

By the Committee on Criminal Justice; and Senator Hays

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1                   A bill to be entitled  
2           An act relating to reducing and streamlining  
3           regulations; amending ss. 455.271, 468.4338, 468.525,  
4           468.8317, 468.8417, 475.615, 475.617, 475.6175,  
5           477.0212, 481.209, 481.211, 481.213, 481.217, 481.315,  
6           489.116, and 489.519, F.S.; revising certain licensure  
7           requirements and continuing education requirements for  
8           reactivating a license, certificate, or registration  
9           to practice certain professions and occupations  
10          regulated by the Department of Business and  
11          Professional Regulation or a board or council within  
12          the department, including community association  
13          management, employee leasing, home inspection, mold-  
14          related services, real estate appraisal, cosmetology,  
15          architecture and interior design, landscape  
16          architecture, construction contracting, and electrical  
17          and alarm system contracting; creating s. 468.439,  
18          F.S.; providing conditions that collection service  
19          expenses that are reasonably related to the collection  
20          of a delinquent account rendered by a community  
21          association manager or management firm on behalf of  
22          certain community associations may be secured by the  
23          filing of a claim of lien; amending s. 469.002, F.S.;  
24          providing an exemption from licensure as an asbestos  
25          consultant or contractor for activities involving pipe  
26          or conduit used for gas service; amending s. 475.6235,  
27          F.S.; revising registration requirements for appraisal  
28          management companies; amending ss. 468.391, 475.25,  
29          475.42, 475.624, 475.6245, 475.626, 476.194, and

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30 477.0265, F.S., relating to auctioneering, real estate  
31 brokering and appraisal, barbering, and cosmetology;  
32 revising language with respect to certain penalties;  
33 revising grounds for discipline to which penalties  
34 apply; amending s. 475.628, F.S.; requiring the  
35 Florida Real Estate Appraisal Board to adopt rules  
36 establishing professional practice standards; amending  
37 s. 373.461, F.S.; requiring certain appraisers to  
38 follow specific standards of professional practice in  
39 appraisals involving the restoration of the Lake  
40 Apopka Basin; amending s. 468.841, F.S.; exempting  
41 landscape architects from complying with provisions  
42 related to mold assessment; amending s. 475.611, F.S.;  
43 revising the definition of the terms "appraisal  
44 management company" and "appraisal management  
45 services"; amending s. 475.6171, F.S.; revising  
46 requirements for the issuance of registration or  
47 certification upon receipt of proper documentation;  
48 amending s. 475.6235, F.S.; revising provisions  
49 relating to titles an appraisal management company  
50 must be registered to use; providing exemptions from  
51 registration requirements; amending s. 455.213, F.S.;  
52 waiving initial licensing, application, and unlicensed  
53 activity fees for certain military veterans; amending  
54 s. 475.451, F.S.; authorizing distance learning  
55 courses as an acceptable alternative to classroom  
56 instruction for renewal of a real estate instructor  
57 permit; providing that distance learning courses are  
58 under the discretion of the school offering the real

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59 estate course; requiring distance learning courses to  
60 adhere to certain requirements; providing an effective  
61 date.

62  
63 Be It Enacted by the Legislature of the State of Florida:

64  
65 Section 1. Subsection (10) of section 455.271, Florida  
66 Statutes, is amended to read:

67 455.271 Inactive and delinquent status.—

68 (10) The board, or the department when there is no board,  
69 may not require ~~Before reactivation,~~ an inactive or delinquent  
70 licensee, except for a licensee under chapter 473 or chapter  
71 475, to complete more than one renewal cycle of ~~shall meet the~~  
72 ~~same~~ continuing education to reactivate a license. ~~requirements,~~  
73 ~~if any, imposed on an active status licensee for all biennial~~  
74 ~~licensure periods in which the licensee was inactive or~~  
75 ~~delinquent. This subsection does not apply to persons regulated~~  
76 ~~under chapter 473.~~

77 Section 2. Section 468.4338, Florida Statutes, is amended  
78 to read:

79 468.4338 Reactivation; continuing education.—The council  
80 shall prescribe by rule continuing education requirements for  
81 reactivating a license. The continuing education requirements  
82 for reactivating a license may not exceed more than one renewal  
83 cycle of continuing education ~~10 classroom hours for each year~~  
84 ~~the license was inactive.~~

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

87 468.525 License requirements.—

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88 (3) Each employee leasing company licensed by the  
89 department shall have a registered agent for service of process  
90 in this state and at least one licensed controlling person. In  
91 addition, each licensed employee leasing company shall comply  
92 with the following requirements:

93 (h) Following initial licensure, each employee leasing  
94 company and each employee leasing company group shall be  
95 considered an applicant for renewal of its license and all of  
96 the financial information of such licensees submitted to the  
97 board pursuant to part XI of chapter 468 and the rules enacted  
98 thereunder shall be considered supplied in furtherance of the  
99 renewal application process.

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

102 468.8317 Inactive license.-

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

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

112 468.8417 Inactive license.-

113 (2) A license that becomes ~~has become~~ inactive may be  
114 reactivated upon application to the department. The department  
115 may prescribe by rule continuing education requirements as a  
116 condition of reactivating a license. The rules may not require

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117 more than one renewal cycle of continuing education to  
118 reactivate ~~requirements for reactivating~~ a license ~~may not~~  
119 ~~exceed 14 hours for each year the license was inactive.~~

120 Section 6. Section 468.439, Florida Statutes, is created to  
121 read:

122 468.439 Collection services.—Collection service expenses  
123 that are reasonably related to the collection of a delinquent  
124 account rendered by a community association manager or  
125 management firm on behalf of a community association governed by  
126 chapter 617, chapter 718, chapter 719, chapter 720, chapter 721,  
127 or chapter 723 may be secured by the filing of a claim of lien  
128 on behalf of the community association, if the collection  
129 services expense is specified by amount in a written agreement  
130 with the community association manager or management firm and  
131 payable to the community association manager or management firm  
132 as a liquidated sum.

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

135 469.002 Exemptions.—

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

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

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

142 (c) The pipe or conduit is made of Category I or Category  
143 II nonfriable material as defined in NESHP; and

144 (d) All such activities are performed according to all  
145 applicable regulations, including work practices and training,

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146 of the United States Occupational Safety and Health  
147 Administration under 29 C.F.R. part 1926.

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

150 475.615 Qualifications for registration or certification.—

151 (5) At the time of filing an application for registration  
152 or certification, the applicant must sign a pledge indicating  
153 that upon becoming registered or certified, she or he will  
154 comply with the standards of professional practice established  
155 by rule of the board, including standards for the development or  
156 communication of a real estate appraisal, ~~to comply with the~~  
157 Uniform Standards of Professional Appraisal Practice upon  
158 registration or certification and must indicate in writing that  
159 she or he understands the types of misconduct for which  
160 disciplinary proceedings may be initiated. The application shall  
161 expire 1 year after the date received by the department.

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

165 475.617 Education and experience requirements.—

166 (1) To be registered as a trainee appraiser, an applicant  
167 must present evidence satisfactory to the board that she or he  
168 has successfully completed at least 100 hours of approved  
169 academic courses in subjects related to real estate appraisal,  
170 which shall include coverage of the Uniform Standards of  
171 Professional Appraisal Practice, or its equivalent, as  
172 established by rule of the board, from a nationally recognized  
173 or state-recognized appraisal organization, career center,  
174 accredited community college, college, or university, state or

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175 federal agency or commission, or proprietary real estate school  
176 that holds a permit pursuant to s. 475.451. The board may  
177 increase the required number of hours to not more than 125  
178 hours. A classroom hour is defined as 50 minutes out of each 60-  
179 minute segment. Past courses may be approved on an hour-for-hour  
180 basis.

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

189 (b) Has successfully completed at least 200 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 (3) To be certified as a general appraiser, an applicant  
202 must present evidence satisfactory to the board that she or he  
203 has met the minimum education and experience requirements

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204 prescribed by rule of the board. The board shall prescribe  
205 education and experience requirements that meet or exceed the  
206 following real property appraiser qualification criteria adopted  
207 on February 20, 2004, by the Appraisal Qualifications Board of  
208 the Appraisal Foundation:

209 (b) Has successfully completed at least 300 classroom  
210 hours, inclusive of examination, of approved academic courses in  
211 subjects related to real estate appraisal, which shall include a  
212 15-hour National Uniform Standards of Professional Appraisal  
213 Practice course, or its equivalent, as established by rule of  
214 the board, from a nationally recognized or state-recognized  
215 appraisal organization, career center, accredited community  
216 college, college, or university, state or federal agency or  
217 commission, or proprietary real estate school that holds a  
218 permit pursuant to s. 475.451. A classroom hour is defined as 50  
219 minutes out of each 60-minute segment. Past courses may be  
220 approved by the board and substituted on an hour-for-hour basis.

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

223 475.6175 Registered trainee appraiser; postlicensure  
224 education required.—

225 (1) The board shall prescribe postlicensure educational  
226 requirements in order for a person to maintain a valid  
227 registration as a registered trainee appraiser. If prescribed,  
228 the postlicensure educational requirements consist of one or  
229 more courses which total no more than the total educational  
230 hours required to qualify as a state certified residential  
231 appraiser. Such courses must be in subjects related to real  
232 estate appraisal and shall include coverage of the Uniform

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233 Standards of Professional Appraisal Practice or its equivalent,  
234 as established by rule of the board. Such courses are provided  
235 by a nationally or state-recognized appraisal organization,  
236 career center, accredited community college, college, or  
237 university, state or federal agency or commission, or  
238 proprietary real estate school that holds a permit pursuant to  
239 s. 475.451.

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

242 477.0212 Inactive status.—

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

247 The board shall prescribe by rule a fee not to exceed \$50 for  
248 the reactivation of an inactive license and a fee not to exceed  
249 \$50 for the renewal of an inactive license.

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

252 481.209 Examinations.—

253 (1) A person desiring to be licensed as a registered  
254 architect by initial examination shall apply to the department,  
255 complete ~~to take the licensure examination.~~ ~~The department shall~~  
256 ~~administer the licensure examination for architects to each~~  
257 ~~applicant who the board certifies:~~

258 ~~(a) Has completed~~ the application form, and remit ~~remitted~~  
259 a nonrefundable application fee. The department shall license  
260 any applicant who the board certifies: ~~and an examination fee~~  
261 ~~which is refundable if the applicant is found to be ineligible~~

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262 ~~to take the examination;~~

263 (a) Has passed the licensure examination prescribed by  
264 board rule; and

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

268 ~~2. Is a graduate of an approved architectural curriculum,~~  
269 ~~evidenced by a degree from an unaccredited school or college of~~  
270 ~~architecture approved by the board. The board shall adopt rules~~  
271 ~~providing for the review and approval of unaccredited schools~~  
272 ~~and colleges of architecture and courses of architectural study~~  
273 ~~based on a review and inspection by the board of the curriculum~~  
274 ~~of accredited schools and colleges of architecture in the United~~  
275 ~~States; and~~

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

278 Section 13. Section 481.211, Florida Statutes, is amended  
279 to read:

280 481.211 Architecture internship required.—

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

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

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

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

295 Section 14. Paragraph (c) of subsection (3) of section  
296 481.213, Florida Statutes, is amended to read:

297 481.213 Licensure.—

298 (3) The board shall certify as qualified for a license by  
299 endorsement as an architect or as an interior designer an  
300 applicant who:

301 (c) Has passed the prescribed licensure examination and  
302 holds a valid certificate issued by the National Council of  
303 Architectural Registration Boards, and holds a valid license to  
304 practice architecture issued by another state or jurisdiction of  
305 the United States. ~~For the purposes of this paragraph, any~~  
306 ~~applicant licensed in another state or jurisdiction after June~~  
307 ~~30, 1984, must also hold a degree in architecture and such~~  
308 ~~degree must be equivalent to that required in s. 481.209(1)(b).~~  
309 ~~Also for the purposes of this paragraph, any applicant licensed~~  
310 ~~in another state or jurisdiction after June 30, 1985, must have~~  
311 ~~completed an internship equivalent to that required by s.~~  
312 ~~481.211 and any rules adopted with respect thereto.~~

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

315 481.217 Inactive status.—

316 (1) The board may prescribe by rule continuing education  
317 requirements as a condition of reactivating a license. The rules  
318 may not require more than one renewal cycle of continuing  
319 education to reactivate requirements for reactivating a license

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320 for a registered architect or interior designer ~~may not exceed~~  
321 ~~12 contact hours for each year the license was inactive. The~~  
322 ~~minimum continuing education requirement for reactivating a~~  
323 ~~license for a registered interior designer shall be those of the~~  
324 ~~most recent biennium plus one-half of the requirements in s.~~  
325 ~~481.215 for each year or part thereof during which the license~~  
326 ~~was inactive. The board may ~~shall~~ only approve continuing~~  
327 ~~education for an interior designer which ~~that~~ builds upon the~~  
328 basic knowledge of interior design.

329 Section 16. Subsection (1) of section 481.315, Florida  
330 Statutes, is amended to read:

331 481.315 Inactive status.—

332 (1) A license that has become inactive or delinquent may be  
333 reactivated under this section upon application to the  
334 department and payment of any applicable biennial renewal or  
335 delinquency fee, or both, and a reactivation fee. The board may  
336 not require a licensee to complete more than one renewal cycle  
337 of continuing education requirements. ~~The board may prescribe by~~  
338 ~~rule continuing education requirements as a condition of~~  
339 ~~reactivating the license. The continuing education requirements~~  
340 ~~for reactivating a license may not exceed 12 classroom hours for~~  
341 ~~each year the license was inactive.~~

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

344 489.116 Inactive and delinquent status; renewal and  
345 cancellation notices.—

346 (3) An inactive status certificateholder or registrant may  
347 change to active status at any time, if ~~provided~~ the  
348 certificateholder or registrant meets all requirements for

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349 active status, pays any additional licensure fees necessary to  
350 equal those imposed on an active status certificateholder or  
351 registrant, ~~and~~ pays any applicable late fees, and meets all  
352 continuing education requirements prescribed by the board.

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

358 Section 18. Subsection (1) of section 489.519, Florida  
359 Statutes, is amended to read:

360 489.519 Inactive status.—

361 (1) A certificate or registration that becomes ~~has become~~  
362 inactive may be reactivated under s. 489.517 upon application to  
363 the department. The board may not require a licensee to complete  
364 more than one renewal cycle of ~~prescribe, by rule,~~ continuing  
365 education to reactivate ~~requirements as a condition of~~  
366 ~~reactivating~~ a certificate or registration. ~~The continuing~~  
367 ~~education requirements for reactivating a certificate or~~  
368 ~~registration may not exceed 12 classroom hours for each year the~~  
369 ~~certificate or registration was inactive.~~

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

372 475.6235 Registration of appraisal management companies  
373 required.—

374 (4) At the time of filing an application for registration  
375 of an appraisal management company, each person listed in  
376 paragraph (2)(f) must sign a pledge to comply with the  
377 applicable standards of professional practice established by

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378 rule of the board, including standards for the development or  
379 communication of a real estate appraisal, ~~Uniform Standards of~~  
380 Professional Appraisal Practice upon registration and must  
381 indicate in writing that she or he understands the types of  
382 misconduct for which disciplinary proceedings may be initiated.  
383 The application shall expire 1 year after the date received by  
384 the department.

385 Section 20. Section 468.391, Florida Statutes, is amended  
386 to read:

387 468.391 Penalty.—Any auctioneer, apprentice, or auction  
388 business or any owner or manager thereof, or, in the case of  
389 corporate ownership, any substantial stockholder of the  
390 corporation owning the auction business, who operates without an  
391 active license or violates any of the provisions ~~provision~~ of  
392 the prohibited acts listed under s. 468.389(1)(c), (e), (f),  
393 (h), and (i) commits a felony of the third degree, punishable as  
394 provided in s. 775.082 or s. 775.083.

395 Section 21. Paragraph (t) of subsection (1) of section  
396 475.25, Florida Statutes, is amended to read:

397 475.25 Discipline.—

398 (1) The commission may deny an application for licensure,  
399 registration, or permit, or renewal thereof; may place a  
400 licensee, registrant, or permittee on probation; may suspend a  
401 license, registration, or permit for a period not exceeding 10  
402 years; may revoke a license, registration, or permit; may impose  
403 an administrative fine not to exceed \$5,000 for each count or  
404 separate offense; and may issue a reprimand, and any or all of  
405 the foregoing, if it finds that the licensee, registrant,  
406 permittee, or applicant:

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407           (t) Has violated any standard of professional practice  
408 established by rule of the Florida Real Estate Appraisal Board,  
409 including standards for the development or communication of a  
410 real estate appraisal ~~or other provision of the Uniform~~  
411 ~~Standards of Professional Appraisal Practice, as defined in s.~~  
412 ~~475.611,~~ as approved and adopted by the Appraisal Standards  
413 Board of the Appraisal Foundation, as defined in s. 475.611.  
414 This paragraph does not apply to a real estate broker or sales  
415 associate who, in the ordinary course of business, performs a  
416 comparative market analysis, gives a broker price opinion, or  
417 gives an opinion of value of real estate. However, in no event  
418 may this comparative market analysis, broker price opinion, or  
419 opinion of value of real estate be referred to as an appraisal,  
420 as defined in s. 475.611.

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

425           475.42 Violations and penalties.—

426           (1) VIOLATIONS.—

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

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

431           475.624 Discipline of appraisers.—

432           The board may deny an application for registration or  
433 certification of an appraiser; may investigate the actions of  
434 any appraiser registered, licensed, or certified under this  
435 part; may reprimand or impose an administrative fine not to

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436 exceed \$5,000 for each count or separate offense against any  
437 such appraiser; and may revoke or suspend, for a period not to  
438 exceed 10 years, the registration, license, or certification of  
439 any such appraiser, or place any such appraiser on probation, if  
440 the board finds that the registered trainee, licensee, or  
441 certificateholder:

442 (14) Has violated any standard of professional practice,  
443 including standards for the development or communication of a  
444 real estate appraisal, as established by rule of the board ~~or~~  
445 ~~other provision of the Uniform Standards of Professional~~  
446 ~~Appraisal Practice.~~

447 Section 24. Paragraph (n) of subsection (1) of section  
448 475.6245, Florida Statutes, is amended to read:

449 475.6245 Discipline of appraisal management companies.—

450 (1) The board may deny an application for registration of  
451 an appraisal management company; may investigate the actions of  
452 any appraisal management company registered under this part; may  
453 reprimand or impose an administrative fine not to exceed \$5,000  
454 for each count or separate offense against any such appraisal  
455 management company; and may revoke or suspend, for a period not  
456 to exceed 10 years, the registration of any such appraisal  
457 management company, or place any such appraisal management  
458 company on probation, if the board finds that the appraisal  
459 management company or any person listed in s. 475.6235(2)(f):

460 (n) Has instructed an appraiser to violate any standard of  
461 professional practice established by rule of the board,  
462 including standards for the development or communication of a  
463 real estate appraisal or other provision of the Uniform  
464 Standards of Professional Appraisal Practice.

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

469 475.626 Violations and penalties.—

470 (1) A person may not:

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

473 ~~(c) If a registered trainee appraiser or a licensed or~~  
474 ~~certified appraiser, commit any conduct or practice set forth in~~  
475 ~~s. 475.624.~~

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

480 476.194 Prohibited acts.—

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

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

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

488 477.0265 Prohibited acts.—

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

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

492 Section 28. Section 475.628, Florida Statutes, is amended  
493 to read:

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494           475.628 Professional standards for appraisers registered,  
495 licensed, or certified under this part.—The board shall adopt  
496 rules establishing standards of professional practice which meet  
497 or exceed nationally recognized standards of appraisal practice,  
498 including standards adopted by the Appraisal Standards Board of  
499 the Appraisal Foundation. Each appraiser registered, licensed,  
500 or certified under this part must ~~shall~~ comply with the rules  
501 ~~Uniform Standards of Professional Appraisal Practice.~~ Statements  
502 on appraisal standards which may be issued for the purpose of  
503 clarification, interpretation, explanation, or elaboration  
504 through the Appraisal Foundation shall also be binding on any  
505 appraiser registered, licensed, or certified under this part,  
506 upon adoption by rule of the board.

507           Section 29. Paragraph (c) of subsection (5) of section  
508 373.461, Florida Statutes, is amended to read:

509           373.461 Lake Apopka improvement and management.—

510           (5) PURCHASE OF AGRICULTURAL LANDS.—

511           (c) The district shall explore the availability of funding  
512 from all sources, including any federal, state, regional, and  
513 local land acquisition funding programs, to purchase the  
514 agricultural lands described in paragraph (a). It is the  
515 Legislature's intent that, if such funding sources can be  
516 identified, acquisition of the lands described in paragraph (a)  
517 may be undertaken by the district to purchase these properties  
518 from willing sellers. However, the purchase price paid for  
519 acquisition of such lands that were in active cultivation during  
520 1996 may ~~shall~~ not exceed the highest appraisal obtained by the  
521 district for these lands from a state-certified general  
522 appraiser following the standards of professional practice

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523 established by rule of the Florida Real Estate Appraisal Board,  
524 including standards for the development or communication of a  
525 real estate appraisal ~~Uniform Standards of Professional~~  
526 ~~Appraisal Practice~~. This maximum purchase price limitation may  
527 ~~shall~~ not include, nor be applicable to, that portion of the  
528 purchase price attributable to consideration of income described  
529 in paragraph (b), or that portion attributable to related  
530 facilities, or closing costs.

531 Section 30. Paragraph (d) of subsection (1) of section  
532 468.841, Florida Statutes, is amended to read:

533 468.841 Exemptions.—

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

536 (d) Persons or business organizations acting within the  
537 scope of the respective licenses required under part XV of this  
538 chapter, chapter 471, part I or part II of chapter 481, chapter  
539 482, or chapter 489 are acting on behalf of an insurer under  
540 part VI of chapter 626, or are persons in the manufactured  
541 housing industry who are licensed under chapter 320, except when  
542 any such persons or business organizations hold themselves out  
543 for hire to the public as a "certified mold assessor,"  
544 "registered mold assessor," "licensed mold assessor," "mold  
545 assessor," "professional mold assessor," or any combination  
546 thereof stating or implying licensure under this part.

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

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552 475.611 Definitions.—

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

554 (c) "Appraisal management company" means a person who  
555 performs appraisal management services regardless of the use of  
556 the term "appraisal management company," "appraiser  
557 cooperative," "appraiser portal," "mortgage technology company,"  
558 or other term.

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

561 1. Employing, contracting with, or otherwise retaining one  
562 or more licensed or certified appraisers to perform appraisal  
563 services for a client; or

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

568 (t) "Subsidiary" means an organization that is owned and  
569 controlled by a financial institution that is regulated by a  
570 federal financial institution regulatory agency.

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

573 475.6171 Issuance of registration or certification.—The  
574 registration or certification of an applicant may be issued upon  
575 receipt by the board of the following:

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

580 Section 33. Subsection (1) of section 475.6235, Florida

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581 Statutes, is amended, and subsection (9) is added to that  
582 section, to read:

583       475.6235 Registration of appraisal management companies  
584 required; exemptions.-

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

595       (9) This section does not apply to:

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

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

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

605       455.213 General licensing provisions.-

606       (12) The department shall waive the initial licensing fee,  
607 the initial application fee, and the initial unlicensed activity  
608 fee for a military veteran who applies to the department for a  
609 license, in a format prescribed by the department, within 24

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610 months after discharge from any branch of the United States  
611 Armed Forces. To qualify for this waiver, the veteran must have  
612 been honorably discharged.

613 Section 35. Paragraph (c) of subsection (2) of section  
614 475.451, Florida Statutes, is amended, present subsections (4)  
615 through (8) are renumbered as subsections (5) through (9),  
616 respectively, and a new subsection (4) is added to that section,  
617 to read:

618 475.451 Schools teaching real estate practice.—

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

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

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

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

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

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639 c. Pass an instructor's examination approved by the  
640 commission.

641 2. Any requirement by the commission for a teaching  
642 demonstration or practical examination must apply to all school  
643 instructor applicants.

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

655  
656 The department may require an applicant to submit names of  
657 persons having knowledge concerning the applicant and the  
658 enterprise; may propound interrogatories to such persons and to  
659 the applicant concerning the character of the applicant,  
660 including the taking of fingerprints for processing through the  
661 Federal Bureau of Investigation; and shall make such  
662 investigation of the applicant or the school or institution as  
663 it may deem necessary to the granting of the permit. If an  
664 objection is filed, it shall be considered in the same manner as  
665 objections or administrative complaints against other applicants  
666 for licensure by the department.

667 (4) A real estate school may offer any course through

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668 distance learning if the course complies with s. 475.17(2).

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