

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: CS/CS/HB 1441 Pinellas County Construction Licensing Board

SPONSOR(S): Government Accountability Committee; Local, Federal & Veterans Affairs Subcommittee, Ahern

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local, Federal & Veterans Affairs Subcommittee	12 Y, 0 N, As CS	Renner	Miller
2) Careers & Competition Subcommittee	14 Y, 0 N	Brackett	Anstead
3) Government Accountability Committee	19 Y, 0 N, As CS	Renner	Williamson

SUMMARY ANALYSIS

The Pinellas County Construction Licensing Board (Board) was created by Chapter 75-489, Laws of Florida, as amended. The function of the Board is to regulate certain construction and home improvement contractors practicing in all Pinellas County jurisdictions. The Board also provides countywide certification and registration of contractors and countywide certification of journeymen.

Currently, the Board is comprised of 21 members who must be nominated by various associations and organizations.

The bill revises the composition of the Board by adding a remodeling contractor and a member of the consumer protection department selected by the county administrator to the Board, bringing the total to 23 members. The bill also makes changes relating to how a member must be selected.

The bill specifies that if an organization or association specifically referenced in the bill, related to Board selection, changes its name, the successor association or organization will be recognized.

The bill also adds a remodeling contractor to the list of members that must commence their terms in odd-numbered years and a member of the Board of County Commissioners as a designee to the list of members that must commence their terms in even-numbered years.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

The Pinellas County Construction Licensing Board (Board) was created by Chapter 75-489, Laws of Florida, as amended. The function of the Board is to regulate certain construction and home improvement contractors practicing in all Pinellas County jurisdictions.¹ The Board also provides countywide certification and registration of contractors and countywide certification of journeymen.²

The Board consists of 21 members:³

- Two general contractors;
- Two building contractors;
- Two residential contractors;
- One Florida registered architect doing business in Pinellas County;
- One electrical contractor;
- One plumbing contractor;
- One mechanical contractor;
- One roofing or sheet metal contractor;
- One swimming pool, aluminum or veneer specialty contractor;
- Two fire marshals;
- Three building directors. One each from St. Petersburg, Clearwater and Pinellas County;
- One North county building director from one of the following municipalities: Tarpon Springs, Dunedin, Oldsmar, Safety Harbor, Belleair, Belleair Bluffs, or Largo;
- One South county building director from one of the following municipalities: South Pasadena, Gulfport, Seminole, Kenneth City, or Pinellas Park;
- One Beach Community building director from one of the following: the Town of Belleair Beach, the Town of Belleair Shores, the City of Redington Beach, the City of North Redington Beach, the City of Madeira Beach, the City of Indian Rocks Beach, the Town of Indian Shores, the Town of Redington Shores, the City of Treasure Island, and the City of St. Pete Beach, and
- One consumer member who is a resident and citizen of Pinellas County and who is not and never has been a member or practitioner of any of the trades or professions regulated by the board or a member or practitioner of any closely related trade or profession.

Members of the Board must be selected as follows:⁴

- Three building directors of the City of Clearwater, City of St. Petersburg and the County of Pinellas;
- One north county building director and one south county building director selected by the chairman of the board of county commissioners from the municipalities listed above;
- One Beach Community building director appointed from a list of three nominees submitted by The Barrier Island Governmental Council;
- A Florida Registered Architect appointed from a list of three recommended architects submitted by the American Institute of Architects Florida Central Chapter, St. Petersburg and Clearwater Sections;
- Two of whom are primarily engaged in business as general contractors from a list of five submitted by the Associated General Contractors of Mid-Florida, Inc.;

¹ Pinellas County Construction Licensing Board website, available at http://www.pccclb.com/about_us.htm (last visited March 9, 2017).

² *Id.*

³ Ch. 75-489, Section 12(1), Laws of Fla.

⁴ Ch. 75-489, Section 12(3), Laws of Fla.

- Two of whom are primarily engaged in business as building contractors from a list of five submitted by the Contractors and Builders Association of Pinellas County;
- Two of whom are primarily engaged in the business as residential building contractors from a list of five submitted by the Contractors and Builders Association of Pinellas County;
- One who is an electrical contractor from a list of five supplied by the Electrical Council of Florida, Pinellas County Chapter;
- One who is a plumbing contractor from a list of five supplied by the Pinellas Association of Plumbing-Heating-Cooling Contractors, Inc.;
- Two of whom are fire marshals, who shall be active members of the Tampa Bay Area Fire Marshals Association, from a list of five supplied by said association, one of whom shall serve an initial term of three years, the other to serve an initial term of two years, with successors to serve for a term of two years thereafter;
- One who is a mechanical or Class A air conditioning contractor from a list of five, supplied by the Refrigeration and Air Conditioning Contractors' Association ("RACCA");
- One roofing or sheet metal contractor and one swimming pool, aluminum or veneer specialty contractor selected by the Chairman of the Board of County Commissioners;
- One consumer member to be appointed by the Chairman of the Board of County Commissioners.

The building director members from the City of Clearwater, from the City of St. Petersburg and Pinellas County, must be permanent members of the Board. All other members serve terms of two years.

The following members must commence their terms in even-numbered years: the Florida registered architect, one general contractor, one building contractor or, one residential building contractor, one electrical contractor, one fire marshal, the north county, south county, and Beach Community building directors.

The following members must commence their terms in odd-numbered years: one general contractor, one building contractor, one residential building contractor, one mechanical contractor, one plumbing contractor, one fire marshal, one roofing or sheet metal contractor, one swimming pool, aluminum or veneer specialty contractor, and one consumer member.

Effect of Proposed Changes

The bill revises the composition of the Board by adding a remodeling contractor and a member of the consumer protection department selected by the county administrator to the Board, resulting in the Board having 23 members. The bill also makes the following changes for how a member must be selected:

- Provides that the Florida Suncoast Chapter of the International Code Council and Building Officials Association of Florida submit a North and South County building director candidate and provides the candidate be appointed by the Chairman of the Board of County Commissioners.
- Provides that the AIA Tampa Bay Chapter of the American Institute, instead of St. Petersburg and Clearwater Sections, submit Florida Registered Architect candidates.
- Removes the Association of General Contractors of Mid Florida, Inc. from submitting general contractor candidates.
- Removes Contractors and Builders Association of Pinellas County from submitting building contractor candidates.
- Provides that the Tampa Bay Builders Association, instead of the Contractors and Builders Association of Pinellas County, submit residential building contractor candidates.
- Provides that the National Association of the Remodeling Industry, Tampa Bay, submit a licensed and registered contractor candidate who is primarily engaged in the remodeling industry.
- Provides that two fire marshals must be active members of the Pinellas County Fire Chiefs' Association, instead of the Tampa Bay Area Fire Marshals Association.

- Provides that the West Coast Roofing Contractors Association submit one roofing or sheet metal contractor candidate.
- Provides the United Pool and Spa Association or Alliance of Florida Contractors submit one swimming pool, aluminum or veneer specialty contractor candidate and that the candidate be appointed by the Chairman of the Board of County Commissioners.
- Provides that one member of the Board of County Commissioners must be appointed to the Board by the Chairman of the Board of County Commissioners.

The bill specifies that if an organization or association referenced in the bill changes its name, the successor association or organization will be recognized.

Finally, the bill adds a remodeling contractor to the list of members that must commence their terms in odd-numbered years and a member of the Board of County Commissioners as a designee to the list of members that must commence their terms in even-numbered years.

B. SECTION DIRECTORY:

- Section 1** Amends ch. 75-489, Laws of Florida, as amended, by revising the composition of the Pinellas County Construction Licensing Board and the nomination of board members.
- Section 2** Provides an effective date of upon becoming a law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? February 5, 2017

WHERE? *Tampa Bay Times*, published in Pinellas County, Florida

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

The bill neither authorizes nor requires administrative rulemaking by executive branch agencies.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Lines 41-42 of the bill provide that one member from the consumer protection department selected by the county administrator must serve on the Board. Lines 96-97 and 110-111 may require revisions if the intent is to conform to lines 41-42.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On April 6, 2017, the Government Accountability Committee adopted one amendment and reported the bill favorably as a committee substitute. The amendment revised the composition of the Board by requiring a member of the consumer protection department selected by the county administrator to serve on the Board.

This analysis is drafted to the committee substitute as passed by the Government Accountability Committee.