

Amendment No.

CHAMBER ACTION

Senate

House

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1 The Conference Committee on CS/HB 5007 offered the following:

2  
3 **Conference Committee Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Section 320.90, Florida Statutes, is amended to  
6 read:

7 320.90 Notification of consumer's rights.—The department  
8 shall develop a motor vehicle consumer's rights pamphlet which  
9 shall be distributed free of charge by the Department of Legal  
10 Affairs ~~Agriculture and Consumer Services~~ to the motor vehicle  
11 owner upon request. Such pamphlet must contain information  
12 relating to odometer fraud and provide a summary of the rights  
13 and remedies available to all purchasers of motor vehicles.

14 Section 2. Subsection (4) of section 322.142, Florida  
15 Statutes, is amended to read:

16 322.142 Color photographic or digital imaged licenses.—  
774853

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Amendment No.

17 (4) The department may maintain a film negative or print  
18 file. The department shall maintain a record of the digital  
19 image and signature of the licensees, together with other data  
20 required by the department for identification and retrieval.  
21 Reproductions from the file or digital record are exempt from  
22 the provisions of s. 119.07(1) and shall be made and issued only  
23 for departmental administrative purposes; for the issuance of  
24 duplicate licenses; in response to law enforcement agency  
25 requests; to the Department of Business and Professional  
26 Regulation pursuant to an interagency agreement for the purpose  
27 of accessing digital images for reproduction of licenses issued  
28 by the Department of Business and Professional Regulation or for  
29 the purpose of identifying subjects under investigation for  
30 unlicensed activity pursuant to s. 455.228; to the Department of  
31 State pursuant to an interagency agreement to facilitate  
32 determinations of eligibility of voter registration applicants  
33 and registered voters in accordance with ss. 98.045 and 98.075;  
34 to the Department of Revenue pursuant to an interagency  
35 agreement for use in establishing paternity and establishing,  
36 modifying, or enforcing support obligations in Title IV-D cases;  
37 to the Department of Children and Family Services pursuant to an  
38 interagency agreement to conduct protective investigations under  
39 part III of chapter 39 and chapter 415; to the Department of  
40 Children and Family Services pursuant to an interagency  
41 agreement specifying the number of employees in each of that  
42 department's regions to be granted access to the records for use  
43 as verification of identity to expedite the determination of  
44 eligibility for public assistance and for use in public

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

45 assistance fraud investigations; or to the Department of  
46 Financial Services pursuant to an interagency agreement to  
47 facilitate the location of owners of unclaimed property, the  
48 validation of unclaimed property claims, and the identification  
49 of fraudulent or false claims.

50 Section 3. Subsection (12) is added to section 455.213,  
51 Florida Statutes, to read:

52 455.213 General licensing provisions.—

53 (12) The department may grant a fee waiver for a license  
54 renewal to a licensee on a case-by-case basis due to financial  
55 hardship or an error caused by the department.

56 Section 4. Section 468.8324, Florida Statutes, is amended  
57 to read:

58 468.8324 Grandfather clause.—

59 (1) A person who performs home inspection services may  
60 qualify for licensure as a home inspector under this part if the  
61 person submits an application to the department postmarked on or  
62 before July 1, 2012, which shows that the applicant:

63 (a) Possesses certification as a one- and two-family  
64 dwelling inspector issued by the International Code Council or  
65 the Southern Building Code Congress International;

66 (b) Has been certified as a one- and two-family dwelling  
67 inspector by the Florida Building Code Administrators and  
68 Inspectors Board under part XII of this chapter; or

69 (c) Possesses a Division I contractor license issued under  
70 part I of chapter 489.

71 ~~(1) A person who performs home inspection services as~~  
72 ~~defined in this part may qualify for licensure by the department~~  
774853

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Amendment No.

73 ~~as a home inspector if the person submits an application to the~~  
74 ~~department postmarked on or before March 1, 2011, which shows~~  
75 ~~that the applicant:~~

76 ~~(a) Is certified as a home inspector by a state or~~  
77 ~~national association that requires, for such certification,~~  
78 ~~successful completion of a proctored examination on home~~  
79 ~~inspection services and completes at least 14 hours of~~  
80 ~~verifiable education on such services; or~~

81 ~~(b) Has at least 3 years of experience as a home inspector~~  
82 ~~at the time of application and has completed 14 hours of~~  
83 ~~verifiable education on home inspection services. To establish~~  
84 ~~the 3 years of experience, an applicant must submit at least 120~~  
85 ~~home inspection reports prepared by the applicant.~~

86 ~~(2) The department may investigate the validity of a home~~  
87 ~~inspection report submitted under paragraph (1) (b) and, if the~~  
88 ~~applicant submits a false report, may take disciplinary action~~  
89 ~~against the applicant under s. 468.832(1)(e) or (g).~~

90 ~~(2)(3)~~ An applicant may not qualify for licensure under  
91 this section if he or she has had a home inspector license or a  
92 license in any related field revoked at any time or suspended  
93 within the previous 5 years or has been assessed a fine that  
94 exceeds \$500 within the previous 5 years. For purposes of this  
95 subsection, a license in a related field includes, but is not  
96 limited to, licensure in real estate, construction, mold-related  
97 services, or building code administration or inspection.

98 ~~(3)(4)~~ An applicant for licensure under this section must  
99 comply with the criminal history, good moral character, and  
100 insurance requirements of this part.

774853

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Amendment No.

101 Section 5. Subsections (4) through (6) of section  
102 468.8413, Florida Statutes, are renumbered as subsections (3)  
103 through (5), respectively, and present subsections (2) and (3)  
104 of that section are amended to read:

105 468.8413 Examinations.—

106 (2) An applicant may practice in this state as a mold  
107 assessor or mold remediator if he or she passes the required  
108 examination, is of good moral character, and possesses a high  
109 school diploma or its equivalent ~~completes one of the following~~  
110 ~~requirements:~~

111 ~~(a)1. For a mold remediator, at least a 2-year associate~~  
112 ~~of arts degree, or the equivalent, with at least 30 semester~~  
113 ~~hours in microbiology, engineering, architecture, industrial~~  
114 ~~hygiene, occupational safety, or a related field of science from~~  
115 ~~an accredited institution and a minimum of 1 year of documented~~  
116 ~~field experience in a field related to mold remediation; or~~

117 ~~2. A high school diploma or the equivalent with a minimum~~  
118 ~~of 4 years of documented field experience in a field related to~~  
119 ~~mold remediation.~~

120 ~~(b)1. For a mold assessor, at least a 2-year associate of~~  
121 ~~arts degree, or the equivalent, with at least 30 semester hours~~  
122 ~~in microbiology, engineering, architecture, industrial hygiene,~~  
123 ~~occupational safety, or a related field of science from an~~  
124 ~~accredited institution and a minimum of 1 year of documented~~  
125 ~~field experience in conducting microbial sampling or~~  
126 ~~investigations; or~~

774853

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Amendment No.

127       ~~2. A high school diploma or the equivalent with a minimum~~  
128 ~~of 4 years of documented field experience in conducting~~  
129 ~~microbial sampling or investigations.~~

130       ~~(3) The department shall review and approve courses of~~  
131 ~~study in mold assessment and mold remediation.~~

132       Section 6. Subsections (2) and (3) of section 468.8414,  
133 Florida Statutes, are amended to read:

134       468.8414 Licensure.—

135       (2) The department shall certify for licensure any  
136 applicant who satisfies the requirements of s. 468.8413 and  
137 passes, ~~who has passed~~ the licensing examination, ~~and who has~~  
138 ~~documented training in water, mold, and respiratory protection.~~

139 The department may refuse to certify any applicant who has  
140 violated any provision ~~of the provisions~~ of this part.

141       (3) The department shall certify as qualified for a  
142 license by endorsement an applicant who is of good moral  
143 character, who has the insurance coverage required under s.  
144 468.8421, and who:

145       (a) Is qualified to take the examination as set forth in  
146 s. 468.8413 and has passed a certification examination offered  
147 by a nationally recognized or state-recognized organization that  
148 certifies persons in the specialty of mold assessment or mold  
149 remediation that has been approved by the department as  
150 substantially equivalent to the requirements of this part and s.  
151 455.217; or

152       (b) Holds a valid license to practice mold assessment or  
153 mold remediation issued by another state or territory of the  
154 United States if the criteria for issuance of the license were  
774853

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Amendment No.

155 substantially the same as the licensure criteria that is  
156 established by this part as determined by the department.

157 Section 7. Paragraphs (b) through (h) of subsection (1) of  
158 section 468.8419, Florida Statutes, are redesignated as  
159 paragraphs (a) through (g), respectively, paragraphs (b) through  
160 (g) of subsection (2) are redesignated as paragraphs (a) through  
161 (f), respectively, and present paragraph (a) of subsection (1),  
162 present paragraph (a) of subsection (2), and subsection (4) of  
163 that section are amended to read:

164 468.8419 Prohibitions; penalties.—

165 (1) A person may not:

166 ~~(a) Effective July 1, 2011, perform or offer to perform~~  
167 ~~any mold assessment unless the mold assessor has documented~~  
168 ~~training in water, mold, and respiratory protection under s.~~  
169 ~~468.8414(2).~~

170 (2) A mold remediator, a company that employs a mold  
171 remediator, or a company that is controlled by a company that  
172 also has a financial interest in a company employing a mold  
173 remediator may not:

174 ~~(a) Perform or offer to perform any mold remediation~~  
175 ~~unless the remediator has documented training in water, mold,~~  
176 ~~and respiratory protection under s. 468.8414(2).~~

177 (4) This section does not apply to unlicensed activity as  
178 described in ~~paragraph (1)(a)~~, paragraph (1)(a)(b), or s.  
179 455.228 that occurs before July 1, 2011.

180 Section 8. Subsection (1) of section 468.8423, Florida  
181 Statutes, is amended to read:

182 468.8423 Grandfather clause.—

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

183 (1) A person who performs mold assessment or mold  
184 remediation as defined in this part may qualify for licensure by  
185 the department as a mold assessor or mold remediator if the  
186 person submits his or her application to the department by July  
187 1, 2012 ~~March 1, 2011~~, whether postmarked or delivered by that  
188 date, and if the person:

189 (a) Is certified as a mold assessor or mold remediator by  
190 a state or national association that requires, for such  
191 certification, successful completion of a proctored examination  
192 on mold assessment or mold remediation, as applicable, ~~and~~  
193 ~~completes at least 60 hours of education on mold assessment or~~  
194 ~~at least 30 hours of education on mold remediation, as~~  
195 ~~applicable; or~~

196 (b) At the time of application, has at least 1 year ~~3~~  
197 ~~years~~ of experience as a mold assessor or mold remediator. To  
198 establish the 1 year ~~3 years~~ of experience, an applicant must  
199 submit at least 10 ~~40~~ mold assessments or remediation invoices  
200 prepared by the applicant.

201 Section 9. Subsection (1) of section 469.006, Florida  
202 Statutes, is amended to read:

203 469.006 Licensure of business organizations; qualifying  
204 agents.—

205 (1) If an individual proposes to engage in consulting or  
206 contracting in that individual's own name, or a fictitious name  
207 under which the individual is doing business as a sole  
208 proprietorship, the license may be issued only to that  
209 individual.

774853

Approved For Filing: 5/5/2011 11:09:50 AM



Amendment No.

210 Section 10. Paragraphs (r) and (s) of subsection (1) of  
211 section 475.611, Florida Statutes, are redesignated as  
212 paragraphs (q) and (r), respectively, and present paragraph (q)  
213 of that subsection is amended to read:

214 475.611 Definitions.—

215 (1) As used in this part, the term:

216 ~~(q) "Uniform Standards of Professional Appraisal Practice"~~  
217 ~~means the most recent standards approved and adopted by the~~  
218 ~~Appraisal Standards Board of the Appraisal Foundation.~~

219 Section 11. Effective July 1, 2014, paragraphs (w) and (x)  
220 of subsection (1) of section 475.611, Florida Statutes, as  
221 amended by chapter 2010-84, Laws of Florida, and this act, are  
222 redesignated as paragraphs (v) and (w), respectively, and  
223 paragraph (v) of that subsection is amended to read:

224 475.611 Definitions.—

225 (1) As used in this part, the term:

226 ~~(v) "Uniform Standards of Professional Appraisal Practice"~~  
227 ~~means the most recent standards approved and adopted by the~~  
228 ~~Appraisal Standards Board of the Appraisal Foundation.~~

229 Section 12. Paragraph (c) of subsection (5) of section  
230 373.461, Florida Statutes, is amended to read:

231 373.461 Lake Apopka improvement and management.—

232 (5) PURCHASE OF AGRICULTURAL LANDS.—

233 (c) The district shall explore the availability of funding  
234 from all sources, including any federal, state, regional, and  
235 local land acquisition funding programs, to purchase the  
236 agricultural lands described in paragraph (a). It is the  
237 ~~Legislature's~~ intent of the Legislature that, if such funding

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

238 sources can be identified, acquisition of the lands described in  
239 paragraph (a) may be undertaken by the district to purchase  
240 these properties from willing sellers. However, the purchase  
241 price paid for acquisition of such lands that were in active  
242 cultivation during 1996 may ~~shall~~ not exceed the highest  
243 appraisal obtained by the district for these lands from a state-  
244 certified general appraiser following the ~~Uniform~~ standards of  
245 professional ~~Appraisal~~ practice established by rule of the  
246 Florida Real Estate Appraisal Board, including standards for the  
247 development or communication of a real estate appraisal. This  
248 maximum purchase price limitation does ~~shall~~ not include, and  
249 does not apply ~~nor be applicable~~ to, that portion of the  
250 purchase price attributable to consideration of income described  
251 in paragraph (b), or that portion attributable to related  
252 facilities, or closing costs.

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

255 475.615 Qualifications for registration or certification.—

256 (5) At the time of filing an application for registration  
257 or certification, the applicant must sign a pledge that, upon  
258 registration or certification, she or he will ~~to~~ comply with the  
259 ~~Uniform~~ standards of professional ~~Appraisal~~ practice established  
260 by board rule, including standards for the development or  
261 communication of a real estate appraisal, ~~upon registration or~~  
262 ~~certification~~ and must also indicate in writing that she or he  
263 understands the types of misconduct for which disciplinary  
264 proceedings may be initiated. The application shall expire 1  
265 year after the date received by the department.

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

266 Section 14. Subsection (4) of section 475.6235, Florida  
267 Statutes, is amended to read:

268 475.6235 Registration of appraisal management companies  
269 required.—

270 (4) At the time of filing an application for registration  
271 of an appraisal management company, each person listed in  
272 paragraph (2) (f) must sign a pledge that, upon registration, she  
273 or he will ~~to~~ comply with the ~~Uniform~~ standards of professional  
274 ~~Appraisal~~ practice established by board rule, including  
275 standards for the development or communication of a real estate  
276 appraisal, upon registration and must also indicate in writing  
277 that she or he understands the types of misconduct for which  
278 disciplinary proceedings may be initiated. The application shall  
279 expire 1 year after the date received by the department.

280 Section 15. Subsection (1), paragraph (b) of subsection  
281 (2), and paragraph (b) of subsection (3) of section 475.617,  
282 Florida Statutes, are amended to read:

283 475.617 Education and experience requirements.—

284 (1) To be registered as a trainee appraiser, an applicant  
285 must present evidence satisfactory to the board that she or he  
286 has successfully completed at least 100 hours of approved  
287 academic courses in subjects related to real estate appraisal,  
288 which must ~~shall~~ include coverage of the Uniform Standards of  
289 Professional Appraisal Practice or equivalent standards  
290 established by board rule from a nationally recognized or state-  
291 recognized appraisal organization, career center, accredited  
292 community college, college, or university, state or federal  
293 agency or commission, or proprietary real estate school that

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

294 holds a permit pursuant to s. 475.451. The board may increase  
295 the required number of hours to not more than 125 hours. A  
296 classroom hour is defined as 50 minutes out of each 60-minute  
297 segment. Past courses may be approved on an hour-for-hour basis.

298 (2) To be certified as a residential appraiser, an  
299 applicant must present satisfactory evidence to the board that  
300 she or he has met the minimum education and experience  
301 requirements prescribed by rule of the board. The board shall  
302 prescribe by rule education and experience requirements that  
303 meet or exceed the following real property appraiser  
304 qualification criteria adopted on February 20, 2004, by the  
305 Appraisal Qualifications Board of the Appraisal Foundation:

306 (b) Has successfully completed at least 200 classroom  
307 hours, inclusive of examination, of approved academic courses in  
308 subjects related to real estate appraisal, which must ~~shall~~  
309 include a 15-hour course on the National Uniform Standards of  
310 Professional Appraisal Practice or equivalent standards  
311 established by board rule ~~course~~ from a nationally recognized or  
312 state-recognized appraisal organization, career center,  
313 accredited community college, college, or university, state or  
314 federal agency or commission, or proprietary real estate school  
315 that holds a permit pursuant to s. 475.451. A classroom hour is  
316 defined as 50 minutes out of each 60-minute segment. Past  
317 courses may be approved by the board and substituted on an hour-  
318 for-hour basis.

319 (3) To be certified as a general appraiser, an applicant  
320 must present evidence satisfactory to the board that she or he  
321 has met the minimum education and experience requirements

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

322 prescribed by rule of the board. The board shall prescribe  
323 education and experience requirements that meet or exceed the  
324 following real property appraiser qualification criteria adopted  
325 on February 20, 2004, by the Appraisal Qualifications Board of  
326 the Appraisal Foundation:

327 (b) Has successfully completed at least 300 classroom  
328 hours, inclusive of examination, of approved academic courses in  
329 subjects related to real estate appraisal, which must ~~shall~~  
330 include a 15-hour course on the National Uniform Standards of  
331 Professional Appraisal Practice or equivalent standards  
332 established by board rule ~~course~~ from a nationally recognized or  
333 state-recognized appraisal organization, career center,  
334 accredited community college, college, or university, state or  
335 federal agency or commission, or proprietary real estate school  
336 that holds a permit pursuant to s. 475.451. A classroom hour is  
337 defined as 50 minutes out of each 60-minute segment. Past  
338 courses may be approved by the board and substituted on an hour-  
339 for-hour basis.

340 Section 16. Subsection (1) of section 475.6175, Florida  
341 Statutes, is amended to read:

342 475.6175 Registered trainee appraiser; postlicensure  
343 education required.—

344 (1) The board shall prescribe postlicensure educational  
345 requirements in order for a person to maintain a valid  
346 registration as a registered trainee appraiser. If prescribed,  
347 the postlicensure educational requirements consist of one or  
348 more courses which total no more than the total educational  
349 hours required to qualify as a state certified residential

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

350 appraiser. Such courses must be in subjects related to real  
351 estate appraisal and must ~~shall~~ include coverage of the Uniform  
352 Standards of Professional Appraisal Practice or equivalent  
353 standards established by board rule. Such courses are provided  
354 by a nationally or state-recognized appraisal organization,  
355 career center, accredited community college, college, or  
356 university, state or federal agency or commission, or  
357 proprietary real estate school that holds a permit pursuant to  
358 s. 475.451.

359 Section 17. Paragraph (t) of subsection (1) of section  
360 475.25, Florida Statutes, is amended to read:

361 475.25 Discipline.—

362 (1) The commission may deny an application for licensure,  
363 registration, or permit, or renewal thereof; may place a  
364 licensee, registrant, or permittee on probation; may suspend a  
365 license, registration, or permit for a period not exceeding 10  
366 years; may revoke a license, registration, or permit; may impose  
367 an administrative fine not to exceed \$5,000 for each count or  
368 separate offense; and may issue a reprimand, and any or all of  
369 the foregoing, if it finds that the licensee, registrant,  
370 permittee, or applicant:

371 (t) Has violated any standard of professional practice  
372 establish by rule of the Florida Real Estate Appraisal Board,  
373 including any standard for the development or communication of a  
374 real estate appraisal ~~or other provision of the Uniform~~  
375 ~~Standards of Professional Appraisal Practice, as defined in s.~~  
376 ~~475.611,~~ as approved and adopted by the Appraisal Standards  
377 Board of the Appraisal Foundation, as defined in s. 475.611.

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

378 This paragraph does not apply to a real estate broker or sales  
379 associate who, in the ordinary course of business, performs a  
380 comparative market analysis, gives a broker price opinion, or  
381 gives an opinion of value of real estate. However, in no event  
382 may this comparative market analysis, broker price opinion, or  
383 opinion of value of real estate be referred to as an appraisal,  
384 as defined in s. 475.611.

385 Section 18. Subsection (14) of section 475.624, Florida  
386 Statutes, is amended to read:

387 475.624 Discipline.—The board may deny an application for  
388 registration or certification; may investigate the actions of  
389 any appraiser registered, licensed, or certified under this  
390 part; may reprimand or impose an administrative fine not to  
391 exceed \$5,000 for each count or separate offense against any  
392 such appraiser; and may revoke or suspend, for a period not to  
393 exceed 10 years, the registration, license, or certification of  
394 any such appraiser, or place any such appraiser on probation, if  
395 it finds that the registered trainee, licensee, or  
396 certificateholder:

397 (14) Has violated any standard of professional practice  
398 established by board rule, including any standard for the  
399 development or communication of a real estate appraisal ~~or other~~  
400 ~~provision of the Uniform Standards of Professional Appraisal~~  
401 ~~Practice.~~

402 Section 19. Effective July 1, 2014, subsection (14) of  
403 section 475.624, Florida Statutes, as amended by chapter 2010-  
404 84, Laws of Florida, and this act, is amended to read:

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

405           475.624 Discipline of appraisers.—The board may deny an  
406 application for registration or certification of an appraiser;  
407 may investigate the actions of any appraiser registered,  
408 licensed, or certified under this part; may reprimand or impose  
409 an administrative fine not to exceed \$5,000 for each count or  
410 separate offense against any such appraiser; and may revoke or  
411 suspend, for a period not to exceed 10 years, the registration,  
412 license, or certification of any such appraiser, or place any  
413 such appraiser on probation, if the board finds that the  
414 registered trainee, licensee, or certificateholder:

415           (14) Has violated any standard of professional practice  
416 established by board rule, including any standard for the  
417 development or communication of a real estate appraisal ~~or other~~  
418 ~~provision of the Uniform Standards of Professional Appraisal~~  
419 ~~Practice.~~

420           Section 20. Paragraph (n) of subsection (1) of section  
421 475.6245, Florida Statutes is amended to read:

422           475.6245 Discipline of appraisal management companies.—

423           (1) The board may deny an application for registration of  
424 an appraisal management company; may investigate the actions of  
425 any appraisal management company registered under this part; may  
426 reprimand or impose an administrative fine not to exceed \$5,000  
427 for each count or separate offense against any such appraisal  
428 management company; and may revoke or suspend, for a period not  
429 to exceed 10 years, the registration of any such appraisal  
430 management company, or place any such appraisal management  
431 company on probation, if the board finds that the appraisal  
432 management company or any person listed in s. 475.6235(2)(f):

774853

Approved For Filing: 5/5/2011 11:09:50 AM



Amendment No.

433 (n) Has instructed an appraiser to violate any standard of  
434 professional practice established by board rule, including any  
435 standard for the development or communication of a real estate  
436 appraisal ~~or other provision of the Uniform Standards of~~  
437 ~~Professional Appraisal Practice.~~

438 Section 21. Section 475.628, Florida Statutes, is amended  
439 to read:

440 475.628 Professional standards for appraisers registered,  
441 licensed, or certified under this part.—The board shall adopt  
442 rules establishing standards of professional practice that meet  
443 or exceed nationally recognized standards of appraisal practice,  
444 including those standards developed by the Appraisal Standards  
445 Board of the Appraisal Foundation. Each appraiser registered,  
446 licensed, or certified under this part must ~~shall~~ comply with  
447 the rules ~~Uniform Standards of Professional Appraisal Practice.~~  
448 Statements on appraisal standards which may be issued for the  
449 purpose of clarification, interpretation, explanation, or  
450 elaboration through the Appraisal Foundation, upon adoption by  
451 board rule, shall also be binding on any appraiser registered,  
452 licensed, or certified under this part.

453 Section 22. Paragraphs (f) through (o) of subsection (1)  
454 of section 475.42, Florida Statutes, are redesignated as  
455 paragraphs (e) through (n), respectively, and present paragraph  
456 (e) of that subsection is amended to read:

457 475.42 Violations and penalties.—

458 (1) VIOLATIONS.—

459 ~~(e) A person may not violate any lawful order or rule of~~  
460 ~~the commission which is binding upon her or him.~~

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

461 Section 23. Paragraphs (d) through (g) of subsection (1)  
462 of section 475.626, Florida Statutes, are redesignated as  
463 paragraphs (b) through (e), respectively, and present paragraphs  
464 (b) and (c) of that subsection are amended to read:

465 475.626 Violations and penalties.—

466 (1) VIOLATIONS.—

467 ~~(b) No person shall violate any lawful order or rule of~~  
468 ~~the board which is binding upon her or him.~~

469 ~~(c) No person shall commit any conduct or practice set~~  
470 ~~forth in s. 475.624.~~

471 Section 24. Effective July 1, 2014, paragraphs (d) through  
472 (h) of subsection (1) of section 475.626, Florida Statutes, as  
473 amended by chapter 2010-84, Laws of Florida, and this act, are  
474 redesignated as paragraphs (b) through (f), respectively, and  
475 paragraphs (b) and (c) of that subsection are amended to read:

476 475.626 Violations and penalties.—

477 (1) A person may not:

478 ~~(b) Violate any lawful order or rule of the board which~~  
479 ~~is binding upon her or him.~~

480 ~~(c) If a registered trainee appraiser or a licensed or~~  
481 ~~certified appraiser, commit any conduct or practice set forth in~~  
482 ~~s. 475.624.~~

483 Section 25. Paragraphs (d) through (h) of subsection (1)  
484 of section 477.0265, Florida Statutes, are redesignated as  
485 paragraphs (c) through (g), respectively, and present paragraph  
486 (c) of that subsection is amended to read:

487 477.0265 Prohibited acts.—

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

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

489 ~~(c) Engage in willful or repeated violations of this~~  
490 ~~chapter or of any rule adopted by the board.~~

491 Section 26. Subsection (10) of section 455.271, Florida  
492 Statutes, is amended to read:

493 455.271 Inactive and delinquent status.—

494 (10) The board, or the department when there is no board,  
495 may not require Before reactivation, an inactive or delinquent  
496 licensee, except for a licensee under chapter 473 or chapter  
497 475, to complete more than one renewal cycle of shall meet the  
498 same continuing education to reactivate a license requirements,  
499 if any, imposed on an active status licensee for all biennial  
500 licensure periods in which the licensee was inactive or  
501 delinquent. This subsection does not apply to persons regulated  
502 under chapter 473.

503 Section 27. Subsection (2) of section 468.8317, Florida  
504 Statutes, is amended to read:

505 468.8317 Inactive license.—

506 (2) A license that becomes ~~has become~~ inactive may be  
507 reactivated upon application to the department. The department  
508 may prescribe by rule continuing education requirements as a  
509 condition of reactivating a license. The rules may not require  
510 more than one renewal cycle of continuing education to  
511 reactivate requirements for reactivating a license may not  
512 exceed 14 hours for each year the license was inactive.

513 Section 28. Subsection (2) of section 468.8417, Florida  
514 Statutes, is amended to read:

515 468.8417 Inactive license.—

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

516 (2) A license that becomes ~~has become~~ inactive may be  
517 reactivated upon application to the department. The department  
518 may prescribe by rule continuing education requirements as a  
519 condition of reactivating a license. The rules may not require  
520 more than one renewal cycle of continuing education to  
521 reactivate ~~requirements for reactivating~~ a license ~~may not~~  
522 ~~exceed 14 hours for each year the license was inactive.~~

523 Section 29. Subsection (2) of section 477.0212, Florida  
524 Statutes, is amended to read:

525 477.0212 Inactive status.—

526 (2) The board shall adopt ~~promulgate~~ rules relating to  
527 licenses that ~~which have~~ become inactive and for the renewal of  
528 inactive licenses. The rules may not require more than one  
529 renewal cycle of continuing education to reactivate a license.  
530 The board shall prescribe by rule a fee not to exceed \$50 for  
531 the reactivation of an inactive license and a fee not to exceed  
532 \$50 for the renewal of an inactive license.

533 Section 30. Subsection (1) of section 481.217, Florida  
534 Statutes, is amended to read:

535 481.217 Inactive status.—

536 (1) The board may prescribe by rule continuing education  
537 requirements as a condition of reactivating a license. The rules  
538 may not require more than one renewal cycle of continuing  
539 education to reactivate ~~requirements for reactivating~~ a license  
540 for a registered architect or ~~may not exceed 12 contact hours~~  
541 ~~for each year the license was inactive. The minimum continuing~~  
542 ~~education requirement for reactivating a license for a~~  
543 ~~registered interior designer shall be those of the most recent~~

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

544 ~~biennium plus one half of the requirements in s. 481.215 for~~  
545 ~~each year or part thereof during which the license was inactive.~~  
546 The board may ~~shall~~ only approve continuing education for an  
547 interior designer which ~~that~~ builds upon the basic knowledge of  
548 interior design.

549 Section 31. Subsection (1) of section 481.315, Florida  
550 Statutes, is amended to read:

551 481.315 Inactive status.—

552 (1) A license that has become inactive or delinquent may  
553 be reactivated under this section upon application to the  
554 department and payment of any applicable biennial renewal or  
555 delinquency fee, or both, and a reactivation fee. The board may  
556 not require a licensee to complete more than one renewal cycle  
557 of continuing education requirements ~~The board may prescribe by~~  
558 ~~rule continuing education requirements as a condition of~~  
559 ~~reactivating the license. The continuing education requirements~~  
560 ~~for reactivating a license may not exceed 12 classroom hours for~~  
561 ~~each year the license was inactive.~~

562 Section 32. Subsections (3) and (6) of section 489.116,  
563 Florida Statutes, are amended to read:

564 489.116 Inactive and delinquent status; renewal and  
565 cancellation notices.—

566 (3) An inactive status certificateholder or registrant may  
567 change to active status at any time if, ~~provided~~ the  
568 certificateholder or registrant meets all requirements for  
569 active status, pays any additional licensure fees necessary to  
570 equal those imposed on an active status certificateholder or

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

571 registrant, ~~and~~ pays any applicable late fees, and meets all  
572 continuing education requirements prescribed by the board.

573 (6) The board may not require an inactive  
574 certificateholder or registrant to complete more than one  
575 renewal cycle of ~~shall comply with the same~~ continuing education  
576 for reactivating a certificate or registration requirements, if  
577 any, that are imposed on an active status certificateholder or  
578 registrant.

579 Section 33. Subsection (1) of section 489.519, Florida  
580 Statutes, is amended to read:

581 489.519 Inactive status.—

582 (1) A certificate or registration that becomes ~~has become~~  
583 inactive may be reactivated under s. 489.517 upon application to  
584 the department. The board may not require a licensee to complete  
585 more than one renewal cycle of ~~prescribe, by rule,~~ continuing  
586 education to reactivate ~~requirements as a condition of~~  
587 ~~reactivating a certificate or registration. The continuing~~  
588 ~~education requirements for reactivating a certificate or~~  
589 ~~registration may not exceed 12 classroom hours for each year the~~  
590 ~~certificate or registration was inactive.~~

591 Section 34. Subsection (3), paragraph (a) of subsection  
592 (4), and paragraph (b) of subsection (7) of section 473.308,  
593 Florida Statutes, are amended to read:

594 473.308 Licensure.—

595 (3) An applicant for licensure must:

596 (a) Complete ~~have~~ at least 150 semester hours of college  
597 education, including a baccalaureate or higher degree conferred  
598 by an accredited college or university, with a concentration in  
774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

599 accounting and business in the total educational program to the  
600 extent specified by the board; or

601 (b) Graduate from an accredited university in the state  
602 with a master's degree in accounting or its equivalent.

603 (4) (a) An applicant for licensure after December 31, 2008,  
604 must show that he or she has had 1 year of relevant work  
605 experience. This experience must ~~shall~~ include providing any  
606 type of service or advice involving the use of accounting,  
607 attest, compilation, management advisory, financial advisory,  
608 tax, or consulting skills, all of which must be verified by a  
609 certified public accountant who is licensed by a state or  
610 territory of the United States and who has supervised the  
611 applicant. This experience is acceptable if it was gained  
612 through employment in government, industry, academia, or public  
613 practice; constituted a substantial part of the applicant's  
614 duties; and was under the supervision of a certified public  
615 accountant licensed by a state or territory of the United  
616 States. The board shall adopt rules specifying standards and  
617 providing for the review and approval of the work experience  
618 required by this section.

619 (7) The board shall certify as qualified for a license by  
620 endorsement an applicant who:

621 (b)1.a. Holds a valid license to practice public  
622 accounting issued by another state or territory of the United  
623 States, if the criteria for issuance of such license were  
624 substantially equivalent to the licensure criteria that existed  
625 in this state at the time the license was issued; or

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

626           b. Holds a valid license to practice public accounting  
627 issued by another state or territory of the United States but  
628 the criteria for issuance of such license did not meet the  
629 requirements of sub-subparagraph a.; has met the requirements of  
630 this section for ~~education, work experience, and~~ good moral  
631 character; has at least 5 years of work experience that meets  
632 the requirements of subsection (4) or at least 5 years of  
633 experience in the practice of public accountancy or its  
634 equivalent that meets the requirements of subsection (8); and  
635 has passed a national, regional, state, or territorial licensing  
636 examination that is substantially equivalent to the examination  
637 required by s. 473.306; and

638           2. Has completed continuing education courses that are  
639 equivalent to the continuing education requirements for a  
640 Florida certified public accountant licensed in this state  
641 during the 2 years immediately preceding her or his application  
642 for licensure by endorsement.

643           Section 35. Subsection (6) of section 475.17, Florida  
644 Statutes, is amended to read:

645           475.17 Qualifications for practice.—

646           (6) (a) The education course requirements for initial  
647 licensure as a sales associate, and the postlicensure education  
648 requirements of this section, and the education course  
649 requirements for one to become initially licensed, do not apply  
650 to any applicant or licensed sales associate who has received a  
651 bachelor's or higher degree in real estate from an accredited  
652 institution of higher education.

774853

Approved For Filing: 5/5/2011 11:09:50 AM



Amendment No.

653       (b) The education course requirements for initial  
654 licensure as a broker do not apply to any applicant ~~or licensee~~  
655 who has received a bachelor's or higher 4-year degree in real  
656 estate from an accredited institution of higher education.

657       Section 36. Subsection (4) of section 481.205, Florida  
658 Statutes, is renumbered as subsection (5), and a new subsection  
659 (4) is added to that section to read:

660       481.205 Board of Architecture and Interior Design.—

661       (4) In addition to the authority granted in subsection  
662 (3), the board may contract for all other services pursuant to  
663 s. 455.32.

664       Section 37. Subsection (2) of section 481.219, Florida  
665 Statutes, is amended to read:

666       481.219 Certification of partnerships, limited liability  
667 companies, and corporations.—

668       (2) For the purposes of this section, a certificate of  
669 authorization is ~~shall be~~ required for a corporation, limited  
670 liability company, partnership, or person practicing under a  
671 fictitious name, offering architectural services to the public  
672 jointly or separately. However, when an individual is practicing  
673 architecture in her or his own name, or in a fictitious name  
674 under which the individual is doing business as a sole  
675 proprietorship, she or he is ~~shall~~ not ~~be~~ required to be  
676 certified under this section. Certification under this  
677 subsection to offer architectural services shall include all the  
678 rights and privileges of certification under subsection (3) to  
679 offer interior design services.

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

680 Section 38. Subsection (5) of section 481.329, Florida  
681 Statutes, is amended to read:

682 481.329 Exceptions; exemptions from licensure.—

683 (5) This ~~Nothing in this part does not prohibit~~ ~~prohibits~~  
684 any person from engaging in the practice of landscape design, as  
685 defined in s. 481.303(7) or from submitting such plans to  
686 governmental agencies for approval. Persons providing landscape  
687 design services shall not use the title, term, or designation  
688 "landscape architect," "landscape architectural," "landscape  
689 architecture," "L.A.," "landscape engineering," or any  
690 description tending to convey the impression that she or he is a  
691 landscape architect unless she or he is registered as provided  
692 in this part.

693 Section 39. Subsection (3) of section 493.6107, Florida  
694 Statutes, is amended to read:

695 493.6107 Fees.—

696 (3) The fees set forth in this section must be paid by  
697 ~~certified~~ check or money order or, at the discretion of the  
698 department, by electronic funds transfer ~~agency check~~ at the  
699 time the application is approved, except that the applicant for  
700 a Class "G" or Class "M" license must pay the license fee at the  
701 time the application is made. If a license is revoked or denied  
702 or if the application is withdrawn, the license fee shall not be  
703 refunded.

704 Section 40. Subsection (3) of section 493.6202, Florida  
705 Statutes, is amended to read:

706 493.6202 Fees.—

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

707 (3) The fees set forth in this section must be paid by  
708 ~~certified~~ check or money order or, at the discretion of the  
709 department, by electronic funds transfer ~~agency check~~ at the  
710 time the application is approved, except that the applicant for  
711 a Class "G," Class "C," Class "CC," Class "M," or Class "MA"  
712 license must pay the license fee at the time the application is  
713 made. If a license is revoked or denied or if the application is  
714 withdrawn, the license fee shall not be refunded.

715 Section 41. Subsections (7) and (8) of section 493.6401,  
716 Florida Statutes, are amended to read:

717 493.6401 Classes of licenses.—

718 (7) Any person who operates a recovery agent ~~repossessor~~  
719 school or training facility or who conducts an Internet-based  
720 training course or a correspondence training course must have a  
721 Class "RS" license.

722 (8) Any individual who teaches or instructs at a Class  
723 "RS" recovery agent ~~repossessor~~ school or training facility  
724 shall have a Class "RI" license.

725 Section 42. Paragraphs (f) and (g) of subsection (1) and  
726 subsection (3) of section 493.6402, Florida Statutes, are  
727 amended to read:

728 493.6402 Fees.—

729 (1) The department shall establish by rule biennial  
730 license fees which shall not exceed the following:

731 (f) Class "RS" license—recovery agent ~~repossessor~~ school  
732 or training facility: \$60.

733 (g) Class "RI" license—recovery agent ~~repossessor~~ school  
734 or training facility instructor: \$60.

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

735 (3) The fees set forth in this section must be paid by  
736 ~~certified~~ check or money order, or, at the discretion of the  
737 department, by electronic funds transfer ~~agency check~~ at the  
738 time the application is approved, except that the applicant for  
739 a Class "E," Class "EE," or Class "MR" license must pay the  
740 license fee at the time the application is made. If a license is  
741 revoked or denied, or if an application is withdrawn, the  
742 license fee shall not be refunded.

743 Section 43. Section 493.6406, Florida Statutes, is amended  
744 to read:

745 493.6406 Recovery agent ~~Repossession services~~ school or  
746 training facility.-

747 (1) Any school, training facility, or instructor who  
748 offers the training outlined in s. 493.6403(2) for Class "E" or  
749 Class "EE" applicants shall, before licensure of such school,  
750 training facility, or instructor, file with the department an  
751 application accompanied by an application fee in an amount to be  
752 determined by rule, not to exceed \$60. The fee shall not be  
753 refundable. This training may be offered as face-to-face  
754 training, Internet-based training, or correspondence training.

755 (2) The application must ~~shall~~ be signed and verified by  
756 the applicant under oath as provided in s. 92.525 ~~notarized~~ and  
757 shall contain, at a minimum, the following information:

758 (a) The name and address of the school or training  
759 facility and, if the applicant is an individual, his or her  
760 name, address, and social security or alien registration number.

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

761 (b) The street address of the place at which the training  
762 is to be conducted or the street address of the Class "RS"  
763 school offering Internet-based or correspondence training.

764 (c) A copy of the training curriculum and final  
765 examination to be administered.

766 (3) The department shall adopt rules establishing the  
767 criteria for approval of schools, training facilities, and  
768 instructors.

769 Section 44. Paragraphs (j) through (z) of subsection (1)  
770 of section 500.03, Florida Statutes, are redesignated as  
771 paragraphs (l) through (bb), respectively, present paragraphs  
772 (n) and (p) are amended, and new paragraphs (j) and (k) are  
773 added to that subsection, to read:

774 500.03 Definitions; construction; applicability.—

775 (1) For the purpose of this chapter, the term:

776 (j) "Cottage food operation" means a natural person who  
777 produces or packages cottage food products at his or her  
778 residence and sells such products in accordance with s. 500.80.

779 (k) "Cottage food product" means food that is not a  
780 potentially hazardous food as defined by department rule which  
781 is sold by a cottage food operation in accordance with s.  
782 500.80.

783 (p)-~~(n)~~ "Food establishment" means any factory, food  
784 outlet, or any other facility manufacturing, processing,  
785 packing, holding, or preparing food or selling food at wholesale  
786 or retail. The term does not include any business or activity  
787 that is regulated under s. 500.80, chapter 509, or chapter 601.  
788 The term includes tomato packinghouses and repackers but does  
774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

789 not include any other establishments that pack fruits and  
790 vegetables in their raw or natural states, including those  
791 fruits or vegetables that are washed, colored, or otherwise  
792 treated in their unpeeled, natural form before they are  
793 marketed.

794 (r)~~(p)~~ "Food service establishment" means any place where  
795 food is prepared and intended for individual portion service,  
796 and includes the site at which individual portions are provided.  
797 The term includes any such place regardless of whether  
798 consumption is on or off the premises and regardless of whether  
799 there is a charge for the food. The term includes delicatessens  
800 that offer prepared food in individual service portions. The  
801 term does not include schools, institutions, fraternal  
802 organizations, private homes where food is prepared or served  
803 for individual family consumption, retail food stores, the  
804 location of food vending machines, cottage food operations, and  
805 supply vehicles, nor does the term include a research and  
806 development test kitchen limited to the use of employees and  
807 which is not open to the general public.

808 Section 45. Subsection (1) of section 500.121, Florida  
809 Statutes, is amended to read:

810 500.121 Disciplinary procedures.—

811 (1) In addition to the suspension procedures provided in  
812 s. 500.12, if applicable, the department may impose a fine not  
813 to exceed ~~exceeding~~ \$5,000 against any retail food store, ~~or~~  
814 food establishment, or cottage food operation that violates ~~has~~  
815 ~~violated~~ this chapter, which fine, when imposed and paid, shall  
816 be deposited by the department into the General Inspection Trust  
774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

817 Fund. The department may revoke or suspend the permit of any  
818 such retail food store or food establishment if it is satisfied  
819 that the retail food store or food establishment has:

820 (a) Violated any of the provisions of this chapter.

821 (b) Violated or aided or abetted in the violation of any  
822 law of this state governing or applicable to retail food stores  
823 or food establishments or any lawful rules of the department.

824 (c) Knowingly committed, or been a party to, any material  
825 fraud, misrepresentation, conspiracy, collusion, trick, scheme,  
826 or device whereby any other person, lawfully relying upon the  
827 word, representation, or conduct of a retail food store or food  
828 establishment, acts to her or his injury or damage.

829 (d) Committed any act or conduct of the same or different  
830 character than that enumerated which constitutes fraudulent or  
831 dishonest dealing.

832 Section 46. Section 500.80, Florida Statutes, is created  
833 to read:

834 500.80 Cottage food operations.-

835 (1)(a) A cottage food operation must comply with the  
836 applicable requirements of this chapter but is exempt from the  
837 permitting requirements of s. 500.12 if the cottage food  
838 operation complies with this section and has annual gross sales  
839 of cottage food products that do not exceed \$15,000.

840 (b) For purposes of this subsection, a cottage food  
841 operation's annual gross sales include all sales of cottage food  
842 products at any location, regardless of the types of products  
843 sold or the number of persons involved in the operation. A  
844 cottage food operation must provide the department, upon

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

845 request, with written documentation to verify the operation's  
846 annual gross sales.

847 (2) A cottage food operation may not sell or offer for  
848 sale cottage food products over the Internet, by mail order, or  
849 at wholesale. Cottage food products that are resold must meet  
850 the requirements of subsection (3).

851 (3) Cottage food products may only be sold if they are  
852 prepackaged with a label affixed that contains the following  
853 information:

854 (a) The name and address of the cottage food operation.

855 (b) The name of the cottage food product.

856 (c) The ingredients of the cottage food product, in  
857 descending order of predominance by weight.

858 (d) The net weight or net volume of the cottage food  
859 product.

860 (e) Allergen information as specified by federal labeling  
861 requirements.

862 (f) If any nutritional claim is made, appropriate  
863 nutritional information as specified by federal labeling  
864 requirements.

865 (g) The following statement printed in at least 10-point  
866 type in a color that provides a clear contrast to the background  
867 of the label: "Made in a home kitchen that is not subject to  
868 routine inspection by the Department of Agriculture and Consumer  
869 Services."

870 (4) A cottage food operation may only sell cottage food  
871 products that it stores on the premises of the cottage food  
872 operation.

774853

Approved For Filing: 5/5/2011 11:09:50 AM



Amendment No.

873 (5) This section does not exempt a cottage food operation  
874 from any state or federal tax law, rule, regulation, or  
875 certificate that applies to all cottage food operations.

876 (6) A cottage food operation must comply with all  
877 applicable county and municipal laws and ordinances regulating  
878 the preparation, processing, storage, and sale of cottage food  
879 products by a cottage food operation or from a person's  
880 residence.

881 (7) (a) The department may investigate any complaint which  
882 alleges that a cottage food operation has violated an applicable  
883 provision of this chapter or rule adopted under this chapter.

884 (b) Only upon receipt of a complaint, the department's  
885 authorized officer or employee may enter and inspect the  
886 premises of a cottage food operation to determine compliance  
887 with this chapter and department rules, as applicable. A cottage  
888 food operation's refusal to permit the department's authorized  
889 officer or employee entry to the premises or to conduct the  
890 inspection is grounds for disciplinary action pursuant to s.  
891 500.121.

892 (8) This section does not apply to a person operating  
893 under a food permit issued pursuant to s. 500.12.

894 Section 47. Paragraph (b) of subsection (1) and subsection  
895 (8) of section 501.160, Florida Statutes, are amended to read:

896 501.160 Rental or sale of essential commodities during a  
897 declared state of emergency; prohibition against unconscionable  
898 prices.-

899 (1) As used in this section:

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

900 (b) It is prima facie evidence that a price is  
901 unconscionable if:

902 1. The amount charged represents a gross disparity between  
903 the price of the commodity or rental or lease of any dwelling  
904 unit or self-storage facility that is the subject of the offer  
905 or transaction and the average price at which that commodity or  
906 dwelling unit or self-storage facility was rented, leased, sold,  
907 or offered for rent or sale in the usual course of business  
908 during the 30 days immediately before ~~prior to~~ a declaration of  
909 a state of emergency, unless ~~and~~ the increase in the amount  
910 charged is ~~not~~ attributable to additional costs incurred in  
911 connection with the rental or sale of the commodity or rental or  
912 lease of any dwelling unit or self-storage facility, or  
913 regional, national, or international market trends; or

914 2. The amount charged grossly exceeds the average price at  
915 which the same or similar commodity was readily obtainable in  
916 the trade area during the 30 days immediately before ~~prior to~~ a  
917 declaration of a state of emergency, unless ~~and~~ the increase in  
918 the amount charged is ~~not~~ attributable to additional costs  
919 incurred in connection with the rental or sale of the commodity  
920 or rental or lease of any dwelling unit or self-storage  
921 facility, or regional, national, or international market trends.

922 (8) Any violation of this section may be enforced by the  
923 ~~Department of Agriculture and Consumer Services, the office of~~  
924 ~~the state attorney,~~ or the Department of Legal Affairs.

925 Section 48. Subsection (7) of section 509.032, Florida  
926 Statutes, is amended to read:

927 509.032 Duties.—

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

928 (7) PREEMPTION AUTHORITY.—The regulation of public lodging  
929 establishments and public food service establishments,  
930 including, but not limited to, ~~the inspection of public lodging~~  
931 ~~establishments and public food service establishments for~~  
932 ~~compliance with the sanitation standards, inspections adopted~~  
933 ~~under this section, and the regulation of food safety protection~~  
934 ~~standards for required training and testing of food service~~  
935 ~~establishment personnel, and matters related to the nutritional~~  
936 content and marketing of foods offered in such establishments,  
937 are preempted to the state. This subsection does not preempt the  
938 authority of a local government or local enforcement district to  
939 conduct inspections of public lodging and public food service  
940 establishments for compliance with the Florida Building Code and  
941 the Florida Fire Prevention Code, pursuant to ss. 553.80 and  
942 633.022.

943 Section 49. Subsection (1) of section 509.261, Florida  
944 Statutes, is amended to read:

945 509.261 Revocation or suspension of licenses; fines;  
946 procedure.—

947 (1) Any public lodging establishment or public food  
948 service establishment that has operated or is operating in  
949 violation of this chapter or the rules of the division,  
950 operating without a license, or operating with a suspended or  
951 revoked license may be subject by the division to:

952 (a) Fines not to exceed \$1,000 per offense;

953 (b) Mandatory completion attendance, at personal expense,  
954 of a remedial at an educational program administered sponsored  
955 by a food safety training program provider whose program is

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

956 approved by the division as provided in s. 509.049 the

957 ~~Hospitality Education Program; and~~

958 (c) The suspension, revocation, or refusal of a license  
959 issued pursuant to this chapter.

960 Section 50. Subsection (2) of section 633.537, Florida  
961 Statutes, is amended to read:

962 633.537 Certificate; expiration; renewal; inactive  
963 certificate; continuing education.—

964 (2) A person who holds a valid certificate may maintain  
965 such certificate in an inactive status during which time she or  
966 he may not engage in contracting. An inactive status certificate  
967 shall be void after four a 2-year periods ~~period~~. The biennial  
968 renewal fee for an inactive status certificate shall be \$75. An  
969 inactive status certificate may be reactivated upon application  
970 to the State Fire Marshal and payment of the initial application  
971 fee.

972 Section 51. Subsections (8) through (23) of section  
973 681.102, Florida Statutes, are renumbered as subsections (7)  
974 through (22), respectively, and present subsection (7) of that  
975 section is amended to read:

976 681.102 Definitions.—As used in this chapter, the term:

977 ~~(7) "Division" means the Division of Consumer Services of~~  
978 ~~the Department of Agriculture and Consumer Services.~~

979 Section 52. Subsection (3) of section 681.103, Florida  
980 Statutes, is amended to read:

981 681.103 Duty of manufacturer to conform a motor vehicle to  
982 the warranty.—

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

983 (3) At the time of acquisition, the manufacturer shall  
984 inform the consumer clearly and conspicuously in writing how and  
985 where to file a claim with a certified procedure if such  
986 procedure has been established by the manufacturer pursuant to  
987 s. 681.108. The nameplate manufacturer of a recreational vehicle  
988 shall, at the time of vehicle acquisition, inform the consumer  
989 clearly and conspicuously in writing how and where to file a  
990 claim with a program pursuant to s. 681.1096. The manufacturer  
991 shall provide to the dealer and, at the time of acquisition, the  
992 dealer shall provide to the consumer a written statement that  
993 explains the consumer's rights under this chapter. The written  
994 statement shall be prepared by the Department of Legal Affairs  
995 and shall contain a toll-free number for the department which  
996 ~~division that~~ the consumer can contact to obtain information  
997 regarding the consumer's rights and obligations under this  
998 chapter or to commence arbitration. If the manufacturer obtains  
999 a signed receipt for timely delivery of sufficient quantities of  
1000 this written statement to meet the dealer's vehicle sales  
1001 requirements, it shall constitute prima facie evidence of  
1002 compliance with this subsection by the manufacturer. The  
1003 consumer's signed acknowledgment of receipt of materials  
1004 required under this subsection shall constitute prima facie  
1005 evidence of compliance by the manufacturer and dealer. The form  
1006 of the acknowledgments shall be approved by the Department of  
1007 Legal Affairs, and the dealer shall maintain the consumer's  
1008 signed acknowledgment for 3 years.

1009 Section 53. Section 681.108, Florida Statutes, is amended  
1010 to read:

774853

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Amendment No.

1011 681.108 Dispute-settlement procedures.—

1012 (1) If a manufacturer has established a procedure that,  
1013 ~~which~~ the department division has certified as substantially  
1014 complying with the provisions of 16 C.F.R. part 703, in effect  
1015 October 1, 1983, and with the provisions of this chapter and the  
1016 rules adopted under this chapter, and has informed the consumer  
1017 how and where to file a claim with such procedure pursuant to s.  
1018 681.103(3), the provisions of s. 681.104(2) apply to the  
1019 consumer only if the consumer has first resorted to such  
1020 procedure. The decisionmakers for a certified procedure shall,  
1021 in rendering decisions, take into account all legal and  
1022 equitable factors germane to a fair and just decision,  
1023 including, but not limited to, the warranty; the rights and  
1024 remedies conferred under 16 C.F.R. part 703, in effect October  
1025 1, 1983; the provisions of this chapter; and any other equitable  
1026 considerations appropriate under the circumstances.  
1027 Decisionmakers and staff of a procedure shall be trained in the  
1028 provisions of this chapter and in 16 C.F.R. part 703, in effect  
1029 October 1, 1983. In an action brought by a consumer concerning  
1030 an alleged nonconformity, the decision that results from a  
1031 certified procedure is admissible in evidence.

1032 (2) A manufacturer may apply to the department division  
1033 for certification of its procedure. After receipt and evaluation  
1034 of the application, the department division shall certify the  
1035 procedure or notify the manufacturer of any deficiencies in the  
1036 application or the procedure.

1037 (3) A certified procedure or a procedure of an applicant  
1038 seeking certification shall submit to the department division a  
774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

1039 copy of each settlement approved by the procedure or decision  
1040 made by a decisionmaker within 30 days after the settlement is  
1041 reached or the decision is rendered. The decision or settlement  
1042 must contain at a minimum the:

1043 (a) Name and address of the consumer;

1044 (b) Name of the manufacturer and address of the dealership  
1045 from which the motor vehicle was purchased;

1046 (c) Date the claim was received and the location of the  
1047 procedure office that handled the claim;

1048 (d) Relief requested by the consumer;

1049 (e) Name of each decisionmaker rendering the decision or  
1050 person approving the settlement;

1051 (f) Statement of the terms of the settlement or decision;

1052 (g) Date of the settlement or decision; and

1053 (h) Statement of whether the decision was accepted or  
1054 rejected by the consumer.

1055 (4) Any manufacturer establishing or applying to establish  
1056 a certified procedure must file with the department ~~division~~ a  
1057 copy of the annual audit required under the provisions of 16  
1058 C.F.R. part 703, in effect October 1, 1983, together with any  
1059 additional information required for purposes of certification,  
1060 including the number of refunds and replacements made in this  
1061 state pursuant to the provisions of this chapter by the  
1062 manufacturer during the period audited.

1063 (5) The department ~~division~~ shall review each certified  
1064 procedure at least annually, prepare an annual report evaluating  
1065 the operation of certified procedures established by motor  
1066 vehicle manufacturers and procedures of applicants seeking

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

1067 certification, and, for a period not to exceed 1 year, shall  
1068 grant certification to, or renew certification for, those  
1069 manufacturers whose procedures substantially comply with the  
1070 provisions of 16 C.F.R. part 703, in effect October 1, 1983, and  
1071 with the provisions of this chapter and rules adopted under this  
1072 chapter. If certification is revoked or denied, the department  
1073 ~~division~~ shall state the reasons for such action. The reports  
1074 and records of actions taken with respect to certification shall  
1075 be public records.

1076 (6) A manufacturer whose certification is denied or  
1077 revoked is entitled to a hearing pursuant to chapter 120.

1078 (7) If federal preemption of state authority to regulate  
1079 procedures occurs, the provisions of subsection (1) concerning  
1080 prior resort do not apply.

1081 (8) The department may ~~division shall~~ adopt rules to  
1082 administer ~~implement~~ this section.

1083 Section 54. Section 681.109, Florida Statutes, is amended  
1084 to read:

1085 681.109 Florida New Motor Vehicle Arbitration Board;  
1086 dispute eligibility.—

1087 (1) If a manufacturer has a certified procedure, a  
1088 consumer claim arising during the Lemon Law rights period must  
1089 be filed with the certified procedure no later than 60 days  
1090 after the expiration of the Lemon Law rights period. If a  
1091 decision is not rendered by the certified procedure within 40  
1092 days of filing, the consumer may apply to the department  
1093 ~~division~~ to have the dispute removed to the board for  
1094 arbitration.

774853

Approved For Filing: 5/5/2011 11:09:50 AM



Amendment No.

1095 (2) If a manufacturer has a certified procedure, a  
1096 consumer claim arising during the Lemon Law rights period must  
1097 be filed with the certified procedure no later than 60 days  
1098 after the expiration of the Lemon Law rights period. If a  
1099 consumer is not satisfied with the decision or the  
1100 manufacturer's compliance therewith, the consumer may apply to  
1101 the department ~~division~~ to have the dispute submitted to the  
1102 board for arbitration. A manufacturer may not seek review of a  
1103 decision made under its procedure.

1104 (3) If a manufacturer does not have a ~~has no~~ certified  
1105 procedure or if the ~~a~~ certified procedure does not have  
1106 jurisdiction to resolve the dispute, a consumer may apply  
1107 directly to the department ~~division~~ to have the dispute  
1108 submitted to the board for arbitration.

1109 (4) A consumer must request arbitration before the board  
1110 with respect to a claim arising during the Lemon Law rights  
1111 period no later than 60 days after the expiration of the Lemon  
1112 Law rights period, or within 30 days after the final action of a  
1113 certified procedure, whichever date occurs later.

1114 (5) The department ~~division~~ shall screen all requests for  
1115 arbitration before the board to determine eligibility. The  
1116 consumer's request for arbitration before the board shall be  
1117 made on a form prescribed by the department. The department  
1118 ~~division~~ shall forward to the board all disputes that the  
1119 department ~~division~~ determines are potentially entitled to  
1120 relief under this chapter.

1121 (6) The department ~~division~~ may reject a dispute that it  
1122 determines to be fraudulent or outside the scope of the board's  
774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

1123 authority. Any dispute deemed by the department ~~division~~ to be  
1124 ineligible for arbitration by the board due to insufficient  
1125 evidence may be reconsidered upon the submission of new  
1126 information regarding the dispute. Following a second review,  
1127 the department ~~division~~ may reject a dispute if the evidence is  
1128 clearly insufficient to qualify for relief. If the department  
1129 rejects a dispute, the department must provide notice of the  
1130 rejection and a brief explanation of the reason for rejection  
1131 ~~Any dispute rejected by the division shall be forwarded to the~~  
1132 ~~department and a copy shall be sent by registered mail to the~~  
1133 ~~consumer and the manufacturer, containing a brief explanation as~~  
1134 ~~to the reason for rejection.~~

1135 (7) If the department ~~division~~ rejects a dispute, the  
1136 consumer may file a lawsuit to enforce the remedies provided  
1137 under this chapter. In any civil action arising under this  
1138 chapter and relating to a matter considered by the department  
1139 ~~division~~, any determination made to reject a dispute is  
1140 admissible in evidence.

1141 (8) The department may ~~shall have the authority to adopt~~  
1142 ~~reasonable~~ rules to administer ~~carry out the provisions of this~~  
1143 section.

1144 Section 55. Subsections (2), (3), (4), (5), (9), (11), and  
1145 (12) of section 681.1095, Florida Statutes, are amended, and  
1146 subsection (17) is added to that section, to read:

1147 681.1095 Florida New Motor Vehicle Arbitration Board;  
1148 creation and function.—

1149 (2) The board ~~boards~~ shall hear cases in various locations  
1150 throughout the state so any consumer whose dispute is approved

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

1151 for arbitration by the department ~~division~~ may attend an  
1152 arbitration hearing at a reasonably convenient location and  
1153 present a dispute orally. Hearings shall be conducted by panels  
1154 of three board members assigned by the department. A majority  
1155 vote of the three-member board panel shall be required to render  
1156 a decision. Arbitration proceedings under this section shall be  
1157 open to the public on reasonable and nondiscriminatory terms.

1158 (3) Each region of the board shall consist of up to eight  
1159 members. The members of the board shall construe and apply the  
1160 provisions of this chapter, and rules adopted under this chapter  
1161 ~~thereunder~~, in making their decisions. An administrator and a  
1162 secretary shall be assigned to each region of the board by the  
1163 Department of Legal Affairs. At least one member of the each  
1164 board in each region must have ~~be a person with~~ expertise in  
1165 motor vehicle mechanics. A member may ~~must~~ not be employed by a  
1166 manufacturer or a franchised motor vehicle dealer or be a staff  
1167 member, a decisionmaker, or a consultant for a procedure. Board  
1168 members shall be trained in the application of this chapter and  
1169 any rules adopted under this chapter. Members of the board,  
1170 ~~shall be reimbursed for travel expenses pursuant to s. 112.061,~~  
1171 ~~and shall be compensated at a rate or wage prescribed by the~~  
1172 Attorney General and are entitled to reimbursement for per diem  
1173 and travel expenses pursuant to s. 112.061.

1174 (4) Before filing a civil action on a matter subject to s.  
1175 681.104, the consumer must first submit the dispute to the  
1176 department ~~division~~, and to the board if such dispute is deemed  
1177 eligible for arbitration.

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

1178 (5) Manufacturers shall submit to arbitration conducted by  
1179 the board if such arbitration is requested by a consumer and the  
1180 dispute is deemed eligible for arbitration by the department  
1181 ~~division~~ pursuant to s. 681.109.

1182 (9) The decision of the board shall be sent by any method  
1183 providing a delivery confirmation ~~registered mail~~ to the  
1184 consumer and the manufacturer, and shall contain written  
1185 findings of fact and rationale for the decision. If the decision  
1186 is in favor of the consumer, the manufacturer must, within 40  
1187 days after receipt of the decision, comply with the terms of the  
1188 decision. Compliance occurs on the date the consumer receives  
1189 delivery of an acceptable replacement motor vehicle or the  
1190 refund specified in the arbitration award. In any civil action  
1191 arising under this chapter and relating to a dispute arbitrated  
1192 before the board, any decision by the board is admissible in  
1193 evidence.

1194 (11) The All provisions of in this section and s. 681.109  
1195 pertaining to compulsory arbitration before the board, the  
1196 dispute eligibility screening by the department ~~division~~, the  
1197 proceedings and decisions of the board, and any appeals thereof,  
1198 are exempt from ~~the provisions of~~ chapter 120.

1199 (12) An appeal of a decision by the board to the circuit  
1200 court by a consumer or a manufacturer shall be by trial de novo.  
1201 In a written petition to appeal a decision by the board, the  
1202 appealing party must state the action requested and the grounds  
1203 relied upon for appeal. Within 15 ~~30~~ days after ~~of~~ final  
1204 disposition of the appeal, the appealing party shall furnish the  
1205 department with ~~notice of such disposition and, upon request,~~

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

1206 ~~shall furnish the department with~~ a copy of the settlement or  
1207 the order or judgment of the court.

1208 (17) The department may adopt rules to administer this  
1209 section.

1210 Section 56. Subsections (2) and (4) of section 681.1096,  
1211 Florida Statutes, are amended to read:

1212 681.1096 RV Mediation and Arbitration Program; creation  
1213 and qualifications.—

1214 (2) Each manufacturer of a recreational vehicle involved  
1215 in a dispute that is determined eligible under this chapter,  
1216 including chassis and component manufacturers which separately  
1217 warrant the chassis and components and which otherwise meet the  
1218 definition of manufacturer ~~set forth~~ in s. 681.102(14), shall  
1219 participate in a mediation and arbitration program that is  
1220 deemed qualified by the department.

1221 (4) The department shall monitor the program for  
1222 compliance with this chapter. If the program is determined not  
1223 qualified or if qualification is revoked, then disputes shall be  
1224 subject to the provisions of ss. 681.109 and 681.1095. If the  
1225 program is determined not qualified or if qualification is  
1226 revoked as to a manufacturer, all those manufacturers  
1227 potentially involved in the eligible consumer dispute shall be  
1228 required to submit to arbitration conducted by the board if such  
1229 arbitration is requested by a consumer and the dispute is deemed  
1230 eligible for arbitration by the department ~~division~~ pursuant to  
1231 s. 681.109. A consumer having a dispute involving one or more  
1232 manufacturers for which the program has been determined not  
1233 qualified, or for which qualification has been revoked, is not

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

1234 required to submit the dispute to the program irrespective of  
1235 whether the program may be qualified as to some of the  
1236 manufacturers potentially involved in the dispute.

1237 Section 57. Subsection (2) of section 681.112, Florida  
1238 Statutes, is amended to read:

1239 681.112 Consumer remedies.—

1240 (2) An action brought under this chapter must be commenced  
1241 within 1 year after the expiration of the Lemon Law rights  
1242 period, or, if a consumer resorts to an informal dispute-  
1243 settlement procedure or submits a dispute to the department  
1244 ~~division~~ or board, within 1 year after the final action of the  
1245 procedure, department ~~division~~, or board.

1246 Section 58. Subsection (1) of section 681.117, Florida  
1247 Statutes, is amended to read:

1248 681.117 Fee.—

1249 (1) A \$2 fee shall be collected by a motor vehicle dealer,  
1250 or by a person engaged in the business of leasing motor  
1251 vehicles, from the consumer at the consummation of the sale of a  
1252 motor vehicle or at the time of entry into a lease agreement for  
1253 a motor vehicle. Such fees shall be remitted to the county tax  
1254 collector or private tag agency acting as agent for the  
1255 Department of Revenue. If the purchaser or lessee removes the  
1256 motor vehicle from the state for titling and registration  
1257 outside this state, the fee shall be remitted to the Department  
1258 of Revenue. All fees, less the cost of administration, shall be  
1259 transferred monthly to the Department of Legal Affairs for  
1260 deposit into the Motor Vehicle Warranty Trust Fund. ~~The~~  
1261 ~~Department of Legal Affairs shall distribute monthly an amount~~  
774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

1262 ~~not exceeding one fourth of the fees received to the Division of~~  
1263 ~~Consumer Services of the Department of Agriculture and Consumer~~  
1264 ~~Services to carry out the provisions of ss. 681.108 and 681.109.~~  
1265 ~~The Department of Legal Affairs shall contract with the Division~~  
1266 ~~of Consumer Services for payment of services performed by the~~  
1267 ~~division pursuant to ss. 681.108 and 681.109.~~

1268 Section 59. (1) Effective upon this act becoming a law,  
1269 section 10 of chapter 2010-84, Laws of Florida, is amended to  
1270 read:

1271 Section 10. This act shall take effect July 1, 2014 ~~2011~~.

1272 (2) If this act becomes a law after June 30, 2011, this  
1273 section shall operate retroactively to June 30, 2011.

1274 Section 60. The Department of Financial Services shall  
1275 conduct a review of the regulatory structure for the state's  
1276 title insurance industry, whereby title insurance agents and  
1277 agencies are regulated by the Department of Financial Services  
1278 and title insurance companies are regulated by the Office of  
1279 Insurance Regulation of the Financial Services Commission. By  
1280 December 31, 2011, the Department of Financial Services shall  
1281 submit a report of its findings and recommendations to the  
1282 Speaker of the House of Representatives and the President of the  
1283 Senate. The report shall determine whether effective and  
1284 efficient oversight may be provided under the existing  
1285 regulatory structure or whether consolidation of all aspects of  
1286 title insurance regulation under the Department of Financial  
1287 Services would provide a more effective and viable method of  
1288 regulation. The Office of Insurance Regulation shall cooperate

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

1289 with the Department of Financial Services in the department's  
1290 conduct of this review.

1291 Section 61. The Legislature recognizes that there is a  
1292 need to conform the Florida Statutes to the policy decisions  
1293 reflected in this act. The Division of Statutory Revision of the  
1294 Office of Legislative Services is requested to provide the  
1295 relevant substantive committees and subcommittees of the Senate  
1296 and the House of Representatives with assistance, upon request,  
1297 to enable such committees or subcommittees to prepare draft  
1298 legislation to conform the Florida Statutes to the provisions of  
1299 this act.

1300 Section 62. Except as otherwise expressly provided in this  
1301 act and except for this section, which shall take effect upon  
1302 this act becoming a law, this act shall take effect July 1,  
1303 2011.

1304  
1305 -----

1306 **T I T L E A M E N D M E N T**

1307 Remove the entire title and insert:

1308 A bill to be entitled

1309 An act relating to reducing and streamlining regulations;  
1310 amending s. 320.90, F.S.; transferring the responsibility  
1311 for distribution of a motor vehicle consumer's rights  
1312 pamphlet to a motor vehicle owner from the Department of  
1313 Agriculture and Consumer Services to the Department of  
1314 Legal Affairs; amending s. 322.142, F.S.; providing for  
1315 the release of certain driver license information by the  
1316 Department of Highway Safety and Motor Vehicles to the

774853

Approved For Filing: 5/5/2011 11:09:50 AM



## Amendment No.

1317 Department of Business and Professional Regulation under  
1318 certain circumstances; amending s. 455.213, F.S.;

1319 authorizing the Department of Business and Professional  
1320 Regulation to grant waivers of license renewal fees under  
1321 certain circumstances; amending s. 468.8324, F.S.;

1322 providing alternative criteria for obtaining a home  
1323 inspector's license; removing certain application  
1324 requirements for a person who performs home inspection  
1325 services and who qualifies for licensure on or before a  
1326 specified date; amending ss. 468.8413 and 468.8414, F.S.;

1327 revising licensing requirements for mold assessors and  
1328 remediators; deleting certain training requirements;

1329 amending s. 468.8419, F.S.; revising prohibitions and  
1330 penalties for mold assessors and remediators, to conform;

1331 conforming a cross-reference; amending s. 468.8423, F.S.;

1332 revising alternative criteria for obtaining a mold  
1333 assessor's or mold remediator's license; deleting certain  
1334 education requirements; amending s. 469.006, F.S.;

1335 authorizing an asbestos consultant or contractor doing  
1336 business as a sole proprietorship to be licensed under his  
1337 or her fictitious name; amending s. 475.611, F.S.;

1338 deleting the definition of the term "Uniform Standards of  
1339 Professional Appraisal Practice"; amending s. 373.461,  
1340 F.S.; revising requirements for the standards of  
1341 professional practice followed by appraisers providing  
1342 appraisals to the St. Johns River Water Management  
1343 District for certain agricultural lands discharging to  
1344 Lake Apopka for purposes of a limit on the purchase price

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

1345 of such lands, to conform; amending ss. 475.615 and  
1346 475.6235, F.S.; revising the application requirements for  
1347 registered or certified appraisers, and registered  
1348 appraisal management companies, to conform; amending ss.  
1349 475.617 and 475.6175, F.S.; revising the education  
1350 requirements for registered trainee appraisers, to  
1351 conform; amending ss. 475.25, 475.624, and 475.6245, F.S.;  
1352 revising the grounds for discipline of licensed real  
1353 estate brokers and sales associates, registered brokerage  
1354 firms, real estate school permittees, registered or  
1355 certified appraisers, registered appraisal management  
1356 companies, and applicants for licensure, registration,  
1357 certification, or permit, to which penalties apply;  
1358 prohibiting violations of the standards of professional  
1359 practice established by the Florida Real Estate Appraisal  
1360 Board; prohibiting an appraisal management company from  
1361 instructing an appraiser to violate the standards of  
1362 professional practice; conforming provisions; amending s.  
1363 475.628, F.S.; authorizing the board to adopt rules  
1364 establishing standards of professional practice; requiring  
1365 registered, licensed, and certified appraisers to comply  
1366 with the rules; amending ss. 475.42, 475.626, and  
1367 477.0265, F.S.; deleting criminal penalties for persons  
1368 who violate orders or rules of the Florida Real Estate  
1369 Commission, persons who violate orders or rules of the  
1370 Florida Real Estate Appraisal Board or related grounds for  
1371 disciplinary action, and persons who commit certain  
1372 violations of the Florida Cosmetology Act or rules of the

774853

Approved For Filing: 5/5/2011 11:09:50 AM

## Amendment No.

1373 Board of Cosmetology; amending ss. 455.271, 468.8317,  
1374 468.8417, 477.0212, 481.217, 481.315, 489.116, and  
1375 489.519, F.S.; revising the continuing education  
1376 requirements for reactivating a license, certificate, or  
1377 registration to practice certain regulated professions and  
1378 occupations; amending s. 473.308, F.S.; revising licensure  
1379 requirements for certified public accountants and firms;  
1380 revising licensure requirements for certain persons  
1381 licensed to practice public accounting in another state or  
1382 territory; amending s. 475.17, F.S.; revising the  
1383 education requirements for licensed real estate brokers  
1384 and sales associates; amending s. 481.205, F.S.;

1385 authorizing the Board of Architecture and Interior Design  
1386 to contract for services under the Management  
1387 Privatization Act; amending s. 481.219, F.S.; providing  
1388 that a certificate of authorization is not required for an  
1389 architect doing business as a sole proprietorship under  
1390 his or her fictitious name; amending s. 481.329, F.S.;

1391 providing for applicability of provisions regulating the  
1392 practice of landscape architecture; amending ss. 493.6107  
1393 and 493.6202, F.S.; revising requirements for the method  
1394 of payment of certain fees; amending s. 493.6401, F.S.;

1395 revising terminology for reposessor schools and training  
1396 facilities; amending s. 493.6402, F.S.; conforming  
1397 terminology; revising requirements for the method of  
1398 payment of certain fees; amending s. 493.6406, F.S.;

1399 revising the license application requirements for recovery  
1400 agent schools, training facilities, and instructors;

774853

Approved For Filing: 5/5/2011 11:09:50 AM

## Amendment No.

1401 conforming terminology; amending s. 500.03, F.S.;

1402 providing and revising definitions for purposes of the

1403 Florida Food Safety Act; amending s. 500.121, F.S.;

1404 providing penalties for food safety violations committed

1405 by cottage food operations; creating s. 500.80, F.S.;

1406 exempting cottage food operations from food permitting

1407 requirements; limiting the annual gross sales of cottage

1408 food operations and the methods by which cottage food

1409 products may be sold or offered for sale; requiring

1410 certain packaging and labeling of cottage food products;

1411 requiring cottage food products that are resold to meet

1412 the packaging and labeling requirements; providing for

1413 application; authorizing the Department of Agriculture and

1414 Consumer Services to investigate complaints and enter into

1415 the premises of a cottage food operation; amending s.

1416 501.160, F.S.; revising the conditions to establish prima

1417 facie evidence that prices charged during a declared state

1418 of emergency are unconscionable; deleting authority for

1419 the department to enforce certain prohibitions against

1420 unconscionable practices during a declared state of

1421 emergency; amending s. 509.032, F.S.; revising which

1422 matters relating to the regulation of public lodging

1423 establishments and public food service establishments are

1424 preempted to the state; amending s. 509.261, F.S.;

1425 authorizing the Division of Hotels and Restaurants of the

1426 Department of Business and Professional Regulation to

1427 require certain public lodging establishments and public

1428 food service establishments to complete certain remedial

774853

Approved For Filing: 5/5/2011 11:09:50 AM

Amendment No.

1429 educational programs; amending s. 633.537, F.S.; revising  
1430 the validity period for inactive status certificates of  
1431 fire protection system contractors; amending ss. 681.102,  
1432 681.103, 681.108, and 681.109, F.S.; deleting a  
1433 definition; transferring certain responsibilities of the  
1434 Division of Consumer Services for the Motor Vehicle  
1435 Warranty Enforcement Act to the Department of Legal  
1436 Affairs; conforming provisions; amending s. 681.1095,  
1437 F.S.; authorizing that notices of rejected Lemon Law  
1438 disputes and decisions of the Florida New Motor Vehicle  
1439 Arbitration Board be provided by methods other than  
1440 registered mail; authorizing the Department of Legal  
1441 Affairs to adopt rules; conforming provisions; amending  
1442 ss. 681.1096 and 681.112, F.S.; conforming a cross-  
1443 reference; conforming provisions; amending s. 681.117,  
1444 F.S.; deleting provisions providing for the transfer of  
1445 certain fees and interagency contracting between the  
1446 Department of Legal Affairs and the Division of Consumer  
1447 Services, to conform; amending s. 10, ch. 2010-84, Laws of  
1448 Florida; revising the effective date of provisions  
1449 relating to the regulation of real estate appraisers and  
1450 appraisal management companies; providing for retroactive  
1451 operation under certain circumstances; directing the  
1452 Department of Financial Services to submit a report to the  
1453 Legislature on the regulatory structure for the title  
1454 insurance industry; providing a directive to the Division  
1455 of Statutory Revision; providing effective dates.

774853

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