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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2012	.	
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The Committee on Criminal Justice (Hays) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

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

455.271 Inactive and delinquent status.—

(10) The board, or the department when there is no board, may not require ~~Before reactivation,~~ an inactive or delinquent licensee, except for a licensee under chapter 473 or chapter 475, to complete more than one renewal cycle of ~~shall meet the same continuing education to reactivate a license. requirements,~~



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13 ~~if any, imposed on an active status licensee for all biennial~~
14 ~~licensure periods in which the licensee was inactive or~~
15 ~~delinquent. This subsection does not apply to persons regulated~~
16 ~~under chapter 473.~~

17 Section 2. Section 468.4338, Florida Statutes, is amended
18 to read:

19 468.4338 Reactivation; continuing education.—The council
20 shall prescribe by rule continuing education requirements for
21 reactivating a license. The continuing education requirements
22 for reactivating a license may not exceed more than one renewal
23 cycle of continuing education ~~10 classroom hours for each year~~
24 ~~the license was inactive.~~

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

27 468.525 License requirements.—

28 (3) Each employee leasing company licensed by the
29 department shall have a registered agent for service of process
30 in this state and at least one licensed controlling person. In
31 addition, each licensed employee leasing company shall comply
32 with the following requirements:

33 (h) Following initial licensure, each employee leasing
34 company and each employee leasing company group shall be
35 considered an applicant for renewal of its license and all of
36 the financial information of such licensees submitted to the
37 board pursuant to part XI of chapter 468 and the rules enacted
38 thereunder shall be considered supplied in furtherance of the
39 renewal application process.

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



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42 468.8317 Inactive license.-

43 (2) A license that becomes ~~has become~~ inactive may be
44 reactivated upon application to the department. The department
45 may prescribe by rule continuing education requirements as a
46 condition of reactivating a license. The rules may not require
47 more than one renewal cycle of continuing education to
48 reactivate requirements for reactivating a license may not
49 exceed 14 hours for each year the license was inactive.

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

52 468.8417 Inactive license.-

53 (2) A license that becomes ~~has become~~ inactive may be
54 reactivated upon application to the department. The department
55 may prescribe by rule continuing education requirements as a
56 condition of reactivating a license. The rules may not require
57 more than one renewal cycle of continuing education to
58 reactivate requirements for reactivating a license may not
59 exceed 14 hours for each year the license was inactive.

60 Section 6. Section 468.439, Florida Statutes, is created to
61 read:

62 468.439 Collection services.-Collection service expenses
63 that are reasonably related to the collection of a delinquent
64 account rendered by a community association manager or
65 management firm on behalf of a community association governed by
66 chapter 617, chapter 718, chapter 719, chapter 720, chapter 721,
67 or chapter 723 may be secured by the filing of a claim of lien
68 on behalf of the community association, if the collection
69 services expense is specified by amount in a written agreement
70 with the community association manager or management firm and



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71 payable to the community association manager or management firm
72 as a liquidated sum.

73 Section 7. Subsection (4) of section 469.002, Florida
74 Statutes, is amended to read:

75 469.002 Exemptions.—

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

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

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

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

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

88 Section 8. Subsection (5) of section 475.615, Florida
89 Statutes, is amended to read:

90 475.615 Qualifications for registration or certification.—

91 (5) At the time of filing an application for registration
92 or certification, the applicant must sign a pledge indicating
93 that upon becoming registered or certified, she or he will
94 comply with the standards of professional practice established
95 by rule of the board, including standards for the development or
96 communication of a real estate appraisal, ~~to comply with the~~
97 Uniform Standards of Professional Appraisal Practice upon
98 registration or certification and must indicate in writing that
99 she or he understands the types of misconduct for which



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100 disciplinary proceedings may be initiated. The application shall
101 expire 1 year after the date received by the department.

102 Section 9. Subsection (1), paragraph (b) of subsection (2),
103 and paragraph (b) of subsection (3) of section 475.617, Florida
104 Statutes, are amended to read:

105 475.617 Education and experience requirements.—

106 (1) To be registered as a trainee appraiser, an applicant
107 must present evidence satisfactory to the board that she or he
108 has successfully completed at least 100 hours of approved
109 academic courses in subjects related to real estate appraisal,
110 which shall include coverage of the Uniform Standards of
111 Professional Appraisal Practice, or its equivalent, as
112 established by rule of the board, from a nationally recognized
113 or state-recognized appraisal organization, career center,
114 accredited community college, college, or university, state or
115 federal agency or commission, or proprietary real estate school
116 that holds a permit pursuant to s. 475.451. The board may
117 increase the required number of hours to not more than 125
118 hours. A classroom hour is defined as 50 minutes out of each 60-
119 minute segment. Past courses may be approved on an hour-for-hour
120 basis.

121 (2) To be certified as a residential appraiser, an
122 applicant must present satisfactory evidence to the board that
123 she or he has met the minimum education and experience
124 requirements prescribed by rule of the board. The board shall
125 prescribe by rule education and experience requirements that
126 meet or exceed the following real property appraiser
127 qualification criteria adopted on February 20, 2004, by the
128 Appraisal Qualifications Board of the Appraisal Foundation:



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129 (b) Has successfully completed at least 200 classroom
130 hours, inclusive of examination, of approved academic courses in
131 subjects related to real estate appraisal, which shall include a
132 15-hour National Uniform Standards of Professional Appraisal
133 Practice course, or its equivalent, as established by rule of
134 the board, from a nationally recognized or state-recognized
135 appraisal organization, career center, accredited community
136 college, college, or university, state or federal agency or
137 commission, or proprietary real estate school that holds a
138 permit pursuant to s. 475.451. A classroom hour is defined as 50
139 minutes out of each 60-minute segment. Past courses may be
140 approved by the board and substituted on an hour-for-hour basis.

141 (3) To be certified as a general appraiser, an applicant
142 must present evidence satisfactory to the board that she or he
143 has met the minimum education and experience requirements
144 prescribed by rule of the board. The board shall prescribe
145 education and experience requirements that meet or exceed the
146 following real property appraiser qualification criteria adopted
147 on February 20, 2004, by the Appraisal Qualifications Board of
148 the Appraisal Foundation:

149 (b) Has successfully completed at least 300 classroom
150 hours, inclusive of examination, of approved academic courses in
151 subjects related to real estate appraisal, which shall include a
152 15-hour National Uniform Standards of Professional Appraisal
153 Practice course, or its equivalent, as established by rule of
154 the board, from a nationally recognized or state-recognized
155 appraisal organization, career center, accredited community
156 college, college, or university, state or federal agency or
157 commission, or proprietary real estate school that holds a



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158 permit pursuant to s. 475.451. A classroom hour is defined as 50
159 minutes out of each 60-minute segment. Past courses may be
160 approved by the board and substituted on an hour-for-hour basis.

161 Section 10. Subsection (1) of section 475.6175, Florida
162 Statutes, is amended to read:

163 475.6175 Registered trainee appraiser; postlicensure
164 education required.—

165 (1) The board shall prescribe postlicensure educational
166 requirements in order for a person to maintain a valid
167 registration as a registered trainee appraiser. If prescribed,
168 the postlicensure educational requirements consist of one or
169 more courses which total no more than the total educational
170 hours required to qualify as a state certified residential
171 appraiser. Such courses must be in subjects related to real
172 estate appraisal and shall include coverage of the Uniform
173 Standards of Professional Appraisal Practice or its equivalent,
174 as established by rule of the board. Such courses are provided
175 by a nationally or state-recognized appraisal organization,
176 career center, accredited community college, college, or
177 university, state or federal agency or commission, or
178 proprietary real estate school that holds a permit pursuant to
179 s. 475.451.

180 Section 11. Subsection (2) of section 477.0212, Florida
181 Statutes, is amended to read:

182 477.0212 Inactive status.—

183 (2) The board shall adopt ~~promulgate~~ rules relating to
184 licenses that ~~which have~~ become inactive and for the renewal of
185 inactive licenses. The rules may not require more than one
186 renewal cycle of continuing education to reactivate a license.



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187 The board shall prescribe by rule a fee not to exceed \$50 for
188 the reactivation of an inactive license and a fee not to exceed
189 \$50 for the renewal of an inactive license.

190 Section 12. Subsection (1) of section 481.209, Florida
191 Statutes, is amended to read:

192 481.209 Examinations.—

193 (1) A person desiring to be licensed as a registered
194 architect by initial examination shall apply to the department,
195 complete to take the licensure examination. ~~The department shall~~
196 ~~administer the licensure examination for architects to each~~
197 ~~applicant who the board certifies:~~

198 ~~(a) Has completed the application form, and remit remitted~~
199 ~~a nonrefundable application fee.~~ The department shall license
200 any applicant who the board certifies: and an examination fee
201 ~~which is refundable if the applicant is found to be ineligible~~
202 ~~to take the examination;~~

203 (a) Has passed the licensure examination prescribed by
204 board rule; and

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

208 ~~2. Is a graduate of an approved architectural curriculum,~~
209 ~~evidenced by a degree from an unaccredited school or college of~~
210 ~~architecture approved by the board. The board shall adopt rules~~
211 ~~providing for the review and approval of unaccredited schools~~
212 ~~and colleges of architecture and courses of architectural study~~
213 ~~based on a review and inspection by the board of the curriculum~~
214 ~~of accredited schools and colleges of architecture in the United~~
215 ~~States; and~~



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

218 Section 13. Section 481.211, Florida Statutes, is amended
219 to read:

220 481.211 Architecture internship required.—

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

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

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

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

235 Section 14. Paragraph (c) of subsection (3) of section
236 481.213, Florida Statutes, is amended, and paragraph (d) is
237 added to that subsection, to read:

238 481.213 Licensure.—

239 (3) The board shall certify as qualified for a license by
240 endorsement as an architect or as an interior designer an
241 applicant who:

242 (c) Has passed the prescribed licensure examination and
243 holds a valid certificate issued by the National Council of
244 Architectural Registration Boards, and holds a valid license to



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245 practice architecture issued by another state or jurisdiction of
246 the United States. ~~For the purposes of this paragraph, any~~
247 ~~applicant licensed in another state or jurisdiction after June~~
248 ~~30, 1984, must also hold a degree in architecture and such~~
249 ~~degree must be equivalent to that required in s. 481.209(1)(b).~~
250 ~~Also for the purposes of this paragraph, any applicant licensed~~
251 ~~in another state or jurisdiction after June 30, 1985, must have~~
252 ~~completed an internship equivalent to that required by s.~~
253 ~~481.211 and any rules adopted with respect thereto.~~

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

257 Section 15. Subsection (1) of section 481.217, Florida
258 Statutes, is amended to read:

259 481.217 Inactive status.—

260 (1) The board may prescribe by rule continuing education
261 requirements as a condition of reactivating a license. The rules
262 may not require more than one renewal cycle of continuing
263 education to reactivate requirements for reactivating a license
264 for a registered architect or interior designer ~~may not exceed~~
265 ~~12 contact hours for each year the license was inactive. The~~
266 ~~minimum continuing education requirement for reactivating a~~
267 ~~license for a registered interior designer shall be those of the~~
268 ~~most recent biennium plus one-half of the requirements in s.~~
269 ~~481.215 for each year or part thereof during which the license~~
270 ~~was inactive. The board may ~~shall~~ only approve continuing~~
271 education for an interior designer which ~~that~~ builds upon the
272 basic knowledge of interior design.

273 Section 16. Subsection (1) of section 481.315, Florida



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274 Statutes, is amended to read:

275 481.315 Inactive status.—

276 (1) A license that has become inactive or delinquent may be
277 reactivated under this section upon application to the
278 department and payment of any applicable biennial renewal or
279 delinquency fee, or both, and a reactivation fee. The board may
280 not require a licensee to complete more than one renewal cycle
281 of continuing education requirements. ~~The board may prescribe by~~
282 ~~rule continuing education requirements as a condition of~~
283 ~~reactivating the license. The continuing education requirements~~
284 ~~for reactivating a license may not exceed 12 classroom hours for~~
285 ~~each year the license was inactive.~~

286 Section 17. Subsections (3) and (6) of section 489.116,
287 Florida Statutes, are amended to read:

288 489.116 Inactive and delinquent status; renewal and
289 cancellation notices.—

290 (3) An inactive status certificateholder or registrant may
291 change to active status at any time, if provided the
292 certificateholder or registrant meets all requirements for
293 active status, pays any additional licensure fees necessary to
294 equal those imposed on an active status certificateholder or
295 registrant, ~~and~~ pays any applicable late fees, and meets all
296 continuing education requirements prescribed by the board.

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

302 Section 18. Subsection (1) of section 489.519, Florida



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303 Statutes, is amended to read:

304 489.519 Inactive status.—

305 (1) A certificate or registration that becomes ~~has become~~
306 inactive may be reactivated under s. 489.517 upon application to
307 the department. The board may not require a licensee to complete
308 more than one renewal cycle of ~~prescribe, by rule,~~ continuing
309 education to reactivate ~~requirements as a condition of~~
310 ~~reactivating~~ a certificate or registration. ~~The continuing~~
311 ~~education requirements for reactivating a certificate or~~
312 ~~registration may not exceed 12 classroom hours for each year the~~
313 ~~certificate or registration was inactive.~~

314 Section 19. Subsection (4) of section 475.6235, Florida
315 Statutes, is amended to read:

316 475.6235 Registration of appraisal management companies
317 required.—

318 (4) At the time of filing an application for registration
319 of an appraisal management company, each person listed in
320 paragraph (2) (f) must sign a pledge to comply with the
321 applicable standards of professional practice established by
322 rule of the board, including standards for the development or
323 communication of a real estate appraisal, ~~Uniform Standards of~~
324 ~~Professional Appraisal Practice upon registration~~ and must
325 indicate in writing that she or he understands the types of
326 misconduct for which disciplinary proceedings may be initiated.
327 The application shall expire 1 year after the date received by
328 the department.

329 Section 20. Section 468.391, Florida Statutes, is amended
330 to read:

331 468.391 Penalty.—Any auctioneer, apprentice, or auction



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332 business or any owner or manager thereof, or, in the case of
333 corporate ownership, any substantial stockholder of the
334 corporation owning the auction business, who operates without an
335 active license or violates any of the provisions ~~provision~~ of
336 the prohibited acts listed under s. 468.389(1)(c), (e), (f),
337 (h), and (i) commits a felony of the third degree, punishable as
338 provided in s. 775.082 or s. 775.083.

339 Section 21. Paragraph (t) of subsection (1) of section
340 475.25, Florida Statutes, is amended to read:

341 475.25 Discipline.—

342 (1) The commission may deny an application for licensure,
343 registration, or permit, or renewal thereof; may place a
344 licensee, registrant, or permittee on probation; may suspend a
345 license, registration, or permit for a period not exceeding 10
346 years; may revoke a license, registration, or permit; may impose
347 an administrative fine not to exceed \$5,000 for each count or
348 separate offense; and may issue a reprimand, and any or all of
349 the foregoing, if it finds that the licensee, registrant,
350 permittee, or applicant:

351 (t) Has violated any standard of professional practice
352 established by rule of the Florida Real Estate Appraisal Board,
353 including standards for the development or communication of a
354 real estate appraisal ~~or other provision of the Uniform~~
355 ~~Standards of Professional Appraisal Practice, as defined in s.~~
356 ~~475.611~~, as approved and adopted by the Appraisal Standards
357 Board of the Appraisal Foundation, as defined in s. 475.611.
358 This paragraph does not apply to a real estate broker or sales
359 associate who, in the ordinary course of business, performs a
360 comparative market analysis, gives a broker price opinion, or



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361 gives an opinion of value of real estate. However, in no event
362 may this comparative market analysis, broker price opinion, or
363 opinion of value of real estate be referred to as an appraisal,
364 as defined in s. 475.611.

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

369 475.42 Violations and penalties.—

370 (1) VIOLATIONS.—

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

373 Section 23. Subsection (14) of section 475.624, Florida
374 Statutes, is amended to read:

375 475.624 Discipline of appraisers.—

376 The board may deny an application for registration or
377 certification of an appraiser; may investigate the actions of
378 any appraiser registered, licensed, or certified under this
379 part; may reprimand or impose an administrative fine not to
380 exceed \$5,000 for each count or separate offense against any
381 such appraiser; and may revoke or suspend, for a period not to
382 exceed 10 years, the registration, license, or certification of
383 any such appraiser, or place any such appraiser on probation, if
384 the board finds that the registered trainee, licensee, or
385 certificateholder:

386 (14) Has violated any standard of professional practice,
387 including standards for the development or communication of a
388 real estate appraisal, as established by rule of the board ~~or~~
389 ~~other provision of the Uniform Standards of Professional~~



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390 ~~Appraisal Practice.~~

391 Section 24. Paragraph (n) of subsection (1) of section
392 475.6245, Florida Statutes, is amended to read:

393 475.6245 Discipline of appraisal management companies.—

394 (1) The board may deny an application for registration of
395 an appraisal management company; may investigate the actions of
396 any appraisal management company registered under this part; may
397 reprimand or impose an administrative fine not to exceed \$5,000
398 for each count or separate offense against any such appraisal
399 management company; and may revoke or suspend, for a period not
400 to exceed 10 years, the registration of any such appraisal
401 management company, or place any such appraisal management
402 company on probation, if the board finds that the appraisal
403 management company or any person listed in s. 475.6235(2)(f):

404 (n) Has instructed an appraiser to violate any standard of
405 professional practice established by rule of the board,
406 including standards for the development or communication of a
407 real estate appraisal or other provision of the Uniform
408 Standards of Professional Appraisal Practice.

409 Section 25. Paragraphs (d) through (h) of subsection (1) of
410 section 475.626, Florida Statutes, are redesignated as
411 paragraphs (b) through (f), respectively, and present paragraphs
412 (b) and (c) of that subsection are amended to read:

413 475.626 Violations and penalties.—

414 (1) A person may not:

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

417 ~~(c) If a registered trainee appraiser or a licensed or~~
418 ~~certified appraiser, commit any conduct or practice set forth in~~



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419 ~~s. 475.624.~~

420 Section 26. Paragraphs (c) through (f) of subsection (1) of
421 section 476.194, Florida Statutes, are redesignated as
422 paragraphs (b) through (e), respectively, and present paragraph
423 (b) of that subsection is amended to read:

424 476.194 Prohibited acts.—

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

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

428 Section 27. Paragraphs (d) through (h) of subsection (1) of
429 section 477.0265, Florida Statutes, are redesignated as
430 paragraphs (c) through (g), respectively, and present paragraph
431 (c) of that subsection is amended to read:

432 477.0265 Prohibited acts.—

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

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

436 Section 28. Section 475.628, Florida Statutes, is amended
437 to read:

438 475.628 Professional standards for appraisers registered,
439 licensed, or certified under this part.—The board shall adopt
440 rules establishing standards of professional practice which meet
441 or exceed nationally recognized standards of appraisal practice,
442 including standards adopted by the Appraisal Standards Board of
443 the Appraisal Foundation. Each appraiser registered, licensed,
444 or certified under this part must ~~shall~~ comply with the rules
445 ~~Uniform Standards of Professional Appraisal Practice.~~ Statements
446 on appraisal standards which may be issued for the purpose of
447 clarification, interpretation, explanation, or elaboration



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448 through the Appraisal Foundation shall also be binding on any
449 appraiser registered, licensed, or certified under this part,
450 upon adoption by rule of the board.

451 Section 29. Paragraph (c) of subsection (5) of section
452 373.461, Florida Statutes, is amended to read:

453 373.461 Lake Apopka improvement and management.—

454 (5) PURCHASE OF AGRICULTURAL LANDS.—

455 (c) The district shall explore the availability of funding
456 from all sources, including any federal, state, regional, and
457 local land acquisition funding programs, to purchase the
458 agricultural lands described in paragraph (a). It is the
459 Legislature's intent that, if such funding sources can be
460 identified, acquisition of the lands described in paragraph (a)
461 may be undertaken by the district to purchase these properties
462 from willing sellers. However, the purchase price paid for
463 acquisition of such lands that were in active cultivation during
464 1996 may shall not exceed the highest appraisal obtained by the
465 district for these lands from a state-certified general
466 appraiser following the standards of professional practice
467 established by rule of the Florida Real Estate Appraisal Board,
468 including standards for the development or communication of a
469 real estate appraisal ~~Uniform Standards of Professional~~
470 ~~Appraisal Practice~~. This maximum purchase price limitation may
471 ~~shall~~ not include, nor be applicable to, that portion of the
472 purchase price attributable to consideration of income described
473 in paragraph (b), or that portion attributable to related
474 facilities, or closing costs.

475 Section 30. Paragraph (d) of subsection (1) of section
476 468.841, Florida Statutes, is amended to read:



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477 468.841 Exemptions.—

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

480 (d) Persons or business organizations acting within the
481 scope of the respective licenses required under part XV of this
482 chapter, chapter 471, part I or part II of chapter 481, chapter
483 482, or chapter 489 are acting on behalf of an insurer under
484 part VI of chapter 626, or are persons in the manufactured
485 housing industry who are licensed under chapter 320, except when
486 any such persons or business organizations hold themselves out
487 for hire to the public as a "certified mold assessor,"
488 "registered mold assessor," "licensed mold assessor," "mold
489 assessor," "professional mold assessor," or any combination
490 thereof stating or implying licensure under this part.

491 Section 31. Paragraphs (c) and (d) of subsection (1) of
492 section 475.611, Florida Statutes, are amended, paragraphs (t)
493 through (x) are redesignated as paragraphs (u) through (y),
494 respectively, and a new paragraph (t) is added to that
495 subsection, to read:

496 475.611 Definitions.—

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

498 (c) "Appraisal management company" means a person who
499 performs appraisal management services regardless of the use of
500 the term "appraisal management company," "appraiser
501 cooperative," "appraiser portal," "mortgage technology company,"
502 or other term.

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

505 1. Employing, contracting with, or otherwise retaining one



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506 or more licensed or certified appraisers to perform appraisal
507 services for a client; or

508 2. Acting as a broker or intermediary between a client and
509 one or more licensed or certified appraisers to facilitate the
510 client's employing, contracting with, or otherwise retaining the
511 appraisers.

512 (t) "Subsidiary" means an organization that is owned and
513 controlled by a financial institution that is regulated by a
514 federal financial institution regulatory agency.

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

517 475.6171 Issuance of registration or certification.—The
518 registration or certification of an applicant may be issued upon
519 receipt by the board of the following:

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

524 Section 33. Subsection (1) of section 475.6235, Florida
525 Statutes, is amended, and subsection (9) is added to that
526 section, to read:

527 475.6235 Registration of appraisal management companies
528 required; exemptions.—

529 (1) A person may not engage, or offer to engage, in
530 appraisal management services for compensation in this state,
531 advertise or represent herself or himself as an appraisal
532 management company, ~~or use the titles "appraisal management~~
533 ~~company," "appraiser cooperative," "appraiser portal," or~~
534 ~~"mortgage technology company," or any abbreviation or words to~~



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535 ~~that effect,~~ unless the person is registered with the department
536 as an appraisal management company under this section. However,
537 an employee of an appraisal management company is not required
538 to obtain a separate registration.

539 (9) This section does not apply to:

540 (a) A financial institution, as defined in s. 655.005,
541 which owns and operates an internal appraisal office, business
542 unit, or department; or

543 (b) An appraisal management company that is a subsidiary
544 owned and controlled by a financial institution, as defined in
545 s. 655.005, which is regulated by a federal financial
546 institution regulatory agency.

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

549 455.213 General licensing provisions.—

550 (12) The department shall waive the initial licensing fee,
551 the initial application fee, and the initial unlicensed activity
552 fee for a military veteran who applies to the department for a
553 license, in a format prescribed by the department, within 24
554 months after discharge from any branch of the United States
555 Armed Forces. To qualify for this waiver, the veteran must have
556 been honorably discharged.

557 Section 35. Paragraph (c) of subsection (2) of section
558 475.451, Florida Statutes, is amended, present subsections (4)
559 through (8) are renumbered as subsections (5) through (9),
560 respectively, and a new subsection (4) is added to that section,
561 to read:

562 475.451 Schools teaching real estate practice.—

563 (2) An applicant for a permit to operate a proprietary real



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564 estate school, to be a chief administrator of a proprietary real
565 estate school or a state institution, or to be an instructor for
566 a proprietary real estate school or a state institution must
567 meet the qualifications for practice set forth in s. 475.17(1)
568 and the following minimal requirements:

569 (c) "School instructor" means an individual who instructs
570 persons in the classroom in noncredit college courses in a
571 college, university, or community college or courses in a career
572 center or proprietary real estate school.

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

576 a. Hold a bachelor's degree in a business-related subject,
577 such as real estate, finance, accounting, business
578 administration, or its equivalent and hold a valid broker's
579 license in this state.

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

583 c. Pass an instructor's examination approved by the
584 commission.

585 2. Any requirement by the commission for a teaching
586 demonstration or practical examination must apply to all school
587 instructor applicants.

588 3. The department shall renew an instructor permit upon
589 receipt of a renewal application and fee. The renewal
590 application shall include proof that the permitholder has, since
591 the issuance or renewal of the current permit, successfully
592 completed a minimum of 7 classroom or distance learning hours of



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593 instruction in real estate subjects or instructional techniques,
594 as prescribed by the commission. The commission shall adopt
595 rules providing for the renewal of instructor permits at least
596 every 2 years. Any permit that ~~which~~ is not renewed at the end
597 of the permit period established by the department ~~shall~~
598 automatically reverts ~~revert~~ to involuntarily inactive status.
599

600 The department may require an applicant to submit names of
601 persons having knowledge concerning the applicant and the
602 enterprise; may propound interrogatories to such persons and to
603 the applicant concerning the character of the applicant,
604 including the taking of fingerprints for processing through the
605 Federal Bureau of Investigation; and shall make such
606 investigation of the applicant or the school or institution as
607 it may deem necessary to the granting of the permit. If an
608 objection is filed, it shall be considered in the same manner as
609 objections or administrative complaints against other applicants
610 for licensure by the department.

611 (4) A real estate school may offer any course through
612 distance learning if the course complies with s. 475.17(2).

613 Section 36. This act shall take effect July 1, 2012.
614

615 ===== T I T L E A M E N D M E N T =====

616 And the title is amended as follows:

617 Delete everything before the enacting clause
618 and insert:

619 A bill to be entitled

620 An act relating to reducing and streamlining

621 regulations; amending ss. 455.271, 468.4338, 468.525,



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622 468.8317, 468.8417, 475.615, 475.617, 475.6175,
623 477.0212, 481.209, 481.211, 481.213, 481.217, 481.315,
624 489.116, and 489.519, F.S.; revising certain licensure
625 requirements and continuing education requirements for
626 reactivating a license, certificate, or registration
627 to practice certain professions and occupations
628 regulated by the Department of Business and
629 Professional Regulation or a board or council within
630 the department, including community association
631 management, employee leasing, home inspection, mold-
632 related services, real estate appraisal, cosmetology,
633 architecture and interior design, landscape
634 architecture, construction contracting, and electrical
635 and alarm system contracting; creating s. 468.439,
636 F.S.; providing conditions that collection service
637 expenses that are reasonably related to the collection
638 of a delinquent account rendered by a community
639 association manager or management firm on behalf of
640 certain community associations may be secured by the
641 filing of a claim of lien; amending s. 469.002, F.S.;
642 providing an exemption from licensure as an asbestos
643 consultant or contractor for activities involving pipe
644 or conduit used for gas service; amending s. 475.6235,
645 F.S.; revising registration requirements for appraisal
646 management companies; amending ss. 468.391, 475.25,
647 475.42, 475.624, 475.6245, 475.626, 476.194, and
648 477.0265, F.S., relating to auctioneering, real estate
649 brokering and appraisal, barbering, and cosmetology;
650 revising language with respect to certain penalties;



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651 revising grounds for discipline to which penalties
652 apply; amending s. 475.628, F.S.; requiring the
653 Florida Real Estate Appraisal Board to adopt rules
654 establishing professional practice standards; amending
655 s. 373.461, F.S.; requiring certain appraisers to
656 follow specific standards of professional practice in
657 appraisals involving the restoration of the Lake
658 Apopka Basin; amending s. 468.841, F.S.; exempting
659 landscape architects from complying with provisions
660 related to mold assessment; amending s. 475.611, F.S.;
661 revising the definition of the terms "appraisal
662 management company" and "appraisal management
663 services"; amending s. 475.6171, F.S.; revising
664 requirements for the issuance of registration or
665 certification upon receipt of proper documentation;
666 amending s. 475.6235, F.S.; revising provisions
667 relating to titles an appraisal management company
668 must be registered to use; providing exemptions from
669 registration requirements; amending s. 455.213, F.S.;
670 waiving initial licensing, application, and unlicensed
671 activity fees for certain military veterans; amending
672 s. 475.451, F.S.; authorizing distance learning
673 courses as an acceptable alternative to classroom
674 instruction for renewal of a real estate instructor
675 permit; providing that distance learning courses are
676 under the discretion of the school offering the real
677 estate course; requiring distance learning courses to
678 adhere to certain requirements; providing an effective
679 date.