

By Senator Wise

5-00063-12

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

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

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

13       489.537 Application of this part.—

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

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

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

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

5-00063-12

201278\_\_

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

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

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

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

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

5-00063-12

201278\_\_

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

68 Section 2. This act shall take effect July 1, 2012.