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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/01/2012	.	
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The Committee on Budget Subcommittee on General Government Appropriations (Hays) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (5) of section 373.461, Florida Statutes, is amended to read:

373.461 Lake Apopka improvement and management.—

(5) PURCHASE OF AGRICULTURAL LANDS.—

(c) The district shall explore the availability of funding from all sources, including any federal, state, regional, and local land acquisition funding programs, to purchase the agricultural lands described in paragraph (a). It is the



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13 Legislature's intent that, if such funding sources can be  
14 identified, acquisition of the lands described in paragraph (a)  
15 may be undertaken by the district to purchase these properties  
16 from willing sellers. However, the purchase price paid for  
17 acquisition of such lands that were in active cultivation during  
18 1996 ~~may shall~~ not exceed the highest appraisal obtained by the  
19 district for these lands from a state-certified general  
20 appraiser following the standards of professional practice  
21 established by rule of the Florida Real Estate Appraisal Board,  
22 including standards for the development or communication of a  
23 real estate appraisal ~~Uniform Standards of Professional~~  
24 ~~Appraisal Practice~~. This maximum purchase price limitation may  
25 ~~shall~~ not include, nor be applicable to, that portion of the  
26 purchase price attributable to consideration of income described  
27 in paragraph (b), or that portion attributable to related  
28 facilities, or closing costs.

29 Section 2. Subsection (12) is added to section 455.213,  
30 Florida Statutes, to read:

31 455.213 General licensing provisions.—

32 (12) The department shall waive the initial licensing fee,  
33 the initial application fee, and the initial unlicensed activity  
34 fee for a military veteran who applies to the department for a  
35 license, in a format prescribed by the department, within 24  
36 months after discharge from any branch of the United States  
37 Armed Forces. To qualify for this waiver, the veteran must have  
38 been honorably discharged.

39 Section 3. Subsection (10) of section 455.271, Florida  
40 Statutes, is amended to read:

41 455.271 Inactive and delinquent status.—



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42           (10) The board, or the department if there is no board, may  
43 not require ~~Before reactivation,~~ an inactive or delinquent  
44 licensee, except for a licensee under chapter 473 or chapter  
45 475, to complete more than one renewal cycle of ~~shall meet the~~  
46 ~~same continuing education to reactivate a license requirements,~~  
47 ~~if any, imposed on an active status licensee for all biennial~~  
48 ~~licensure periods in which the licensee was inactive or~~  
49 ~~delinquent. This subsection does not apply to persons regulated~~  
50 ~~under chapter 473.~~

51           Section 4. Section 468.391, Florida Statutes, is amended to  
52 read:

53           468.391 Penalty.—Any auctioneer, apprentice, or auction  
54 business or any owner or manager thereof, or, in the case of  
55 corporate ownership, any substantial stockholder of the  
56 corporation owning the auction business, who operates without an  
57 active license or violates paragraph ~~any provision of the~~  
58 ~~prohibited acts listed under s. 468.389(1)(c), (e), (f), (h), or~~  
59 (i) commits a felony of the third degree, punishable as provided  
60 in s. 775.082 or s. 775.083.

61           Section 5. Section 468.4338, Florida Statutes, is amended  
62 to read:

63           468.4338 Reactivation; continuing education.—The council  
64 shall prescribe by rule continuing education requirements for  
65 reactivating a license. The continuing education requirements  
66 for reactivating a license may not exceed one renewal cycle of  
67 continuing education ~~10 classroom hours for each year the~~  
68 ~~license was inactive.~~

69           Section 6. Subsection (2) of section 468.8317, Florida  
70 Statutes, is amended to read:



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71 468.8317 Inactive license.-

72 (2) A license that becomes ~~has become~~ inactive may be  
73 reactivated upon application to the department. The department  
74 may prescribe by rule continuing education requirements as a  
75 condition of reactivating a license. The rules may not require  
76 more than one renewal cycle of continuing education to  
77 reactivate ~~requirements for reactivating~~ a license ~~may not~~  
78 ~~exceed 14 hours for each year the license was inactive.~~

79 Section 7. Paragraph (d) of subsection (1) of section  
80 468.841, Florida Statutes, is amended to read:

81 468.841 Exemptions.-

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

84 (d) Persons or business organizations acting within the  
85 scope of the respective licenses required under part XV of this  
86 chapter, chapter 471, part I or part II of chapter 481, chapter  
87 482, or chapter 489 are acting on behalf of an insurer under  
88 part VI of chapter 626, or are persons in the manufactured  
89 housing industry who are licensed under chapter 320, except when  
90 any such persons or business organizations hold themselves out  
91 for hire to the public as a "certified mold assessor,"  
92 "registered mold assessor," "licensed mold assessor," "mold  
93 assessor," "professional mold assessor," or any combination  
94 thereof stating or implying licensure under this part.

95 Section 8. Subsection (2) of section 468.8417, Florida  
96 Statutes, is amended to read:

97 468.8417 Inactive license.-

98 (2) A license that becomes ~~has become~~ inactive may be  
99 reactivated upon application to the department. The department



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100 may prescribe by rule continuing education requirements as a  
101 condition of reactivating a license. The rules may not require  
102 more than one renewal cycle of continuing education to  
103 reactivate ~~requirements for reactivating a license may not~~  
104 ~~exceed 14 hours for each year the license was inactive.~~

105 Section 9. Subsection (4) of section 469.002, Florida  
106 Statutes, is amended to read:

107 469.002 Exemptions.—

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

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

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

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

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

120 Section 10. Paragraph (t) of subsection (1) of section  
121 475.25, Florida Statutes, is amended to read:

122 475.25 Discipline.—

123 (1) The commission may deny an application for licensure,  
124 registration, or permit, or renewal thereof; may place a  
125 licensee, registrant, or permittee on probation; may suspend a  
126 license, registration, or permit for a period not exceeding 10  
127 years; may revoke a license, registration, or permit; may impose  
128 an administrative fine not to exceed \$5,000 for each count or



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129 separate offense; and may issue a reprimand, and any or all of  
130 the foregoing, if it finds that the licensee, registrant,  
131 permittee, or applicant:

132 (t) Has violated any standard of professional practice  
133 adopted by rule of the Florida Real Estate Appraisal Board,  
134 including standards for the development or communication of a  
135 real estate appraisal ~~or other provision of the Uniform~~  
136 ~~Standards of Professional Appraisal Practice, as defined in s.~~  
137 ~~475.611,~~ as approved and adopted by the Appraisal Standards  
138 Board of the Appraisal Foundation, as defined in s. 475.611.  
139 This paragraph does not apply to a real estate broker or sales  
140 associate who, in the ordinary course of business, performs a  
141 comparative market analysis, gives a broker price opinion, or  
142 gives an opinion of value of real estate. However, in no event  
143 may this comparative market analysis, broker price opinion, or  
144 opinion of value of real estate be referred to as an appraisal,  
145 as defined in s. 475.611.

146 Section 11. Paragraph (e) of subsection (1) of section  
147 475.42, Florida Statutes, is repealed.

148 Section 12. Paragraph (c) of subsection (2) of section  
149 475.451, Florida Statutes, is amended, and subsection (9) is  
150 added to that section, to read:

151 475.451 Schools teaching real estate practice.—

152 (2) An applicant for a permit to operate a proprietary real  
153 estate school, to be a chief administrator of a proprietary real  
154 estate school or a state institution, or to be an instructor for  
155 a proprietary real estate school or a state institution must  
156 meet the qualifications for practice set forth in s. 475.17(1)  
157 and the following minimal requirements:



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158 (c) "School instructor" means an individual who instructs  
159 persons in the classroom in noncredit college courses in a  
160 college, university, or community college or courses in a career  
161 center or proprietary real estate school.

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

165 a. Hold a bachelor's degree in a business-related subject,  
166 such as real estate, finance, accounting, business  
167 administration, or its equivalent and hold a valid broker's  
168 license in this state.

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

172 c. Pass an instructor's examination approved by the  
173 commission.

174 2. Any requirement by the commission for a teaching  
175 demonstration or practical examination must apply to all school  
176 instructor applicants.

177 3. The department shall renew an instructor permit upon  
178 receipt of a renewal application and fee. The renewal  
179 application shall include proof that the permitholder has, since  
180 the issuance or renewal of the current permit, successfully  
181 completed a minimum of 7 classroom or distance learning hours of  
182 instruction in real estate subjects or instructional techniques,  
183 as prescribed by the commission. The commission shall adopt  
184 rules providing for the renewal of instructor permits at least  
185 every 2 years. A ~~Any~~ permit that ~~which~~ is not renewed at the end  
186 of the permit period established by the department ~~shall~~



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187 automatically reverts ~~revert~~ to involuntarily inactive status.

188

189 The department may require an applicant to submit names of  
190 persons having knowledge concerning the applicant and the  
191 enterprise; may propound interrogatories to such persons and to  
192 the applicant concerning the character of the applicant,  
193 including the taking of fingerprints for processing through the  
194 Federal Bureau of Investigation; and shall make such  
195 investigation of the applicant or the school or institution as  
196 it may deem necessary to the granting of the permit. If an  
197 objection is filed, it shall be considered in the same manner as  
198 objections or administrative complaints against other applicants  
199 for licensure by the department.

200 (9) A real estate school may offer any course through  
201 distance learning if the course complies with s. 475.17.

202 Section 13. Paragraphs (c) and (d) of subsection (1) of  
203 section 475.611, Florida Statutes, are amended, present  
204 paragraphs (t) through (x) of subsection (1) are redesignated as  
205 paragraphs (u) through (y), respectively, and a new paragraph  
206 (t) is added to that subsection, to read:

207 475.611 Definitions.—

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

209 (c) "Appraisal management company" means a person who  
210 performs appraisal management services regardless of the use of  
211 the term "appraisal management company," "appraiser  
212 cooperative," "appraiser portal," "mortgage technology company,"  
213 or other term.

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





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216 1. Employing, contracting with, or otherwise retaining one  
217 or more licensed or certified appraisers to perform appraisal  
218 services for a client; or

219 2. Acting as a broker or intermediary between a client and  
220 one or more licensed or certified appraisers to facilitate the  
221 client's employing, contracting with, or otherwise retaining the  
222 appraisers.

223 (t) "Subsidiary" means an organization that is owned and  
224 controlled by a financial institution that is regulated by a  
225 federal financial institution regulatory agency.

226 Section 14. Subsection (5) of section 475.615, Florida  
227 Statutes, is amended to read:

228 475.615 Qualifications for registration or certification.—

229 (5) At the time of filing an application for registration  
230 or certification, the applicant must sign a pledge indicating  
231 that upon becoming registered or certified, she or he will  
232 comply with the standards of professional practice established  
233 by rule of the board, including standards for the development or  
234 communication of a real estate appraisal, to comply with the  
235 ~~Uniform Standards of Professional Appraisal Practice upon~~  
236 ~~registration or certification~~ and must indicate in writing that  
237 she or he understands the types of misconduct for which  
238 disciplinary proceedings may be initiated. The application  
239 expires shall expire 1 year after the date received by the  
240 department.

241 Section 15. Subsections (1), (2), and (3) of section  
242 475.617, Florida Statutes, are amended to read:

243 475.617 Education and experience requirements.—

244 (1) To be registered as a trainee appraiser, an applicant



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245 must present evidence satisfactory to the board that she or he  
246 has successfully completed at least 100 hours of approved  
247 academic courses in subjects related to real estate appraisal,  
248 which must ~~shall~~ include coverage of the Uniform Standards of  
249 Professional Appraisal Practice, or its equivalent, as  
250 established by rule of the board, from a nationally recognized  
251 or state-recognized appraisal organization, career center,  
252 accredited community college, college, or university, state or  
253 federal agency or commission, or proprietary real estate school  
254 that holds a permit pursuant to s. 475.451. The board may  
255 increase the required number of hours to not more than 125  
256 hours. A classroom hour is defined as 50 minutes out of each 60-  
257 minute segment. Past courses may be approved on an hour-for-hour  
258 basis.

259 (2) To be certified as a residential appraiser, an  
260 applicant must present satisfactory evidence to the board that  
261 she or he has met the minimum education and experience  
262 requirements prescribed by rule of the board. The board shall  
263 prescribe by rule education and experience requirements that  
264 meet or exceed the following real property appraiser  
265 qualification criteria adopted on February 20, 2004, by the  
266 Appraisal Qualifications Board of the Appraisal Foundation:

267 (a) Has at least 2,500 hours of experience obtained over a  
268 24-month period in real property appraisal as defined by rule.

269 (b) Has successfully completed at least 200 classroom  
270 hours, inclusive of examination, of approved academic courses in  
271 subjects related to real estate appraisal, which must ~~shall~~  
272 include a 15-hour National Uniform Standards of Professional  
273 Appraisal Practice course, or its equivalent, as established by



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274 rule of the board, from a nationally recognized or state-  
275 recognized appraisal organization, career center, accredited  
276 community college, college, or university, state or federal  
277 agency or commission, or proprietary real estate school that  
278 holds a permit pursuant to s. 475.451. A classroom hour is  
279 defined as 50 minutes out of each 60-minute segment. Past  
280 courses may be approved by the board and substituted on an hour-  
281 for-hour basis.

282 (3) To be certified as a general appraiser, an applicant  
283 must present evidence satisfactory to the board that she or he  
284 has met the minimum education and experience requirements  
285 prescribed by rule of the board. The board shall prescribe  
286 education and experience requirements that meet or exceed the  
287 following real property appraiser qualification criteria adopted  
288 on February 20, 2004, by the Appraisal Qualifications Board of  
289 the Appraisal Foundation:

290 (a) Has at least 3,000 hours of experience obtained over a  
291 30-month period in real property appraisal as defined by rule.

292 (b) Has successfully completed at least 300 classroom  
293 hours, inclusive of examination, of approved academic courses in  
294 subjects related to real estate appraisal, which must ~~shall~~  
295 include a 15-hour National Uniform Standards of Professional  
296 Appraisal Practice course, or its equivalent, as established by  
297 rule of the board, from a nationally recognized or state-  
298 recognized appraisal organization, career center, accredited  
299 community college, college, or university, state or federal  
300 agency or commission, or proprietary real estate school that  
301 holds a permit pursuant to s. 475.451. A classroom hour is  
302 defined as 50 minutes out of each 60-minute segment. Past



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303 courses may be approved by the board and substituted on an hour-  
304 for-hour basis.

305 Section 16. Subsection (4) of section 475.6171, Florida  
306 Statutes, is amended to read:

307 475.6171 Issuance of registration or certification.—The  
308 registration or certification of an applicant may be issued upon  
309 receipt by the board of the following:

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

314 Section 17. Subsection (1) of section 475.6175, Florida  
315 Statutes, is amended to read:

316 475.6175 Registered trainee appraiser; postlicensure  
317 education required.—

318 (1) The board shall prescribe postlicensure educational  
319 requirements in order for a person to maintain a valid  
320 registration as a registered trainee appraiser. If prescribed,  
321 the postlicensure educational requirements consist of one or  
322 more courses which total no more than the total educational  
323 hours required to qualify as a state certified residential  
324 appraiser. Such courses must be in subjects related to real  
325 estate appraisal and must ~~shall~~ include coverage of the Uniform  
326 Standards of Professional Appraisal Practice, or its equivalent,  
327 as established by rule of the board. Such courses are provided  
328 by a nationally or state-recognized appraisal organization,  
329 career center, accredited community college, college, or  
330 university, state or federal agency or commission, or  
331 proprietary real estate school that holds a permit pursuant to



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332 s. 475.451.

333 Section 18. Section 475.6235, Florida Statutes, is amended  
334 to read:

335 475.6235 Registration of appraisal management companies  
336 required; exemptions.—

337 (1) A person may not engage, or offer to engage, in  
338 appraisal management services for compensation in this state,  
339 advertise or represent herself or himself as an appraisal  
340 management company, ~~or use the titles "appraisal management~~  
341 ~~company," "appraiser cooperative," "appraiser portal," or~~  
342 ~~"mortgage technology company," or any abbreviation or words to~~  
343 ~~that effect~~, unless the person is registered with the department  
344 as an appraisal management company under this section. However,  
345 an employee of an appraisal management company is not required  
346 to obtain a separate registration.

347 (2) An application for registration must be submitted to  
348 the department in the format prescribed by the department and  
349 must include, at a minimum, the following:

350 (a) The firm or business name under which the appraisal  
351 management company conducts business in this state. The  
352 appraisal management company must notify the department of any  
353 change in the firm or business name, on a form provided by the  
354 department, within 10 days after such change.

355 (b) The mailing address, street address, and telephone  
356 number of the appraisal management company's principal business  
357 location. The appraisal management company must notify the  
358 department of any change in the mailing or street address, on a  
359 form provided by the department, within 10 days after such  
360 change.



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361 (c) The appraisal management company's federal employer  
362 identification number.

363 (d) The appraisal management company's type of business  
364 organization, such as a corporation, partnership, limited  
365 liability company, or sole proprietorship.

366 (e) A statement as to whether the appraisal management  
367 company, if incorporated, is a domestic or foreign corporation,  
368 the company's date of incorporation, the state in which the  
369 company was incorporated, its charter number, and, if it is a  
370 foreign corporation, the date that the company first registered  
371 with the Department of State to conduct business in this state.

372 (f) The full name, street address, telephone number,  
373 corporate title, and social security number or federal employer  
374 identification number of any person who possesses the authority,  
375 directly or indirectly, to direct the management or policies of  
376 the appraisal management company, whether through ownership, by  
377 contract, or otherwise, including, but not limited to:

378 1. Each officer and director if the appraisal management  
379 company is a corporation.

380 2. Each general partner if the appraisal management company  
381 is a partnership.

382 3. Each manager or managing member if the appraisal  
383 management company is a limited liability company.

384 4. The owner if the appraisal management company is a sole  
385 proprietorship.

386 5. Each other person who, directly or indirectly, owns or  
387 controls 10 percent or more of an ownership interest in the  
388 appraisal management company.

389 (g) The firm or business name under which any person listed



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390 in paragraph (f) conducted business as an appraisal management  
391 company within the 5 years preceding the date of the  
392 application.

393 (h) The appraisal management company's registered agent for  
394 service of process in this state.

395 (3) Appropriate fees, as set forth in the rules of the  
396 board pursuant to s. 475.6147, and a complete set of  
397 fingerprints for each person listed in paragraph (2)(f) must  
398 accompany all applications for registration. The fingerprints  
399 shall be forwarded to the Division of Criminal Justice  
400 Information Systems within the Department of Law Enforcement for  
401 purposes of processing the fingerprints to determine whether the  
402 person has a criminal history record. The fingerprints shall  
403 also be forwarded to the Federal Bureau of Investigation for  
404 purposes of processing the fingerprints to determine whether the  
405 person has a criminal history record. The information obtained  
406 by the processing of fingerprints by the Department of Law  
407 Enforcement and the Federal Bureau of Investigation shall be  
408 sent to the department for the purpose of determining whether  
409 the appraisal management company is statutorily qualified for  
410 registration.

411 (4) At the time of filing an application for registration  
412 of an appraisal management company, each person listed in  
413 paragraph (2)(f) must sign a pledge to comply with applicable  
414 standards of professional practice established by rule of the  
415 board, including standards for the development or communication  
416 of a real estate appraisal, ~~the Uniform Standards of~~  
417 Professional Appraisal Practice upon registration and must  
418 indicate in writing that she or he understands the types of



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419 misconduct for which disciplinary proceedings may be initiated.  
420 The application expires ~~shall expire~~ 1 year after the date  
421 received.

422 (5) Each person listed in paragraph (2)(f) must be  
423 competent and qualified to engage in appraisal management  
424 services with safety to the general public and those with whom  
425 the person may undertake a relationship of trust and confidence.  
426 If any person listed in paragraph (2)(f) has been denied  
427 registration, licensure, or certification as an appraiser or has  
428 been disbarred, or if the person's registration, license, or  
429 certificate to practice or conduct any regulated profession,  
430 business, or vocation has been revoked or suspended by this or  
431 any other state, any nation, any possession or district of the  
432 United States, or any court or lawful agency thereof because of  
433 any conduct or practices that would have warranted a like result  
434 under this part, or if the person has been guilty of conduct or  
435 practices in this state or elsewhere that would have been  
436 grounds for disciplining her or his registration, license, or  
437 certification under this part had the person then been a  
438 registered trainee appraiser or a licensed or certified  
439 appraiser, the person shall be deemed not to be qualified  
440 unless, because of lapse of time and subsequent good conduct and  
441 reputation, or other reason deemed sufficient, it appears to the  
442 board that the interest of the public is not likely to be  
443 endangered by the granting of registration.

444 (6) An applicant seeking to become registered under this  
445 part as an appraisal management company may not be rejected  
446 solely by virtue of membership or lack of membership of any  
447 person listed in paragraph (2)(f) or any employee of the company





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448 in any particular appraisal organization.

449 (7) An applicant for registration who is not a resident of  
450 the state shall file an irrevocable consent that suits and  
451 actions may be commenced against the appraisal management  
452 company in any county of the state in which a plaintiff having a  
453 cause of action or suit against the company resides and that  
454 service of any process or pleading in suits or actions against  
455 the company may be made by delivering the process or pleading to  
456 the director of the Division of Real Estate by certified mail,  
457 return receipt requested, and also to the appraisal management  
458 company by registered mail addressed to the company's designated  
459 principal business location or, if its principal business  
460 location is located in this state, to the company's registered  
461 agent. Service, when so made, must be taken and held in all  
462 courts to be as valid and binding upon the appraisal management  
463 company as if made upon the company in this state within the  
464 jurisdiction of the court in which the suit or action is filed.  
465 The irrevocable consent must be in a form prescribed by the  
466 department and be acknowledged before a notary public.

467 (8) The department shall renew the registration of an  
468 appraisal management company upon receipt of the renewal  
469 application and the proper fee. The department shall adopt rules  
470 establishing a procedure for renewal of the registration of an  
471 appraisal management company at least every 4 years.

472 (9) This section does not apply to:

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

476 (b) An appraisal management company that is a subsidiary



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477 owned and controlled by a financial institution, as defined in  
478 s. 655.005, regulated by a federal financial institution  
479 regulatory agency.

480 Section 19. Subsection (14) of section 475.624, Florida  
481 Statutes, is amended to read:

482 475.624 Discipline of appraisers.—The board may deny an  
483 application for registration or certification of an appraiser;  
484 may investigate the actions of any appraiser registered,  
485 licensed, or certified under this part; may reprimand or impose  
486 an administrative fine not to exceed \$5,000 for each count or  
487 separate offense against any such appraiser; and may revoke or  
488 suspend, for a period not to exceed 10 years, the registration,  
489 license, or certification of any such appraiser, or place any  
490 such appraiser on probation, if the board finds that the  
491 registered trainee, licensee, or certificateholder:

492 (14) Has violated any standard of professional practice  
493 established by rule of the board, including standards for the  
494 development or communication of a real estate appraisal ~~or other~~  
495 ~~provision of the Uniform Standards of Professional Appraisal~~  
496 ~~Practice.~~

497 Section 20. Paragraph (n) of subsection (1) of section  
498 475.6245, Florida Statutes, is amended to read:

499 475.6245 Discipline of appraisal management companies.—

500 (1) The board may deny an application for registration of  
501 an appraisal management company; may investigate the actions of  
502 any appraisal management company registered under this part; may  
503 reprimand or impose an administrative fine not to exceed \$5,000  
504 for each count or separate offense against any such appraisal  
505 management company; and may revoke or suspend, for a period not



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506 to exceed 10 years, the registration of any such appraisal  
507 management company, or place any such appraisal management  
508 company on probation, if the board finds that the appraisal  
509 management company or any person listed in s. 475.6235(2)(f):

510 (n) Has instructed an appraiser to violate any standard of  
511 professional practice established by rule of the board,  
512 including standards for the development or communication of a  
513 real estate appraisal or other provision of the Uniform  
514 Standards of Professional Appraisal Practice.

515 Section 21. Paragraphs (b) and (c) of subsection (1) of  
516 section 475.626, Florida Statutes, are repealed.

517 Section 22. Section 475.628, Florida Statutes, is amended  
518 to read:

519 475.628 Professional standards for appraisers registered,  
520 licensed, or certified under this part.— The board shall adopt  
521 rules establishing standards of professional practice which meet  
522 or exceed nationally recognized standards of appraisal practice,  
523 including standards adopted by the Appraisal Standards Board of  
524 the Appraisal Foundation. Each appraiser registered, licensed,  
525 or certified under this part must ~~shall~~ comply with the rules  
526 ~~Uniform Standards of Professional Appraisal Practice.~~ Statements  
527 on appraisal standards which may be issued for the purpose of  
528 clarification, interpretation, explanation, or elaboration  
529 through the Appraisal Foundation are ~~shall also be~~ binding on  
530 any appraiser registered, licensed, or certified under this  
531 part, upon adoption by rule of the board.

532 Section 23. Paragraph (b) of subsection (1) of section  
533 476.194, Florida Statutes, is repealed.

534 Section 24. Subsection (2) of section 477.0212, Florida



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535 Statutes, is amended to read:

536 477.0212 Inactive status.—

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

541 The board shall prescribe by rule a fee not to exceed \$50 for  
542 the reactivation of an inactive license and a fee not to exceed  
543 \$50 for the renewal of an inactive license.

544 Section 25. Paragraph (c) of subsection (1) of section  
545 477.0265, Florida Statutes, is repealed.

546 Section 26. Subsection (1) of section 481.209, Florida  
547 Statutes, is amended to read:

548 481.209 Examinations.—

549 (1) A person desiring to be licensed as a registered  
550 architect by initial examination shall apply to the department,  
551 complete to take the licensure examination. ~~The department shall~~  
552 ~~administer the licensure examination for architects to each~~  
553 ~~applicant who the board certifies:~~

554 ~~(a) Has completed the application form, and remit~~ remitted  
555 a nonrefundable application fee. The department shall license  
556 any applicant who the board certifies; and an examination fee  
557 ~~which is refundable if the applicant is found to be ineligible~~  
558 ~~to take the examination;~~

559 (a) Has passed the licensure examination prescribed by  
560 board rule; and

561 ~~(b) Is a graduate of a school or college of architecture~~  
562 with a program accredited by the National Architectural  
563 Accreditation Board. ~~;~~ ~~or~~



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564           ~~2. Is a graduate of an approved architectural curriculum,~~  
565 ~~evidenced by a degree from an unaccredited school or college of~~  
566 ~~architecture approved by the board. The board shall adopt rules~~  
567 ~~providing for the review and approval of unaccredited schools~~  
568 ~~and colleges of architecture and courses of architectural study~~  
569 ~~based on a review and inspection by the board of the curriculum~~  
570 ~~of accredited schools and colleges of architecture in the United~~  
571 ~~States; and~~

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

574           Section 27. Section 481.211, Florida Statutes, is amended  
575 to read:

576           481.211 Architecture internship required.-

577           ~~(1) An applicant for licensure as a registered architect~~  
578 ~~shall complete, before ~~prior to~~ licensure, an internship of~~  
579 ~~diversified architectural experience approved by the board,~~  
580 ~~which meets the requirements set forth by rule in the design and~~  
581 ~~construction of structures which have as their principal purpose~~  
582 ~~human habitation or use. The internship shall be for a period~~  
583 ~~of:-~~

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

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

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

592           Section 28. Subsection (3) of section 481.213, Florida



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593 Statutes, is amended to read:

594 481.213 Licensure.—

595 (3) The board shall certify as qualified for a license by  
596 endorsement as an architect or as an interior designer an  
597 applicant who:

598 (a) Qualifies to take the prescribed licensure examination,  
599 and has passed the prescribed licensure examination or a  
600 substantially equivalent examination in another jurisdiction, as  
601 set forth in s. 481.209 for architects or interior designers, as  
602 applicable, and has satisfied the internship requirements set  
603 forth in s. 481.211 for architects;

604 (b) Holds a valid license to practice architecture or  
605 interior design issued by another jurisdiction of the United  
606 States, if the criteria for issuance of such license were  
607 substantially equivalent to the licensure criteria that existed  
608 in this state at the time the license was issued; provided,  
609 however, that an applicant who has been licensed for use of the  
610 title "interior design" rather than licensed to practice  
611 interior design shall not qualify hereunder; or

612 (c) Has passed the prescribed licensure examination and  
613 holds a valid certificate issued by the National Council of  
614 Architectural Registration Boards, and holds a valid license to  
615 practice architecture issued by another state or jurisdiction of  
616 the United States. For the purposes of this paragraph, any  
617 applicant licensed in another state or jurisdiction after June  
618 30, 2000 ~~1984~~, must also hold a degree in architecture ~~and such~~  
619 ~~degree must be~~ equivalent to that required in s. 481.209(1)(b)  
620 ~~and. Also for the purposes of this paragraph, any applicant~~  
621 ~~licensed in another state or jurisdiction after June 30, 1985,~~



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622 ~~must~~ have completed an internship equivalent to that required by  
623 s. 481.211 and any rules adopted with respect thereto.

624 Section 29. Section 481.217, Florida Statutes, is amended  
625 to read:

626 481.217 Inactive status.—

627 (1) The board may prescribe by rule continuing education  
628 requirements as a condition of reactivating a license. The rules  
629 may not require more than one renewal cycle of continuing  
630 education to reactivate requirements for reactivating a license  
631 for a registered architect or interior designer ~~may not exceed~~  
632 ~~12 contact hours for each year the license was inactive.~~ For  
633 interior design, The minimum continuing education requirement  
634 for reactivating a license for a registered interior designer  
635 shall be those of the most recent biennium plus one-half of the  
636 requirements in s. 481.215 for each year or part thereof during  
637 which the license was inactive. the board may ~~shall only~~ approve  
638 only continuing education that builds upon the basic knowledge  
639 of interior design.

640 (2) The board shall adopt rules relating to application  
641 procedures for inactive status and for the reactivation of  
642 inactive licenses.

643 Section 30. Section 481.315, Florida Statutes, is amended  
644 to read:

645 481.315 Inactive status.—

646 (1) A license that has become inactive or delinquent may be  
647 reactivated under this section upon application to the  
648 department and payment of any applicable biennial renewal or  
649 delinquency fee, or both, and a reactivation fee. The board may  
650 not require a licensee to complete more than one renewal cycle



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651 ~~of continuing education requirements. The board may prescribe by~~  
652 ~~rule continuing education requirements as a condition of~~  
653 ~~reactivating the license. The continuing education requirements~~  
654 ~~for reactivating a license may not exceed 12 classroom hours for~~  
655 ~~each year the license was inactive.~~

656 (2) The board shall adopt rules relating to application  
657 procedures for inactive status and for the reactivation of  
658 inactive licenses.

659 Section 31. Subsections (3) and (6) of section 489.116,  
660 Florida Statutes, are amended to read:

661 489.116 Inactive and delinquent status; renewal and  
662 cancellation notices.—

663 (3) An inactive status certificateholder or registrant may  
664 change to active status at any time, if provided the  
665 certificateholder or registrant meets all requirements for  
666 active status, pays any additional licensure fees necessary to  
667 equal those imposed on an active status certificateholder or  
668 registrant, ~~and~~ pays any applicable late fees, and meets all  
669 continuing education requirements prescribed by the board.

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

675 Section 32. Subsection (1) of section 489.519, Florida  
676 Statutes, is amended to read:

677 489.519 Inactive status.—

678 (1) A certificate or registration that becomes ~~has become~~  
679 inactive may be reactivated under s. 489.517 upon application to





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680 the department. The board may not require a licensee to complete  
681 more than one renewal cycle of ~~prescribe, by rule,~~ continuing  
682 education to reactivate requirements ~~as a condition of~~  
683 ~~reactivating a certificate or registration. The continuing~~  
684 ~~education requirements for reactivating a certificate or~~  
685 ~~registration may not exceed 12 classroom hours for each year the~~  
686 ~~certificate or registration was inactive.~~

687 Section 33. This act shall take effect July 1, 2012.

688  
689 ===== T I T L E A M E N D M E N T =====

690 And the title is amended as follows:

691 Delete everything before the enacting clause  
692 and insert:

693 A bill to be entitled  
694 An act relating to reducing and streamlining  
695 regulations; amending s. 373.461, F.S.; requiring  
696 certain appraisers to follow specific standards of  
697 professional practice in appraisals involving the  
698 restoration of the Lake Apopka Basin; amending s.  
699 455.213, F.S.; waiving initial licensing, application,  
700 and unlicensed activity fees for certain military  
701 veterans; amending ss. 455.271, 468.4338, 468.8317,  
702 468.8417, 475.615, 475.617, 475.6175, 477.0212,  
703 481.209, 481.211, 481.213, 481.217, 481.315, 489.116,  
704 and 489.519, F.S.; revising certain licensure  
705 requirements and continuing education requirements for  
706 reactivating a license, certificate, or registration  
707 to practice certain professions and occupations  
708 regulated by the Department of Business and



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709 Professional Regulation or a board or council within  
710 the department, including community association  
711 management, employee leasing, home inspection, mold-  
712 related services, real estate appraisal, cosmetology,  
713 architecture and interior design, landscape  
714 architecture, construction contracting, and electrical  
715 and alarm system contracting; amending s. 469.002,  
716 F.S.; providing an exemption from licensure as an  
717 asbestos consultant or contractor for activities  
718 involving pipe or conduit used for gas service;  
719 repealing s. 475.42(1)(e), F.S., relating to  
720 violations and penalties applicable to real estate  
721 brokers and sales associates; amending ss. 468.391,  
722 475.25, 475.624, and 475.6245, F.S., relating to  
723 auctioneering and to real estate brokering and  
724 appraisal; revising provisions with respect to certain  
725 penalties; revising grounds for discipline to which  
726 penalties apply; repealing s. 475.626(1)(b) and (c),  
727 F.S., relating to violations and penalties applicable  
728 to real property appraisers; amending s. 475.628,  
729 F.S.; requiring the Florida Real Estate Appraisal  
730 Board to adopt rules establishing professional  
731 practice standards; amending s. 468.841, F.S.;  
732 exempting landscape architects from complying with  
733 provisions related to mold assessment; amending s.  
734 475.611, F.S.; revising the definitions of the terms  
735 "appraisal management company" and "appraisal  
736 management services"; defining the term "subsidiary";  
737 amending s. 475.6171, F.S.; revising requirements for



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738 the issuance of registration or certification upon  
739 receipt of proper documentation; amending s. 475.6235,  
740 F.S.; prohibiting a person from offering to engage in  
741 appraisal management services under certain  
742 circumstances; revising provisions relating to the  
743 application for registration of an appraisal  
744 management company; providing exemptions from  
745 registration requirements; repealing s. 476.194(1)(b),  
746 F.S., relating to prohibited acts by persons engaged  
747 in the practice of barbering; repealing s.  
748 477.0265(1)(c), F.S., relating to prohibited acts by  
749 persons engaged in the practice of cosmetology;  
750 amending s. 475.451, F.S.; authorizing distance  
751 learning courses as an acceptable alternative to  
752 classroom instruction for renewal of a real estate  
753 instructor permit; providing that distance learning  
754 courses are under the discretion of the school  
755 offering the real estate course; requiring distance  
756 learning courses to adhere to certain requirements;  
757 providing an effective date.