

1 A bill to be entitled
2 An act relating to reducing and streamlining regulations;
3 amending ss. 455.271, 468.4338, 468.525, 468.8317,
4 468.8417, 475.615, 475.617, 475.6175, 477.0212, 481.209,
5 481.211, 481.213, 481.217, 481.315, 489.116, and 489.519,
6 F.S.; revising certain licensure requirements and
7 continuing education requirements for reactivating a
8 license, certificate, or registration to practice certain
9 professions and occupations regulated by the Department of
10 Business and Professional Regulation or a board or council
11 within the department, including community association
12 management, employee leasing, home inspection, mold-
13 related services, real estate appraisal, cosmetology,
14 architecture and interior design, landscape architecture,
15 construction contracting, and electrical and alarm system
16 contracting; amending s. 469.002, F.S.; providing an
17 exemption from licensure as an asbestos consultant or
18 contractor for activities involving pipe or conduit used
19 for gas service; amending s. 475.6235, F.S.; revising
20 registration requirements for appraisal management
21 companies; amending ss. 468.391, 475.25, 475.42, 475.624,
22 475.6245, 475.626, 476.194, and 477.0265, F.S., relating
23 to auctioneering, real estate brokering and appraisal,
24 barbering, and cosmetology; revising language with respect
25 to certain penalties; revising grounds for discipline to
26 which penalties apply; amending s. 475.628, F.S.;
27 requiring the Florida Real Estate Appraisal Board to adopt
28 rules establishing professional practice standards;

29 | amending s. 373.461, F.S.; requiring certain appraisers to
30 | follow specific standards of professional practice in
31 | appraisals involving the restoration of the Lake Apopka
32 | Basin; amending s. 468.841, F.S.; exempting landscape
33 | architects from complying with provisions related to mold
34 | assessment; amending s. 474.202, F.S.; revising the
35 | definition of the terms "limited-service veterinary
36 | medical practice" and "veterinary medicine"; amending s.
37 | 475.611, F.S.; revising the definition of the terms
38 | "appraisal management company" and "appraisal management
39 | services"; amending s. 475.6171, F.S.; revising
40 | requirements for the issuance of registration or
41 | certification upon receipt of proper documentation;
42 | amending s. 475.6235, F.S.; revising provisions relating
43 | to titles an appraisal management company must be
44 | registered to use; providing exemptions from registration
45 | requirements; amending s. 455.213, F.S.; waiving initial
46 | licensing, application, and unlicensed activity fees for
47 | certain military veterans; amending s. 475.451, F.S.;
48 | authorizing distance learning courses as an acceptable
49 | alternative to classroom instruction for renewal of a real
50 | estate instructor permit; providing that distance learning
51 | courses are under the discretion of the school offering
52 | the real estate course; requiring distance learning
53 | courses to adhere to certain requirements; providing an
54 | effective date.

55 |
56 | Be It Enacted by the Legislature of the State of Florida:

57
58 Section 1. Subsection (10) of section 455.271, Florida
59 Statutes, is amended to read:

60 455.271 Inactive and delinquent status.—

61 (10) The board, or the department when there is no board,
62 may not require ~~Before reactivation,~~ an inactive or delinquent
63 licensee, except for a licensee under chapter 473 or chapter
64 475, to complete more than one renewal cycle of ~~shall meet the~~
65 ~~same~~ continuing education to reactivate a license. ~~requirements,~~
66 ~~if any, imposed on an active status licensee for all biennial~~
67 ~~licensure periods in which the licensee was inactive or~~
68 ~~delinquent. This subsection does not apply to persons regulated~~
69 ~~under chapter 473.~~

70 Section 2. Section 468.4338, Florida Statutes, is amended
71 to read:

72 468.4338 Reactivation; continuing education.—The council
73 shall prescribe by rule continuing education requirements for
74 reactivating a license. The continuing education requirements
75 for reactivating a license may not exceed more than one renewal
76 cycle of continuing education ~~10 classroom hours for each year~~
77 ~~the license was inactive.~~

78 Section 3. Paragraph (h) is added to subsection (3) of
79 section 468.525, Florida Statutes, to read:

80 468.525 License requirements.—

81 (3) Each employee leasing company licensed by the
82 department shall have a registered agent for service of process
83 in this state and at least one licensed controlling person. In
84 addition, each licensed employee leasing company shall comply

85 with the following requirements:

86 (h) Following initial licensure, each employee leasing
87 company and each employee leasing company group shall be
88 considered an applicant for renewal of its license and all of
89 the financial information of such licensees submitted to the
90 board pursuant to part XI of chapter 468 and the rules enacted
91 thereunder shall be considered supplied in furtherance of the
92 renewal application process.

93 Section 4. Subsection (2) of section 468.8317, Florida
94 Statutes, is amended to read:

95 468.8317 Inactive license.—

96 (2) A license that becomes ~~has become~~ inactive may be
97 reactivated upon application to the department. The department
98 may prescribe by rule continuing education requirements as a
99 condition of reactivating a license. The rules may not require
100 more than one renewal cycle of continuing education to
101 reactivate ~~requirements for reactivating a license may not~~
102 ~~exceed 14 hours for each year the license was inactive.~~

103 Section 5. Subsection (2) of section 468.8417, Florida
104 Statutes, is amended to read:

105 468.8417 Inactive license.—

106 (2) A license that becomes ~~has become~~ inactive may be
107 reactivated upon application to the department. The department
108 may prescribe by rule continuing education requirements as a
109 condition of reactivating a license. The rules may not require
110 more than one renewal cycle of continuing education to
111 reactivate ~~requirements for reactivating a license may not~~
112 ~~exceed 14 hours for each year the license was inactive.~~

113 Section 6. Subsection (4) of section 469.002, Florida
 114 Statutes, is amended to read:

115 469.002 Exemptions.—

116 (4) Licensure as an asbestos consultant or contractor is
 117 not required for the repair, maintenance, removal, or disposal
 118 of asbestos-containing pipe or conduit, if:

119 (a) The pipe or conduit is used for electrical,
 120 electronic, communications, sewer, gas, or water service;

121 (b) The pipe or conduit is not located in a building;

122 (c) The pipe or conduit is made of Category I or Category
 123 II nonfriable material as defined in NESHAP; and

124 (d) All such activities are performed according to all
 125 applicable regulations, including work practices and training,
 126 of the United States Occupational Safety and Health
 127 Administration under 29 C.F.R. part 1926.

128 Section 7. Subsection (5) of section 475.615, Florida
 129 Statutes, is amended to read:

130 475.615 Qualifications for registration or certification.—

131 (5) At the time of filing an application for registration
 132 or certification, the applicant must sign a pledge indicating
 133 that upon becoming registered or certified, she or he will
 134 comply with the standards of professional practice established
 135 by rule of the board, including standards for the development or
 136 communication of a real estate appraisal, ~~to comply with the~~
 137 Uniform Standards of Professional Appraisal Practice upon
 138 registration or certification and must indicate in writing that
 139 she or he understands the types of misconduct for which
 140 disciplinary proceedings may be initiated. The application shall

141 expire 1 year after the date received by the department.

142 Section 8. Subsection (1), paragraph (b) of subsection
 143 (2), and paragraph (b) of subsection (3) of section 475.617,
 144 Florida Statutes, are amended to read:

145 475.617 Education and experience requirements.—

146 (1) To be registered as a trainee appraiser, an applicant
 147 must present evidence satisfactory to the board that she or he
 148 has successfully completed at least 100 hours of approved
 149 academic courses in subjects related to real estate appraisal,
 150 which shall include coverage of the Uniform Standards of
 151 Professional Appraisal Practice, or its equivalent, as
 152 established by rule of the board, from a nationally recognized
 153 or state-recognized appraisal organization, career center,
 154 accredited community college, college, or university, state or
 155 federal agency or commission, or proprietary real estate school
 156 that holds a permit pursuant to s. 475.451. The board may
 157 increase the required number of hours to not more than 125
 158 hours. A classroom hour is defined as 50 minutes out of each 60-
 159 minute segment. Past courses may be approved on an hour-for-hour
 160 basis.

161 (2) To be certified as a residential appraiser, an
 162 applicant must present satisfactory evidence to the board that
 163 she or he has met the minimum education and experience
 164 requirements prescribed by rule of the board. The board shall
 165 prescribe by rule education and experience requirements that
 166 meet or exceed the following real property appraiser
 167 qualification criteria adopted on February 20, 2004, by the
 168 Appraisal Qualifications Board of the Appraisal Foundation:

169 (b) Has successfully completed at least 200 classroom
 170 hours, inclusive of examination, of approved academic courses in
 171 subjects related to real estate appraisal, which shall include a
 172 15-hour National Uniform Standards of Professional Appraisal
 173 Practice course, or its equivalent, as established by rule of
 174 the board, from a nationally recognized or state-recognized
 175 appraisal organization, career center, accredited community
 176 college, college, or university, state or federal agency or
 177 commission, or proprietary real estate school that holds a
 178 permit pursuant to s. 475.451. A classroom hour is defined as 50
 179 minutes out of each 60-minute segment. Past courses may be
 180 approved by the board and substituted on an hour-for-hour basis.

181 (3) To be certified as a general appraiser, an applicant
 182 must present evidence satisfactory to the board that she or he
 183 has met the minimum education and experience requirements
 184 prescribed by rule of the board. The board shall prescribe
 185 education and experience requirements that meet or exceed the
 186 following real property appraiser qualification criteria adopted
 187 on February 20, 2004, by the Appraisal Qualifications Board of
 188 the Appraisal Foundation:

189 (b) Has successfully completed at least 300 classroom
 190 hours, inclusive of examination, of approved academic courses in
 191 subjects related to real estate appraisal, which shall include a
 192 15-hour National Uniform Standards of Professional Appraisal
 193 Practice course, or its equivalent, as established by rule of
 194 the board, from a nationally recognized or state-recognized
 195 appraisal organization, career center, accredited community
 196 college, college, or university, state or federal agency or

197 commission, or proprietary real estate school that holds a
 198 permit pursuant to s. 475.451. A classroom hour is defined as 50
 199 minutes out of each 60-minute segment. Past courses may be
 200 approved by the board and substituted on an hour-for-hour basis.

201 Section 9. Subsection (1) of section 475.6175, Florida
 202 Statutes, is amended to read:

203 475.6175 Registered trainee appraiser; postlicensure
 204 education required.—

205 (1) The board shall prescribe postlicensure educational
 206 requirements in order for a person to maintain a valid
 207 registration as a registered trainee appraiser. If prescribed,
 208 the postlicensure educational requirements consist of one or
 209 more courses which total no more than the total educational
 210 hours required to qualify as a state certified residential
 211 appraiser. Such courses must be in subjects related to real
 212 estate appraisal and shall include coverage of the Uniform
 213 Standards of Professional Appraisal Practice or its equivalent,
 214 as established by rule of the board. Such courses are provided
 215 by a nationally or state-recognized appraisal organization,
 216 career center, accredited community college, college, or
 217 university, state or federal agency or commission, or
 218 proprietary real estate school that holds a permit pursuant to
 219 s. 475.451.

220 Section 10. Subsection (2) of section 477.0212, Florida
 221 Statutes, is amended to read:

222 477.0212 Inactive status.—

223 (2) The board shall adopt ~~promulgate~~ rules relating to
 224 licenses that ~~which have~~ become inactive and for the renewal of

225 inactive licenses. The rules may not require more than one
 226 renewal cycle of continuing education to reactivate a license.
 227 The board shall prescribe by rule a fee not to exceed \$50 for
 228 the reactivation of an inactive license and a fee not to exceed
 229 \$50 for the renewal of an inactive license.

230 Section 11. Subsection (1) of section 481.209, Florida
 231 Statutes, is amended to read:

232 481.209 Examinations.—

233 (1) A person desiring to be licensed as a registered
 234 architect by initial examination shall apply to the department,
 235 ~~complete to take the licensure examination. The department shall~~
 236 ~~administer the licensure examination for architects to each~~
 237 ~~applicant who the board certifies:~~

238 ~~(a) Has completed the application form, and remit~~ remitted
 239 a nonrefundable application fee. The department shall license
 240 any applicant who the board certifies; and an examination fee
 241 ~~which is refundable if the applicant is found to be ineligible~~
 242 ~~to take the examination;~~

243 (a) Has passed the licensure examination prescribed by
 244 board rule; and

245 (b) ~~1.~~ Is a graduate of a school or college of architecture
 246 with a program accredited by the National Architectural
 247 Accreditation Board. ~~;~~ ~~or~~

248 ~~2. Is a graduate of an approved architectural curriculum,~~
 249 ~~evidenced by a degree from an unaccredited school or college of~~
 250 ~~architecture approved by the board. The board shall adopt rules~~
 251 ~~providing for the review and approval of unaccredited schools~~
 252 ~~and colleges of architecture and courses of architectural study~~

253 ~~based on a review and inspection by the board of the curriculum~~
 254 ~~of accredited schools and colleges of architecture in the United~~
 255 ~~States; and~~

256 ~~(c) Has completed, prior to examination, 1 year of the~~
 257 ~~internship experience required by s. 481.211(1).~~

258 Section 12. Section 481.211, Florida Statutes, is amended
 259 to read:

260 481.211 Architecture internship required.-

261 ~~(1)~~ An applicant for licensure as a registered architect
 262 shall complete, prior to licensure, an internship of diversified
 263 architectural experience approved by the board, meeting
 264 requirements set forth by rule. ~~in the design and construction~~
 265 ~~of structures which have as their principal purpose human~~
 266 ~~habitation or use. The internship shall be for a period of:~~

267 ~~(a) Three years for an applicant holding the degree of~~
 268 ~~Bachelor of Architecture; or~~

269 ~~(b) Two years for an applicant holding the professional~~
 270 ~~degree of Master of Architecture.~~

271 ~~(2) Each applicant for licensure shall complete 1 year of~~
 272 ~~the internship experience required by this section subsequent to~~
 273 ~~graduation from a school or college of architecture as defined~~
 274 ~~in s. 481.209(1).~~

275 Section 13. Paragraph (c) of subsection (3) of section
 276 481.213, Florida Statutes, is amended, and paragraph (d) is
 277 added to that subsection, to read:

278 481.213 Licensure.-

279 (3) The board shall certify as qualified for a license by
 280 endorsement as an architect or as an interior designer an

281 applicant who:

282 (c) Has passed the prescribed licensure examination and
 283 holds a valid certificate issued by the National Council of
 284 Architectural Registration Boards, and holds a valid license to
 285 practice architecture issued by another state or jurisdiction of
 286 the United States. For the purposes of this paragraph, any
 287 applicant licensed in another state or jurisdiction after June
 288 30, 2000 ~~1984~~, must also hold a degree in architecture ~~and such~~
 289 ~~degree must be~~ equivalent to that required in s. 481.209(1)(b)
 290 ~~and. Also for the purposes of this paragraph, any applicant~~
 291 ~~licensed in another state or jurisdiction after June 30, 1985,~~
 292 ~~must~~ have completed an internship equivalent to that required by
 293 s. 481.211 and any rules adopted with respect thereto.

294 (d) Has passed the Architect Registration Examination and
 295 has held a current active architecture license in good standing
 296 for at least 10 years in another state.

297 Section 14. Subsection (1) of section 481.217, Florida
 298 Statutes, is amended to read:

299 481.217 Inactive status.—

300 (1) The board may prescribe by rule continuing education
 301 requirements as a condition of reactivating a license. The rules
 302 may not require more than one renewal cycle of continuing
 303 education to reactivate requirements for reactivating a license
 304 for a registered architect or interior designer ~~may not exceed~~
 305 ~~12 contact hours for each year the license was inactive. The~~
 306 ~~minimum continuing education requirement for reactivating a~~
 307 ~~license for a registered interior designer shall be those of the~~
 308 ~~most recent biennium plus one half of the requirements in s.~~

309 ~~481.215 for each year or part thereof during which the license~~
 310 ~~was inactive.~~ The board may ~~shall~~ only approve continuing
 311 education for an interior designer which that builds upon the
 312 basic knowledge of interior design.

313 Section 15. Subsection (1) of section 481.315, Florida
 314 Statutes, is amended to read:

315 481.315 Inactive status.—

316 (1) A license that has become inactive or delinquent may
 317 be reactivated under this section upon application to the
 318 department and payment of any applicable biennial renewal or
 319 delinquency fee, or both, and a reactivation fee. The board may
 320 not require a licensee to complete more than one renewal cycle
 321 of continuing education requirements ~~The board may prescribe by~~
 322 ~~rule continuing education requirements as a condition of~~
 323 ~~reactivating the license. The continuing education requirements~~
 324 ~~for reactivating a license may not exceed 12 classroom hours for~~
 325 ~~each year the license was inactive.~~

326 Section 16. Subsections (3) and (6) of section 489.116,
 327 Florida Statutes, are amended to read:

328 489.116 Inactive and delinquent status; renewal and
 329 cancellation notices.—

330 (3) An inactive status certificateholder or registrant may
 331 change to active status at any time, if provided the
 332 certificateholder or registrant meets all requirements for
 333 active status, pays any additional licensure fees necessary to
 334 equal those imposed on an active status certificateholder or
 335 registrant, and pays any applicable late fees, and meets all
 336 continuing education requirements prescribed by the board.

337 (6) The board may not require an inactive
 338 certificateholder or registrant to complete more than one
 339 renewal cycle of ~~shall comply with the same~~ continuing education
 340 for reactivating a certificate or registration requirements, if
 341 ~~any, that are imposed on an active status certificateholder or~~
 342 ~~registrant.~~

343 Section 17. Subsection (1) of section 489.519, Florida
 344 Statutes, is amended to read:

345 489.519 Inactive status.—

346 (1) A certificate or registration that becomes ~~has become~~
 347 inactive may be reactivated under s. 489.517 upon application to
 348 the department. The board may not require a licensee to complete
 349 more than one renewal cycle of ~~prescribe, by rule,~~ continuing
 350 education to reactivate ~~requirements as a condition of~~
 351 ~~reactivating a certificate or registration. The continuing~~
 352 ~~education requirements for reactivating a certificate or~~
 353 ~~registration may not exceed 12 classroom hours for each year the~~
 354 ~~certificate or registration was inactive.~~

355 Section 18. Subsection (4) of section 475.6235, Florida
 356 Statutes, is amended to read:

357 475.6235 Registration of appraisal management companies
 358 required.—

359 (4) At the time of filing an application for registration
 360 of an appraisal management company, each person listed in
 361 paragraph (2)(f) must sign a pledge to comply with the
 362 applicable standards of professional practice established by
 363 rule of the board, including standards for the development or
 364 communication of a real estate appraisal, ~~Uniform Standards of~~

365 ~~Professional Appraisal Practice upon registration~~ and must
 366 indicate in writing that she or he understands the types of
 367 misconduct for which disciplinary proceedings may be initiated.
 368 The application shall expire 1 year after the date received by
 369 the department.

370 Section 19. Section 468.391, Florida Statutes, is amended
 371 to read:

372 468.391 Penalty.—Any auctioneer, apprentice, or auction
 373 business or any owner or manager thereof, or, in the case of
 374 corporate ownership, any substantial stockholder of the
 375 corporation owning the auction business, who operates without an
 376 active license or violates any of the provisions ~~provision~~ of
 377 the prohibited acts listed under s. 468.389 (1) (c), (e), (f),
 378 (h), and (i) commits a felony of the third degree, punishable as
 379 provided in s. 775.082 or s. 775.083.

380 Section 20. Paragraph (t) of subsection (1) of section
 381 475.25, Florida Statutes, is amended to read:

382 475.25 Discipline.—

383 (1) The commission may deny an application for licensure,
 384 registration, or permit, or renewal thereof; may place a
 385 licensee, registrant, or permittee on probation; may suspend a
 386 license, registration, or permit for a period not exceeding 10
 387 years; may revoke a license, registration, or permit; may impose
 388 an administrative fine not to exceed \$5,000 for each count or
 389 separate offense; and may issue a reprimand, and any or all of
 390 the foregoing, if it finds that the licensee, registrant,
 391 permittee, or applicant:

392 (t) Has violated any standard of professional practice

393 established by rule of the Florida Real Estate Appraisal Board,
 394 including standards for the development or communication of a
 395 real estate appraisal ~~or other provision of the Uniform~~
 396 ~~Standards of Professional Appraisal Practice, as defined in s.~~
 397 475.611, as approved and adopted by the Appraisal Standards
 398 Board of the Appraisal Foundation, as defined in s. 475.611.
 399 This paragraph does not apply to a real estate broker or sales
 400 associate who, in the ordinary course of business, performs a
 401 comparative market analysis, gives a broker price opinion, or
 402 gives an opinion of value of real estate. However, in no event
 403 may this comparative market analysis, broker price opinion, or
 404 opinion of value of real estate be referred to as an appraisal,
 405 as defined in s. 475.611.

406 Section 21. Paragraphs (f) through (o) of subsection (1)
 407 of section 475.42, Florida Statutes, are redesignated as
 408 paragraphs (e) through (n), respectively, and present paragraph
 409 (e) of that subsection is amended to read:

410 475.42 Violations and penalties.—

411 (1) VIOLATIONS.—

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

414 Section 22. Subsection (14) of section 475.624, Florida
 415 Statutes, is amended to read:

416 475.624 Discipline of appraisers.—

417 The board may deny an application for registration or
 418 certification of an appraiser; may investigate the actions of
 419 any appraiser registered, licensed, or certified under this
 420 part; may reprimand or impose an administrative fine not to

421 exceed \$5,000 for each count or separate offense against any
 422 such appraiser; and may revoke or suspend, for a period not to
 423 exceed 10 years, the registration, license, or certification of
 424 any such appraiser, or place any such appraiser on probation, if
 425 the board finds that the registered trainee, licensee, or
 426 certificateholder:

427 (14) Has violated any standard of professional practice,
 428 including standards for the development or communication of a
 429 real estate appraisal, as established by rule of the board ~~or~~
 430 ~~other provision of the Uniform Standards of Professional~~
 431 ~~Appraisal Practice.~~

432 Section 23. Paragraph (n) of subsection (1) of section
 433 475.6245, Florida Statutes, is amended to read:

434 475.6245 Discipline of appraisal management companies.—

435 (1) The board may deny an application for registration of
 436 an appraisal management company; may investigate the actions of
 437 any appraisal management company registered under this part; may
 438 reprimand or impose an administrative fine not to exceed \$5,000
 439 for each count or separate offense against any such appraisal
 440 management company; and may revoke or suspend, for a period not
 441 to exceed 10 years, the registration of any such appraisal
 442 management company, or place any such appraisal management
 443 company on probation, if the board finds that the appraisal
 444 management company or any person listed in s. 475.6235(2)(f):

445 (n) Has instructed an appraiser to violate any standard of
 446 professional practice established by rule of the board,
 447 including standards for the development or communication of a
 448 real estate appraisal or other provision of the Uniform

449 Standards of Professional Appraisal Practice.

450 Section 24. Paragraphs (d) through (h) of subsection (1)
 451 of section 475.626, Florida Statutes, are redesignated as
 452 paragraphs (b) through (f), respectively, and present paragraphs
 453 (b) and (c) of that subsection are amended to read:

454 475.626 Violations and penalties.—

455 (1) A person may not:

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

458 ~~(c) If a registered trainee appraiser or a licensed or~~
 459 ~~certified appraiser, commit any conduct or practice set forth in~~
 460 ~~s. 475.624.~~

461 Section 25. Paragraphs (c) through (f) of subsection (1)
 462 of section 476.194, Florida Statutes, are redesignated as
 463 paragraphs (b) through (e), respectively, and present paragraph
 464 (b) of that subsection is amended to read:

465 476.194 Prohibited acts.—

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

467 ~~(b) Engage in willful or repeated violations of this act~~
 468 ~~or of any of the rules adopted by the board.~~

469 Section 26. Paragraphs (d) through (h) of subsection (1)
 470 of section 477.0265, Florida Statutes, are redesignated as
 471 paragraphs (c) through (g), respectively, and present paragraph
 472 (c) of that subsection is amended to read:

473 477.0265 Prohibited acts.—

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

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

477 Section 27. Section 475.628, Florida Statutes, is amended
 478 to read:

479 475.628 Professional standards for appraisers registered,
 480 licensed, or certified under this part.—The board shall adopt
 481 rules establishing standards of professional practice that meet
 482 or exceed nationally recognized standards of appraisal practice,
 483 including standards adopted by the Appraisal Standards Board of
 484 the Appraisal Foundation. Each appraiser registered, licensed,
 485 or certified under this part must ~~shall~~ comply with the rules
 486 ~~Uniform Standards of Professional Appraisal Practice.~~ Statements
 487 on appraisal standards which may be issued for the purpose of
 488 clarification, interpretation, explanation, or elaboration
 489 through the Appraisal Foundation shall also be binding on any
 490 appraiser registered, licensed, or certified under this part,
 491 upon adoption by rule of the board.

492 Section 28. Paragraph (c) of subsection (5) of section
 493 373.461, Florida Statutes, is amended to read:

494 373.461 Lake Apopka improvement and management.—

495 (5) PURCHASE OF AGRICULTURAL LANDS.—

496 (c) The district shall explore the availability of funding
 497 from all sources, including any federal, state, regional, and
 498 local land acquisition funding programs, to purchase the
 499 agricultural lands described in paragraph (a). It is the
 500 Legislature's intent that, if such funding sources can be
 501 identified, acquisition of the lands described in paragraph (a)
 502 may be undertaken by the district to purchase these properties
 503 from willing sellers. However, the purchase price paid for
 504 acquisition of such lands that were in active cultivation during

505 1996 may ~~shall~~ not exceed the highest appraisal obtained by the
 506 district for these lands from a state-certified general
 507 appraiser following the standards of professional practice
 508 established by rule of the Florida Real Estate Appraisal Board,
 509 including standards for the development or communication of a
 510 real estate appraisal ~~Uniform Standards of Professional~~
 511 ~~Appraisal Practice~~. This maximum purchase price limitation may
 512 ~~shall~~ not include, nor be applicable to, that portion of the
 513 purchase price attributable to consideration of income described
 514 in paragraph (b), or that portion attributable to related
 515 facilities, or closing costs.

516 Section 29. Paragraph (d) of subsection (1) of section
 517 468.841, Florida Statutes, is amended to read:

518 468.841 Exemptions.—

519 (1) The following persons are not required to comply with
 520 any provisions of this part relating to mold assessment:

521 (d) Persons or business organizations acting within the
 522 scope of the respective licenses required under part XV of this
 523 chapter, chapter 471, part I or part II of chapter 481, chapter
 524 482, or chapter 489 are acting on behalf of an insurer under
 525 part VI of chapter 626, or are persons in the manufactured
 526 housing industry who are licensed under chapter 320, except when
 527 any such persons or business organizations hold themselves out
 528 for hire to the public as a "certified mold assessor,"
 529 "registered mold assessor," "licensed mold assessor," "mold
 530 assessor," "professional mold assessor," or any combination
 531 thereof stating or implying licensure under this part.

532 Section 30. Subsections (6) and (13) of section 474.202,

533 Florida Statutes, are amended to read:

534 474.202 Definitions.—As used in this chapter:

535 (6) "Limited-service veterinary medical practice" means
 536 offering or providing veterinary services, including
 537 microchipping, at any location that has a primary purpose other
 538 than that of providing veterinary medical service at a permanent
 539 or mobile establishment permitted by the board; provides
 540 veterinary medical services for privately owned animals that do
 541 not reside at that location; operates no more frequently than
 542 once every 2 weeks for 8 hours at a single location where a
 543 vaccination clinic is held ~~for a limited time~~; and provides
 544 limited types of veterinary medical services.

545 (13) "Veterinary medicine" includes, with respect to
 546 animals, surgery, including microchipping; acupuncture; ~~;~~
 547 obstetrics; ~~;~~ dentistry; ~~;~~ physical therapy; ~~;~~ radiology; ~~;~~
 548 theriogenology; ~~;~~ and other branches or specialties of veterinary
 549 medicine.

550 Section 31. Paragraphs (c) and (d) of subsection (1) of
 551 section 475.611, Florida Statutes, are amended, paragraphs (t)
 552 through (x) are redesignated as paragraphs (u) through (y),
 553 respectively, and a new paragraph (t) is added to that
 554 subsection, to read:

555 475.611 Definitions.—

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

557 (c) "Appraisal management company" means a person who
 558 performs appraisal management services regardless of the use of
 559 the term "appraisal management company," "appraiser

560 cooperative," "appraiser portal," "mortgage technology company,"
 561 or other term.

562 (d) "Appraisal management services" means the coordination
 563 or management of appraisal services for compensation by:

564 1. Employing, contracting with, or otherwise retaining one
 565 or more licensed or certified appraisers to perform appraisal
 566 services for a client; or

567 2. Acting as a broker or intermediary between a client and
 568 one or more licensed or certified appraisers to facilitate the
 569 client's employing, contracting with, or otherwise retaining the
 570 appraisers.

571 (t) "Subsidiary" means an organization that is owned and
 572 controlled by a financial institution that is regulated by a
 573 federal financial institution regulatory agency.

574 Section 32. Subsection (4) of section 475.6171, Florida
 575 Statutes, is amended to read:

576 475.6171 Issuance of registration or certification.—The
 577 registration or certification of an applicant may be issued upon
 578 receipt by the board of the following:

579 (4) If required, proof of passing a written examination as
 580 specified in s. 475.616. ~~No certification shall be issued based~~
 581 ~~upon any examination results obtained more than 24 months after~~
 582 ~~the date of examination.~~

583 Section 33. Subsection (1) of section 475.6235, Florida
 584 Statutes, is amended, and subsection (9) is added to that
 585 section, to read:

586 475.6235 Registration of appraisal management companies
 587 required; exemptions.—

588 (1) A person may not engage, or offer to engage, in
589 appraisal management services for compensation in this state,
590 advertise or represent herself or himself as an appraisal
591 management company, ~~or use the titles "appraisal management~~
592 ~~company," "appraiser cooperative," "appraiser portal," or~~
593 ~~"mortgage technology company," or any abbreviation or words to~~
594 ~~that effect,~~ unless the person is registered with the department
595 as an appraisal management company under this section. However,
596 an employee of an appraisal management company is not required
597 to obtain a separate registration.

598 (9) This section does not apply to:

599 (a) Any financial institution, as defined in s. 655.005,
600 that owns and operates an internal appraisal office, business
601 unit, or department; or

602 (b) An appraisal management company that is a subsidiary
603 owned and controlled by a financial institution, as defined in
604 s. 655.005, regulated by a federal financial institution
605 regulatory agency.

606 Section 34. Subsection (12) is added to section 455.213,
607 Florida Statutes, to read:

608 455.213 General licensing provisions.—

609 (12) The department shall waive the initial licensing fee,
610 the initial application fee, and the initial unlicensed activity
611 fee for a military veteran who applies to the department for a
612 license, in a format prescribed by the department, within 24
613 months after discharge from any branch of the United States
614 Armed Forces. To qualify for this waiver, the veteran must have
615 been honorably discharged.

616 Section 35. Paragraph (c) of subsection (2) of section
617 475.451, Florida Statutes, is amended, present subsections (4)
618 through (8) are renumbered as subsections (5) through (9),
619 respectively, and a new subsection (4) is added to that section,
620 to read:

621 475.451 Schools teaching real estate practice.—

622 (2) An applicant for a permit to operate a proprietary
623 real estate school, to be a chief administrator of a proprietary
624 real estate school or a state institution, or to be an
625 instructor for a proprietary real estate school or a state
626 institution must meet the qualifications for practice set forth
627 in s. 475.17(1) and the following minimal requirements:

628 (c) "School instructor" means an individual who instructs
629 persons in the classroom in noncredit college courses in a
630 college, university, or community college or courses in a career
631 center or proprietary real estate school.

632 1. Before commencing to provide such instruction, the
633 applicant must certify the applicant's competency and obtain an
634 instructor permit by meeting one of the following requirements:

635 a. Hold a bachelor's degree in a business-related subject,
636 such as real estate, finance, accounting, business
637 administration, or its equivalent and hold a valid broker's
638 license in this state.

639 b. Hold a bachelor's degree, have extensive real estate
640 experience, as defined by rule, and hold a valid broker's
641 license in this state.

642 c. Pass an instructor's examination approved by the
643 commission.

644 2. Any requirement by the commission for a teaching
645 demonstration or practical examination must apply to all school
646 instructor applicants.

647 3. The department shall renew an instructor permit upon
648 receipt of a renewal application and fee. The renewal
649 application shall include proof that the permitholder has, since
650 the issuance or renewal of the current permit, successfully
651 completed a minimum of 7 classroom or distance learning hours of
652 instruction in real estate subjects or instructional techniques,
653 as prescribed by the commission. The commission shall adopt
654 rules providing for the renewal of instructor permits at least
655 every 2 years. Any permit that ~~which~~ is not renewed at the end
656 of the permit period established by the department ~~shall~~
657 automatically reverts ~~revert~~ to involuntarily inactive status.

658
659 The department may require an applicant to submit names of
660 persons having knowledge concerning the applicant and the
661 enterprise; may propound interrogatories to such persons and to
662 the applicant concerning the character of the applicant,
663 including the taking of fingerprints for processing through the
664 Federal Bureau of Investigation; and shall make such
665 investigation of the applicant or the school or institution as
666 it may deem necessary to the granting of the permit. If an
667 objection is filed, it shall be considered in the same manner as
668 objections or administrative complaints against other applicants
669 for licensure by the department.

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670 | (4) A real estate school may offer any course through
671 | distance learning if the course complies with s. 475.17(2).
672 | Section 36. This act shall take effect July 1, 2012.