Violating any provision of chapter 455.

1044 (d) Performing any act which assists a person or entity in
 1045 engaging in the prohibited uncertified and unregistered practice
 1046 of contracting, if the certificateholder or registrant knows or
 1047 has reasonable grounds to know that the person or entity was
 1048 uncertified and unregistered.

1049 (e) Knowingly combining or conspiring with an uncertified
 1050 or unregistered person by allowing his or her certificate or
 1051 registration, ~~or certificate of authority~~ to be used by the
 1052 uncertified or unregistered person with intent to evade the
 1053 provisions of this part. When a certificateholder or registrant
 1054 allows his or her certificate or registration to be used by one
 1055 or more business organizations without having any active
 1056 participation in the operations, management, or control of such

1057 business organizations, such act constitutes prima facie
1058 evidence of an intent to evade the provisions of this part.

1059 (f) Acting in the capacity of a contractor under any
1060 certificate or registration issued hereunder except in the name
1061 of the certificateholder or registrant as set forth on the
1062 issued certificate or registration, or in accordance with the
1063 personnel of the certificateholder or registrant as set forth in
1064 the application for the certificate or registration, or as later
1065 changed as provided in this part.

1066 (g) Committing mismanagement or misconduct in the practice
1067 of contracting that causes financial harm to a customer.
1068 Financial mismanagement or misconduct occurs when:

1069 1. Valid liens have been recorded against the property of
1070 a contractor's customer for supplies or services ordered by the
1071 contractor for the customer's job; the contractor has received
1072 funds from the customer to pay for the supplies or services; and
1073 the contractor has not had the liens removed from the property,
1074 by payment or by bond, within 75 days after the date of such
1075 liens;

1076 2. The contractor has abandoned a customer's job and the
1077 percentage of completion is less than the percentage of the
1078 total contract price paid to the contractor as of the time of
1079 abandonment, unless the contractor is entitled to retain such
1080 funds under the terms of the contract or refunds the excess
1081 funds within 30 days after the date the job is abandoned; or

1082 3. The contractor's job has been completed, and it is
1083 shown that the customer has had to pay more for the contracted
1084 job than the original contract price, as adjusted for subsequent

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1085 change orders, unless such increase in cost was the result of
1086 circumstances beyond the control of the contractor, was the
1087 result of circumstances caused by the customer, or was otherwise
1088 permitted by the terms of the contract between the contractor
1089 and the customer.

1090 (h) Being disciplined by any municipality or county for an
1091 act or violation of this part.

1092 (i) Failing in any material respect to comply with the
1093 provisions of this part or violating a rule or lawful order of
1094 the board.

1095 (j) Abandoning a construction project in which the
1096 contractor is engaged or under contract as a contractor. A
1097 project may be presumed abandoned after 90 days if the
1098 contractor terminates the project without just cause or without
1099 proper notification to the owner, including the reason for
1100 termination, or fails to perform work without just cause for 90
1101 consecutive days.

1102 (k) Signing a statement with respect to a project or
1103 contract falsely indicating that the work is bonded; falsely
1104 indicating that payment has been made for all subcontracted
1105 work, labor, and materials which results in a financial loss to
1106 the owner, purchaser, or contractor; or falsely indicating that
1107 workers' compensation and public liability insurance are
1108 provided.

1109 (l) Committing fraud or deceit in the practice of
1110 contracting.

1111 (m) Committing incompetency or misconduct in the practice
1112 of contracting.

1113 (n) Committing gross negligence, repeated negligence, or
 1114 negligence resulting in a significant danger to life or
 1115 property.

1116 (o) Proceeding on any job without obtaining applicable
 1117 local building department permits and inspections.

1118 (p) Intimidating, threatening, coercing, or otherwise
 1119 discouraging the service of a notice to owner under part I of
 1120 chapter 713 or a notice to contractor under chapter 255 or part
 1121 I of chapter 713.

1122 (q) Failing to satisfy within a reasonable time, the terms
 1123 of a civil judgment obtained against the licensee, or the
 1124 business organization qualified by the licensee, relating to the
 1125 practice of the licensee's profession.

1126
 1127 For the purposes of this subsection, construction is considered
 1128 to be commenced when the contract is executed and the contractor
 1129 has accepted funds from the customer or lender. A contractor
 1130 does not commit a violation of this subsection when the
 1131 contractor relies on a building code interpretation rendered by
 1132 a building official or person authorized by s. 553.80 to enforce
 1133 the building code, absent a finding of fraud or deceit in the
 1134 practice of contracting, or gross negligence, repeated
 1135 negligence, or negligence resulting in a significant danger to
 1136 life or property on the part of the building official, in a
 1137 proceeding under chapter 120.

1138 (5) The board may not reinstate the certification or
 1139 registration, ~~or certificate of authority~~ of, or cause a
 1140 certificate or registration, ~~or certificate of authority~~ to be

1141 issued to, a person who or business organization which the board
 1142 has determined is unqualified or whose certificate or
 1143 registration, ~~or certificate of authority~~ the board has
 1144 suspended until it is satisfied that such person or business
 1145 organization has complied with all the terms and conditions set
 1146 forth in the final order and is capable of competently engaging
 1147 in the business of contracting.

1148 (7) The board shall not issue or renew a certificate or
 1149 registration, ~~or certificate of authority~~ to any person or
 1150 business organization that has been assessed a fine, interest,
 1151 or costs associated with investigation and prosecution, or has
 1152 been ordered to pay restitution, until such fine, interest, or
 1153 costs associated with investigation and prosecution or
 1154 restitution are paid in full or until all terms and conditions
 1155 of the final order have been satisfied.

1156 Section 28. Subsection (5) of section 489.132, Florida
 1157 Statutes, is amended to read:

1158 489.132 Prohibited acts by unlicensed principals;
 1159 investigation; hearing; penalties.--

1160 (5) The department may suspend, revoke, or deny issuance
 1161 or renewal of a certificate or registration, ~~or certificate of~~
 1162 ~~authority~~ for any individual or business organization that
 1163 associates a person as an officer, director, or partner, or in a
 1164 managerial or supervisory capacity, after such person has been
 1165 found under a final order to have violated this section or was
 1166 an officer, director, partner, trustee, or manager of a business
 1167 organization disciplined by the board by revocation, suspension,
 1168 or fine in excess of \$2,500, upon finding reasonable cause that

1169 such person knew or reasonably should have known of the conduct
 1170 leading to the discipline.

1171 Section 29. Subsection (1) of section 489.1455, Florida
 1172 Statutes, is amended to read:

1173 489.1455 Journeyman; reciprocity; standards.--

1174 (1) An individual who holds a valid, active journeyman
 1175 license in the plumbing/pipe fitting, mechanical, or HVAC trades
 1176 issued by any county or municipality in this state may work as a
 1177 journeyman in the trade in which he or she is licensed in any
 1178 county or municipality of this state without taking an
 1179 additional examination or paying an additional license fee, if
 1180 he or she:

1181 (a) Has scored at least 70 percent, or after October 1,
 1182 1997, at least 75 percent, on a proctored journeyman Block and
 1183 Associates examination or other proctored examination approved
 1184 by the board for the trade in which he or she is licensed;

1185 (b) Has completed an apprenticeship program registered
 1186 with the Department of Labor and Employment Security and
 1187 demonstrates 4 years' verifiable practical experience in the
 1188 trade for which he or she is licensed, or demonstrates 6 years'
 1189 verifiable practical experience in the trade for which he or she
 1190 is licensed;

1191 (c) Has satisfactorily completed specialized and advanced
 1192 module coursework approved by the Florida Building Commission,
 1193 as part of the Building Code Training Program established in s.
 1194 553.841, specific to the discipline, ~~and successfully completed~~
 1195 ~~the program's core curriculum courses or passed an equivalency~~
 1196 ~~test in lieu of taking the core curriculum courses and provided~~

1197 ~~proof of completion of such curriculum courses or examination~~
 1198 ~~and obtained a certificate from the board pursuant to this part~~
 1199 or, pursuant to authorization by the certifying authority,
 1200 provides proof of completion of such ~~curriculum or~~ coursework
 1201 within 6 months after such certification; and

1202 (d) Has not had a license suspended or revoked within the
 1203 last 5 years.

1204 Section 30. Subsection (19) of section 489.505, Florida
 1205 Statutes, is amended to read:

1206 489.505 Definitions.--As used in this part:

1207 (19) "Specialty contractor" means a contractor whose scope
 1208 of practice is limited to a specific segment of electrical or
 1209 alarm system contracting established in a category adopted by
 1210 board rule, including, but not limited to, residential
 1211 electrical contracting, maintenance of electrical fixtures, and
 1212 fabrication, erection, installation, and maintenance of
 1213 electrical advertising signs together with the interrelated
 1214 parts and supports thereof. ~~Categories of specialty contractor~~
 1215 ~~shall be established by board rule.~~

1216 Section 31. Subsections (5), (6), and (7) of section
 1217 489.513, Florida Statutes, are amended to read:

1218 489.513 Registration; application; requirements.--

1219 (5) Registration permits the registrant to engage in
 1220 contracting only in the area and for the type of work covered by
 1221 the registration, unless local licenses are issued for other
 1222 areas and types of work or unless certification is obtained.
 1223 When a registrant desires to register in an additional area of
 1224 the state, he or she shall ~~first~~ comply with any local

1225 requirements of that area and then file a request with the
 1226 department, together with evidence of holding a current
 1227 ~~occupational license or~~ license issued by the county or
 1228 municipality for the area or areas in which he or she desires to
 1229 be registered, whereupon his or her evidence of registration
 1230 shall be endorsed by the department to reflect valid
 1231 registration for the new area or areas.

1232 (6) The local jurisdictions are ~~shall be~~ responsible for
 1233 providing the following information to the board within 30 days
 1234 after licensure of, or any disciplinary action against, a
 1235 locally licensed contractor who is registered under this part:

1236 (a) Licensure information.~~7~~

1237 (b) Code violation information pursuant to s. 553.781.~~7~~

1238 and

1239 (c) Disciplinary information. ~~on locally licensed~~
 1240 ~~individuals to the board within 30 days after licensure or any~~
 1241 ~~disciplinary action, and~~

1242

1243 The board shall maintain such licensure and disciplinary
 1244 information as it is provided to the board ~~them~~, and shall make
 1245 the ~~such~~ information available through the automated information
 1246 system provided pursuant to s. 455.2286.

1247 ~~(7) In order to establish uniformity among the job scopes~~
 1248 ~~established by local jurisdictions, the board shall, by rule,~~
 1249 ~~establish the job scope for any licensure category registered by~~
 1250 ~~the board under this part. The board shall not arbitrarily limit~~
 1251 ~~such scopes and shall restrict the job scopes only to the~~
 1252 ~~minimum extent necessary to ensure uniformity.~~

1253 Section 32. Subsection (3) of section 489.516, Florida
 1254 Statutes, is amended to read:

1255 489.516 Qualifications to practice; restrictions;
 1256 prerequisites.--

1257 (3) When a certificateholder desires to engage in
 1258 contracting in any area of the state, as a prerequisite
 1259 therefor, he or she shall only be required to exhibit to the
 1260 local building official, tax collector, or other authorized
 1261 person in charge of the issuance of licenses and building or
 1262 electrical permits in the area evidence of holding a current
 1263 certificate and a current business tax receipt issued by the
 1264 jurisdiction in which the certificateholder's principal place of
 1265 business is located, ~~and having paid to pay~~ the fee for the
 1266 ~~occupational license and permit~~ required of other persons.
 1267 However, a local construction regulation board may deny the
 1268 issuance of an electrical permit to a certified contractor, or
 1269 issue a permit with specific conditions, if the local
 1270 construction regulation board has found such contractor, through
 1271 the public hearing process, to be guilty of fraud or a willful
 1272 building code violation within the county or municipality that
 1273 the local construction regulation board represents, or if the
 1274 local construction regulation board has proof that such
 1275 contractor, through the public hearing process, has been found
 1276 guilty, in another county or municipality within the past 12
 1277 months, of fraud or a willful building code violation and finds,
 1278 after providing notice to the contractor, that such fraud or
 1279 violation would have been fraud or a violation if committed in
 1280 the county or municipality that the local construction board

1281 represents. Notification of and information concerning such
 1282 permit denial shall be submitted to the Department of Business
 1283 and Professional Regulation within 15 days after the local
 1284 construction regulation board decides to deny the permit.

1285 Section 33. Subsection (3) of section 489.517, Florida
 1286 Statutes, is amended to read:

1287 489.517 Renewal of certificate or registration; continuing
 1288 education.--

1289 (3)(a) Each certificateholder or registrant shall provide
 1290 proof, in a form established by rule of the board, that the
 1291 certificateholder or registrant has completed at least 14
 1292 classroom hours of at least 50 minutes each of continuing
 1293 education courses during each biennium since the issuance or
 1294 renewal of the certificate or registration. The board shall by
 1295 rule establish criteria for the approval of continuing education
 1296 courses and providers and may by rule establish criteria for
 1297 accepting alternative nonclassroom continuing education on an
 1298 hour-for-hour basis.

1299 ~~(b) Each certificateholder or registrant shall provide to~~
 1300 ~~the board proof of completion of the core curriculum courses or~~
 1301 ~~passing the equivalency test of the Building Code Training~~
 1302 ~~Program established under s. 553.841, specific to the licensing~~
 1303 ~~category sought, within 2 years after commencement of the~~
 1304 ~~program or of initial certification or registration, whichever~~
 1305 ~~is later. Classroom hours spent taking core curriculum courses~~
 1306 ~~shall count toward the number required for renewal of~~
 1307 ~~certificate or registration. A certificateholder or registrant~~
 1308 ~~who passes the equivalency test in lieu of taking the core~~

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1309 ~~curriculum courses shall receive full credit for core curriculum~~
 1310 ~~course hours.~~

1311 Section 34. Subsection (6) of section 489.521, Florida
 1312 Statutes, is amended to read:

1313 489.521 Business organizations; qualifying agents.--

1314 (6) When a business organization qualified to engage in
 1315 contracting makes application for a business tax receipt ~~an~~
 1316 ~~occupational license~~ in any municipality or county of this
 1317 state, the application shall be made with the tax collector in
 1318 the name of the business organization, and the business tax
 1319 receipt ~~license~~, when issued, shall be issued to the business
 1320 organization upon payment of the appropriate licensing fee and
 1321 exhibition to the tax collector of a valid certificate issued by
 1322 the department.

1323 Section 35. Section 489.5315, Florida Statutes, is amended
 1324 to read:

1325 489.5315 Proprietary electrical or alarm
 1326 contractors.--Businesses that obtain an electrical or burglar
 1327 alarm system license to work only on their own equipment, and
 1328 that do not offer electrical or alarm contracting services to
 1329 the public, are not electrical or burglar alarm system
 1330 contracting businesses and do not have to obtain a business tax
 1331 receipt ~~an occupational license~~ in addition to any they are
 1332 otherwise required to have.

1333 Section 36. Effective upon this act becoming a law,
 1334 paragraph (a) of subsection (1) of section 489.532, Florida
 1335 Statutes, is amended to read:

1336 489.532 Contracts entered into by unlicensed contractors
 1337 unenforceable.--

1338 (1) As a matter of public policy, contracts entered into
 1339 on or after October 1, 1990, by an unlicensed contractor shall
 1340 be unenforceable in law or in equity by the unlicensed
 1341 contractor.

1342 (a) For purposes of this section, an individual is
 1343 unlicensed if the individual does not have a license required by
 1344 this part concerning the scope of the work to be performed under
 1345 the contract. A business organization is unlicensed if the
 1346 business organization does not have a primary or secondary
 1347 qualifying agent in accordance with this part concerning the
 1348 scope of the work to be performed under the contract. For
 1349 purposes of this section, if a ~~no~~ state ~~or local~~ license is not
 1350 required for the scope of work to be performed under the
 1351 contract, the individual performing that work is ~~shall~~ not ~~be~~
 1352 considered unlicensed.

1353 Section 37. Paragraph (b) of subsection (3) of section
 1354 489.537, Florida Statutes, is amended to read:

1355 489.537 Application of this part.--

1356 (3) Nothing in this act limits the power of a municipality
 1357 or county:

1358 (b) To collect fees for business tax receipts ~~occupational~~
 1359 ~~licenses~~ and inspections for engaging in contracting or
 1360 examination fees from persons who are registered with the local
 1361 boards pursuant to local examination requirements.

1362 Section 38. Section 509.233, Florida Statutes, is amended
 1363 to read:

1364 509.233 Public food service establishment requirements;
 1365 local exemption for dogs in designated outdoor portions; ~~pilot~~
 1366 ~~program.~~--

1367 ~~(1) INTENT.--It is the intent of the Legislature by this~~
 1368 ~~section to establish a 3-year pilot program for local~~
 1369 ~~governments to allow patrons' dogs within certain designated~~
 1370 ~~outdoor portions of public food service establishments.~~

1371 (1)~~(2)~~ LOCAL EXEMPTION AUTHORIZED.--Notwithstanding s.
 1372 509.032(7), the governing body of a local government may
 1373 ~~participating in the pilot program is authorized to~~ establish,
 1374 by ordinance, a local exemption procedure to certain provisions
 1375 of the Food and Drug Administration Food Code, as currently
 1376 adopted by the division, in order to allow patrons' dogs within
 1377 certain designated outdoor portions of public food service
 1378 establishments.

1379 (2)~~(3)~~ LOCAL DISCRETION; CODIFICATION.--

1380 (a) The adoption of the local exemption procedure shall be
 1381 at the sole discretion of the governing body of a participating
 1382 local government. Nothing in this section shall be construed to
 1383 require or compel a local governing body to adopt an ordinance
 1384 pursuant to this section.

1385 (b) Any ordinance adopted pursuant to this section shall
 1386 provide for codification within the land development code of a
 1387 participating local government.

1388 (3)~~(4)~~ LIMITATIONS ON EXEMPTION; PERMIT REQUIREMENTS.--

1389 (a) Any local exemption procedure adopted pursuant to this
 1390 section shall only provide a variance to those portions of the
 1391 currently adopted Food and Drug Administration Food Code in

1392 order to allow patrons' dogs within certain designated outdoor
1393 portions of public food service establishments.

1394 (b) In order to protect the health, safety, and general
1395 welfare of the public, the local exemption procedure shall
1396 require participating public food service establishments to
1397 apply for and receive a permit from the governing body of the
1398 local government before allowing patrons' dogs on their
1399 premises. The local government shall require from the applicant
1400 such information as the local government deems reasonably
1401 necessary to enforce the provisions of this section, but shall
1402 require, at a minimum, the following information:

1403 1. The name, location, and mailing address of the public
1404 food service establishment.

1405 2. The name, mailing address, and telephone contact
1406 information of the permit applicant.

1407 3. A diagram and description of the outdoor area to be
1408 designated as available to patrons' dogs, including dimensions
1409 of the designated area; a depiction of the number and placement
1410 of tables, chairs, and restaurant equipment, if any; the
1411 entryways and exits to the designated outdoor area; the
1412 boundaries of the designated area and of other areas of outdoor
1413 dining not available for patrons' dogs; any fences or other
1414 barriers; surrounding property lines and public rights-of-way,
1415 including sidewalks and common pathways; and such other
1416 information reasonably required by the permitting authority. The
1417 diagram or plan shall be accurate and to scale but need not be
1418 prepared by a licensed design professional.

1419 4. A description of the days of the week and hours of

1420 operation that patrons' dogs will be permitted in the designated
1421 outdoor area.

1422 (c) In order to protect the health, safety, and general
1423 welfare of the public, the local exemption ordinance shall
1424 include such regulations and limitations as deemed necessary by
1425 the participating local government and shall include, but not be
1426 limited to, the following requirements:

1427 1. All public food service establishment employees shall
1428 wash their hands promptly after touching, petting, or otherwise
1429 handling dogs. Employees shall be prohibited from touching,
1430 petting, or otherwise handling dogs while serving food or
1431 beverages or handling tableware or before entering other parts
1432 of the public food service establishment.

1433 2. Patrons in a designated outdoor area shall be advised
1434 that they should wash their hands before eating. Waterless hand
1435 sanitizer shall be provided at all tables in the designated
1436 outdoor area.

1437 3. Employees and patrons shall be instructed that they
1438 shall not allow dogs to come into contact with serving dishes,
1439 utensils, tableware, linens, paper products, or any other items
1440 involved in food service operations.

1441 4. Patrons shall keep their dogs on a leash at all times
1442 and shall keep their dogs under reasonable control.

1443 5. Dogs shall not be allowed on chairs, tables, or other
1444 furnishings.

1445 6. All table and chair surfaces shall be cleaned and
1446 sanitized with an approved product between seating of patrons.
1447 Spilled food and drink shall be removed from the floor or ground

1448 between seating of patrons.

1449 7. Accidents involving dog waste shall be cleaned
 1450 immediately and the area sanitized with an approved product. A
 1451 kit with the appropriate materials for this purpose shall be
 1452 kept near the designated outdoor area.

1453 8. A sign or signs reminding employees of the applicable
 1454 rules shall be posted on premises in a manner and place as
 1455 determined by the local permitting authority.

1456 9. A sign or signs reminding patrons of the applicable
 1457 rules shall be posted on premises in a manner and place as
 1458 determined by the local permitting authority.

1459 10. A sign or signs shall be posted in a manner and place
 1460 as determined by the local permitting authority that places the
 1461 public on notice that the designated outdoor area is available
 1462 for the use of patrons and patrons' dogs.

1463 11. Dogs shall not be permitted to travel through indoor
 1464 or nondesignated outdoor portions of the public food service
 1465 establishment, and ingress and egress to the designated outdoor
 1466 portions of the public food service establishment must not
 1467 require entrance into or passage through any indoor area of the
 1468 food establishment.

1469 (d) A permit issued pursuant to this section shall not be
 1470 transferred to a subsequent owner upon the sale of a public food
 1471 service establishment but shall expire automatically upon the
 1472 sale of the establishment. The subsequent owner shall be
 1473 required to reapply for a permit pursuant to this section if the
 1474 subsequent owner wishes to continue to accommodate patrons'
 1475 dogs.

1476 (4) ~~(5)~~ POWERS; ENFORCEMENT.--Participating local
1477 governments shall have such powers as are reasonably necessary
1478 to regulate and enforce the provisions of this section.

1479 (5) ~~(6)~~ STATE AND LOCAL COOPERATION.--The division shall
1480 provide reasonable assistance to participating local governments
1481 in the development of enforcement procedures and regulations,
1482 and participating local governments shall monitor permit holders
1483 for compliance in cooperation with the division. At a minimum,
1484 participating local governments shall establish a procedure to
1485 accept, document, and respond to complaints and to timely report
1486 to the division all such complaints and the participating local
1487 governments' enforcement responses to such complaints. A
1488 participating local government shall provide the division with a
1489 copy of all approved applications and permits issued, and the
1490 participating local government shall require that all
1491 applications, permits, and other related materials contain the
1492 appropriate division-issued license number for each public food
1493 service establishment.

1494 ~~(7) FUTURE REVIEW AND REPEAL.--This section shall expire~~
1495 ~~July 1, 2009, unless reviewed and saved from repeal through~~
1496 ~~reenactment by the Legislature.~~

1497 Section 39. Subsections (8) through (22) of section
1498 548.002, Florida Statutes, are renumbered as subsections (9)
1499 through (23), respectively, and a new subsection (8) is added to
1500 that section, to read:

1501 548.002 Definitions.--As used in this chapter, the term:

1502 (8) "Event" means one or more matches comprising a show.

1503 Section 40. Paragraph (k) of subsection (2) of section
 1504 548.003, Florida Statutes, is amended to read:
 1505 548.003 Florida State Boxing Commission.--
 1506 (2) The Florida State Boxing Commission, as created by
 1507 subsection (1), shall administer the provisions of this chapter.
 1508 The commission has authority to adopt rules pursuant to ss.
 1509 120.536(1) and 120.54 to implement the provisions of this
 1510 chapter and to implement each of the duties and responsibilities
 1511 conferred upon the commission, including, but not limited to:
 1512 (k) Establishment of criteria for approval, disapproval,
 1513 suspension of approval, and revocation of approval of amateur
 1514 sanctioning organizations for amateur boxing, and kickboxing,
 1515 and mixed martial arts matches held in this state, including,
 1516 but not limited to, the health and safety standards the
 1517 organizations use before, during, and after the matches to
 1518 ensure the health, safety, and well-being of the amateurs
 1519 participating in the matches, including the qualifications and
 1520 numbers of health care personnel required to be present, the
 1521 qualifications required for referees, and other requirements
 1522 relating to the health, safety, and well-being of the amateurs
 1523 participating in the matches. The commission may adopt by rule,
 1524 or incorporate by reference into rule, the health and safety
 1525 standards of USA Boxing as the minimum health and safety
 1526 standards for an amateur boxing sanctioning organization, ~~and~~
 1527 the health and safety standards of the International Sport
 1528 Kickboxing Association as the minimum health and safety
 1529 standards for an amateur kickboxing sanctioning organization,
 1530 and the minimum health and safety standards for an amateur mixed

1531 martial arts sanctioning organization. The commission shall
 1532 review its rules for necessary revision at least every 2 years
 1533 and may adopt by rule, or incorporate by reference into rule,
 1534 the then-existing current health and safety standards of USA
 1535 Boxing and the International Sport Kickboxing Association. The
 1536 commission may adopt emergency rules to administer this
 1537 paragraph.

1538 Section 41. For the purpose of incorporating the amendment
 1539 made by this act to subsection (1) of section 455.227, Florida
 1540 Statutes, in a reference thereto, paragraph (a) of subsection
 1541 (2) of section 468.436, Florida Statutes, is reenacted to read:

1542 468.436 Disciplinary proceedings.--

1543 (2) The following acts constitute grounds for which the
 1544 disciplinary actions in subsection (4) may be taken:

1545 (a) Violation of any provision of s. 455.227(1).

1546 Section 42. For the purpose of incorporating the amendment
 1547 made by this act to subsection (1) of section 455.227, Florida
 1548 Statutes, in a reference thereto, paragraph (a) of subsection
 1549 (1) of section 468.832, Florida Statutes, is reenacted to read:

1550 468.832 Disciplinary proceedings.--

1551 (1) The following acts constitute grounds for which the
 1552 disciplinary actions in subsection (2) may be taken:

1553 (a) Violation of any provision of this part or s.
 1554 455.227(1);

1555 Section 43. For the purpose of incorporating the amendment
 1556 made by this act to subsection (1) of section 455.227, Florida
 1557 Statutes, in a reference thereto, paragraph (a) of subsection
 1558 (1) of section 468.842, Florida Statutes, is reenacted to read:

1559 468.842 Disciplinary proceedings.--

1560 (1) The following acts constitute grounds for which the
1561 disciplinary actions in subsection (2) may be taken:

1562 (a) Violation of any provision of this part or s.
1563 455.227(1);

1564 Section 44. For the purpose of incorporating the amendment
1565 made by this act to subsection (1) of section 455.227, Florida
1566 Statutes, in a reference thereto, paragraph (a) of subsection
1567 (1) of section 471.033, Florida Statutes, is reenacted to read:

1568 471.033 Disciplinary proceedings.--

1569 (1) The following acts constitute grounds for which the
1570 disciplinary actions in subsection (3) may be taken:

1571 (a) Violating any provision of s. 455.227(1), s. 471.025,
1572 or s. 471.031, or any other provision of this chapter or rule of
1573 the board or department.

1574 Section 45. For the purpose of incorporating the amendment
1575 made by this act to section (1) of section 455.227, Florida
1576 Statutes, in a reference thereto, paragraph (a) of subsection
1577 (1) of section 472.033, Florida Statutes, is reenacted to read:

1578 472.033 Disciplinary proceedings.--

1579 (1) The following acts constitute grounds for which the
1580 disciplinary actions in subsection (2) may be taken:

1581 (a) Violation of any provision of s. 472.031 or s.
1582 455.227(1);

1583 Section 46. For the purpose of incorporating the amendment
1584 made by this act to subsection (1) of section 455.227, Florida
1585 Statutes, in a reference thereto, paragraph (a) of subsection
1586 (1) of section 473.323, Florida Statutes, is reenacted to read:

1587 473.323 Disciplinary proceedings.--

1588 (1) The following acts constitute grounds for which the
1589 disciplinary actions in subsection (3) may be taken:

1590 (a) Violation of any provision of s. 455.227(1) or any
1591 other provision of this chapter.

1592 Section 47. For the purpose of incorporating the amendment
1593 made by this act to subsection (1) of section 455.227, Florida
1594 Statutes, in a reference thereto, paragraph (a) of subsection
1595 (1) of section 475.25, Florida Statutes, is reenacted to read:

1596 475.25 Discipline.--

1597 (1) The commission may deny an application for licensure,
1598 registration, or permit, or renewal thereof; may place a
1599 licensee, registrant, or permittee on probation; may suspend a
1600 license, registration, or permit for a period not exceeding 10
1601 years; may revoke a license, registration, or permit; may impose
1602 an administrative fine not to exceed \$5,000 for each count or
1603 separate offense; and may issue a reprimand, and any or all of
1604 the foregoing, if it finds that the licensee, registrant,
1605 permittee, or applicant:

1606 (a) Has violated any provision of s. 455.227(1) or s.
1607 475.42. However, licensees under this part are exempt from the
1608 provisions of s. 455.227(1)(i).

1609 Section 48. For the purpose of incorporating the amendment
1610 made by this act to subsection (1) of section 455.227, Florida
1611 Statutes, in a reference thereto, subsection (1) of section
1612 475.624, Florida Statutes, is reenacted to read:

1613 475.624 Discipline.--The board may deny an application for
1614 registration or certification; may investigate the actions of

1615 any appraiser registered, licensed, or certified under this
 1616 part; may reprimand or impose an administrative fine not to
 1617 exceed \$5,000 for each count or separate offense against any
 1618 such appraiser; and may revoke or suspend, for a period not to
 1619 exceed 10 years, the registration, license, or certification of
 1620 any such appraiser, or place any such appraiser on probation, if
 1621 it finds that the registered trainee, licensee, or
 1622 certificateholder:

1623 (1) Has violated any provisions of this part or s.
 1624 455.227(1); however, certificateholders, registrants, and
 1625 licensees under this part are exempt from the provisions of s.
 1626 455.227(1) (i).

1627 Section 49. For the purpose of incorporating the amendment
 1628 made by this act to subsection (1) of section 455.227, Florida
 1629 Statutes, in a reference thereto, paragraph (h) of subsection
 1630 (1) of section 476.204, Florida Statutes, is reenacted to read:

1631 476.204 Penalties.--

1632 (1) It is unlawful for any person to:

1633 (h) Violate any provision of s. 455.227(1), s. 476.194, or
 1634 s. 476.214.

1635 Section 50. For the purpose of incorporating the amendment
 1636 made by this act to subsection (1) of section 455.227, Florida
 1637 Statutes, in a reference thereto, paragraph (h) of subsection
 1638 (1) of section 477.029, Florida Statutes, is reenacted to read:

1639 477.029 Penalty.--

1640 (1) It is unlawful for any person to:

1641 (h) Violate any provision of s. 455.227(1), s. 477.0265,
 1642 or s. 477.028.

1643 Section 51. For the purpose of incorporating the amendment
 1644 made by this act to subsection (1) of section 455.227, Florida
 1645 Statutes, in a reference thereto, paragraph (a) of subsection
 1646 (1) of section 481.225, Florida Statutes, is reenacted to read:

1647 481.225 Disciplinary proceedings against registered
 1648 architects.--

1649 (1) The following acts constitute grounds for which the
 1650 disciplinary actions in subsection (3) may be taken:

1651 (a) Violating any provision of s. 455.227(1), s. 481.221,
 1652 or s. 481.223, or any rule of the board or department lawfully
 1653 adopted pursuant to this part or chapter 455.

1654 Section 52. For the purpose of incorporating the amendment
 1655 made by this act to subsection (1) of section 455.227, Florida
 1656 Statutes, in a reference thereto, paragraph (a) of subsection
 1657 (1) of section 481.325, Florida Statutes, is reenacted to read:

1658 481.325 Disciplinary proceedings.--

1659 (1) The following acts constitute grounds for which the
 1660 disciplinary actions in subsection (3) may be taken:

1661 (a) Violation of any provision of s. 455.227(1), s.
 1662 481.321, or s. 481.323.

1663 Section 53. Section 509.201, Florida Statutes, is
 1664 repealed.

1665 Section 54. Effective upon this act becoming a law, the
 1666 amendments made by this act to ss. 489.128(1)(a) and
 1667 489.532(1)(a), Florida Statutes, shall apply retroactively to
 1668 contracts entered into on or after October 1, 2000, and shall
 1669 apply retroactively to all actions pending when this act becomes
 1670 a law.

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1671 Section 55. Except as otherwise expressly provided in this
1672 act, this act shall take effect October 1, 2009.