

By Senator Wise

5-00597-11

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1 A bill to be entitled
2 An act relating to electrical contracting; amending s.
3 489.537, F.S.; revising authority of municipalities
4 and counties to require that certain electrical
5 journeyman be present on certain industrial or
6 commercial construction sites; providing an effective
7 date.

8
9 Be It Enacted by the Legislature of the State of Florida:

10
11 Section 1. Subsection (3) of section 489.537, Florida
12 Statutes, is amended to read:

13 489.537 Application of this part.—

14 (3) ~~Nothing in~~ This part does not limit ~~act limits~~ the
15 power of a municipality or county:

16 (a) To regulate the quality and character of work performed
17 by contractors through a system of permits, fees, and
18 inspections which is designed to secure compliance with, and aid
19 in the implementation of, state and local building laws or to
20 enforce other local laws for the protection of the public health
21 and safety. However, a certified alarm system contractor or
22 certified electrical contractor is not subject to any additional
23 certification or licensure requirements that are not required by
24 this part.

25 (b) To collect fees for business tax receipts and
26 inspections for engaging in contracting or examination fees from
27 persons who are registered with the local boards pursuant to
28 local examination requirements.

29 (c) To adopt any system of permits requiring submission to

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30 and approval by the municipality or county of plans and
31 specifications for work to be performed by contractors before
32 commencement of the work.

33 (d) To require one bond for each electrical contractor in
34 an amount not to exceed \$5,000, which bond shall be conditioned
35 only upon compliance with the Florida Building Code adopted
36 pursuant to s. 553.73. Any such bond must be equally available
37 to all electrical contractors without regard to the period of
38 time an electrical contractor has been certified or registered
39 and without regard to any financial responsibility requirements.
40 Any such bonds shall be payable to the Governor and filed in
41 each county or municipality in which a building permit is
42 requested. Bond reciprocity shall be granted statewide. All such
43 bonds shall be included in meeting any financial responsibility
44 requirements imposed by any statute or rule.

45 (e)1. To refuse to issue permits or issue permits with
46 specific conditions to a contractor who has committed multiple
47 violations, when he or she has been disciplined for each of them
48 by the board and when each disciplinary action has involved
49 revocation or suspension of a license, imposition of an
50 administrative fine of at least \$1,000, or probation.

51 2. To issue permits with specific conditions to a
52 contractor who, within the previous 12 months, has had final
53 action taken against him or her, by the department or by a local
54 board or agency which licenses contractors and has reported the
55 action pursuant to paragraph (5)(c), for engaging in the
56 business or acting in the capacity of a contractor without a
57 license.

58 (f) To require that one electrical journeyman, who

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59 possesses a certificate of competency issued by the municipality
60 or county conditioned upon the journeyman's passage of a
61 competency examination ~~is a graduate of the Institute of Applied~~
62 ~~Technology in Construction Excellence or licensed pursuant to s.~~
63 ~~489.5335,~~ be present on an industrial or commercial ~~new~~
64 construction site ~~with a facility of~~ 5,000 ~~50,000~~ gross square
65 feet or more when electrical work in excess of 98 ~~77~~ volts is
66 being performed in order to supervise or perform such work,
67 except as provided in s. 489.503.

68 Section 2. This act shall take effect July 1, 2011.