

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

|                       |               |       |
|-----------------------|---------------|-------|
| ADOPTED               | <u>    </u>   | (Y/N) |
| ADOPTED AS AMENDED    | <u>    </u>   | (Y/N) |
| ADOPTED W/O OBJECTION | <u>    </u>   | (Y/N) |
| FAILED TO ADOPT       | <u>    </u>   | (Y/N) |
| WITHDRAWN             | <u>    </u>   | (Y/N) |
| OTHER                 | <u>      </u> |       |

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1 Committee/Subcommittee hearing bill: Commerce Committee  
 2 Representative Raburn offered the following:

**Amendment (with title amendment)**

Remove lines 133-223 and insert:

Section 2. Paragraph (d) is added to subsection (5) of section 472.003, Florida Statutes, to read:

472.003 Persons not affected by ss. 472.001-472.037.—

Sections 472.001-472.037 do not apply to:

(5)

(d) Persons who are under contract with an individual registered or legal entity certified under this chapter and who are under the supervision of and subordinate to a person in responsible charge registered under this chapter, to the extent that such supervision meets standards adopted by rule by the board.

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17 Section 3. Subsections (4) and (10) of section 472.005,  
18 Florida Statutes, are amended to read:

19 472.005 Definitions.—As used in ss. 472.001-472.037:

20 (4) (a) "Practice of surveying and mapping" means, among  
21 other things, any professional service or work, the adequate  
22 performance of which involves the application of special  
23 knowledge of the principles of mathematics, the related physical  
24 and applied sciences, and the relevant requirements of law for  
25 adequate evidence of the act of measuring, locating,  
26 establishing, or reestablishing lines, angles, elevations,  
27 natural and manmade features in the air, on the surface and  
28 immediate subsurface of the earth, within underground workings,  
29 and on the beds or surface of bodies of water, for the purpose  
30 of determining, establishing, describing, displaying, or  
31 interpreting the facts of size, volume, shape, topography, tidal  
32 datum planes, and legal or geodetic location or relocation, ~~and~~  
33 ~~orientation of improved or unimproved real property and~~  
34 ~~appurtenances thereto, including acreage and condominiums.~~

35 (b) The practice of surveying and mapping also includes,  
36 but is not limited to, photogrammetric control; orientation of  
37 improved or unimproved real property and appurtenances and  
38 personal property attached thereto, including acreage and  
39 condominiums; the monumentation and remonumentation of property  
40 boundaries and subdivisions; the measurement of and preparation  
41 of plans showing existing improvements after construction; the

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42 layout of proposed improvements; the preparation of descriptions  
43 for use in legal instruments of conveyance of real property and  
44 property rights; the preparation of subdivision planning maps  
45 and record plats, as provided for in chapter 177; the  
46 determination of, but not the design of, grades and elevations  
47 of roads and land in connection with subdivisions or divisions  
48 of land; and the creation and perpetuation of alignments related  
49 to maps, record plats, field note records, reports, property  
50 descriptions, and plans and drawings that represent them.

51 (10) "Subordinate" means a person ~~an employee~~ who performs  
52 work under the direction, supervision, and responsible charge of  
53 a person who is registered under this chapter.

54 Section 4. Subsections (2) and (3) of section 472.013,  
55 Florida Statutes, are amended to read:

56 472.013 Examinations, prerequisites.—

57 (2) An applicant shall be entitled to take the licensure  
58 examination to practice in this state as a surveyor and mapper  
59 if the applicant is of good moral character and has satisfied  
60 one of the following requirements:

61 (a) The applicant has received a bachelor's degree, its  
62 equivalent, or higher in surveying and mapping or a similarly  
63 titled program, including, but not limited to, geomatics,  
64 geomatics engineering, and land surveying, ~~of 4 years or more in~~  
65 a surveying and mapping degree program from a college or  
66 university recognized by the board and has a specific experience

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67 record of 4 or more years as a subordinate to a professional  
68 surveyor and mapper in the active practice of surveying and  
69 mapping, which experience is of a nature indicating that the  
70 applicant was in responsible charge of the accuracy and  
71 correctness of the surveying and mapping work performed. ~~The~~  
72 ~~completed surveying and mapping degree of 4 years or more in a~~  
73 ~~surveying and mapping degree program must have included not~~  
74 ~~fewer than 32 semester hours of study, or its academic~~  
75 ~~equivalent, in the science of surveying and mapping or in board-~~  
76 ~~approved surveying and mapping related courses.~~ Work experience  
77 acquired as a part of the education requirement may ~~shall~~ not be  
78 construed as experience in responsible charge.

79 (b) The applicant has received a bachelor's degree, its  
80 equivalent, or higher in a ~~is a graduate of a 4-year~~ course of  
81 study, other than in surveying and mapping, at an accredited  
82 college or university and has a specific experience record of 6  
83 or more years as a subordinate to a registered surveyor and  
84 mapper in the active practice of surveying and mapping, 5 years  
85 of which shall be of a nature indicating that the applicant was  
86 in responsible charge of the accuracy and correctness of the  
87 surveying and mapping work performed. ~~The course of study in~~  
88 ~~disciplines other than surveying and mapping must have included~~  
89 ~~not fewer than 32 semester hours of study or its academic~~  
90 ~~equivalent.~~ The applicant must have completed a minimum of 25  
91 semester hours from a college or university approved by the

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92 board in surveying and mapping subjects or in any combination of  
93 courses in civil engineering, surveying, mapping, mathematics,  
94 photogrammetry, forestry, or land law and the physical sciences.  
95 Any of the required 25 semester hours of study completed not as  
96 a part of the bachelor's degree, its equivalent, or higher may  
97 ~~4-year course of study shall~~ be approved at the discretion of  
98 the board. Work experience acquired as a part of the education  
99 requirement may shall not be construed as experience in  
100 responsible charge.

101 (3) A person shall be entitled to take an examination for  
102 the purpose of determining whether he or she is qualified ~~to~~  
103 ~~practice in this state~~ as a surveyor and mapper intern if:

104 (a) The person is in good standing in, or is a graduate  
105 of, a bachelor degree program, its equivalent or higher, at an  
106 accredited college or university and has obtained a minimum of  
107 25 semester hours in surveying, mapping, mathematics,  
108 photogrammetry, forestry, civil engineering, or land law and the  
109 physical sciences, or any combination thereof; or

110 (b) The person has obtained, from an accredited college or  
111 university, a minimum of 15 semester hours in surveying,  
112 mapping, mathematics, photogrammetry, forestry, civil  
113 engineering, or land law and the physical sciences, or any  
114 combination thereof, and has a specific surveying and mapping  
115 experience record of 2 or more years as a subordinate to a  
116 registered surveyor and mapper.

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118 This subsection may not be construed as a substitute for the  
119 degree requirement to take the exams for licensure as outlined  
120 in subsection (2) ~~the person is in the final year, or is a~~  
121 ~~graduate, of an approved surveying and mapping curriculum in a~~  
122 ~~school that has been approved by the board.~~

123 Section 5. Paragraph (a) of subsection (5) of section  
124 472.015, Florida Statutes, is amended to read:

125 472.015 Licensure.—

126 (5)(a) The board shall certify as qualified for a license  
127 by endorsement an applicant who, at the time of application:

128 1. Holds a valid license to practice surveying and mapping  
129 issued before ~~prior to~~ July 1, 1999, by another state or  
130 territory of the United States; has passed a national, regional,  
131 state, or territorial licensing examination that is  
132 substantially equivalent to the examination required by s.  
133 472.013; and has a specific experience record of at least 8  
134 years as a subordinate to a registered surveyor and mapper in  
135 the active practice of surveying and mapping, 6 years of which  
136 must be of a nature indicating that the applicant was in  
137 responsible charge of the accuracy and correctness of the  
138 surveying and mapping work performed; or

139 2. Holds a valid license to practice surveying and mapping  
140 issued by another state or territory of the United States if the  
141 criteria for issuance of the license were substantially the same

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142 as the licensure criteria that existed in Florida at the time  
143 the license was issued. ~~;~~ or

144 ~~3. Is a practicing photogrammetrist who holds the~~  
145 ~~Certified Photogrammetrist designation of the American Society~~  
146 ~~for Photogrammetry and Remote Sensing and held such designation~~  
147 ~~on or before July 1, 2005; is a graduate of a 4-year course of~~  
148 ~~study at an accredited college or university; and has a specific~~  
149 ~~experience record of 6 or more years as a subordinate to a~~  
150 ~~Certified Photogrammetrist of the American Society for~~  
151 ~~Photogrammetry and Remote Sensing in the active practice of~~  
152 ~~surveying and mapping, 5 years of which shall be of a nature~~  
153 ~~indicating that the applicant was in responsible charge of the~~  
154 ~~accuracy and correctness of the surveying and mapping work~~  
155 ~~performed. The course of study must have included not fewer than~~  
156 ~~32 semester hours of study or its academic equivalent. The~~  
157 ~~applicant must have completed a minimum of 25 semester hours~~  
158 ~~from a college or university approved by the board in surveying~~  
159 ~~and mapping subjects or in any combination of courses in civil~~  
160 ~~engineering, surveying, mapping, mathematics, photogrammetry,~~  
161 ~~forestry, or land law and the physical sciences. Any of the~~  
162 ~~required 25 semester hours of study completed not as a part of~~  
163 ~~the 4-year course of study shall be approved at the discretion~~  
164 ~~of the board. Work experience acquired as a part of the~~  
165 ~~education requirement shall not be construed as experience in~~  
166 ~~responsible charge. The applicant must have applied to the~~

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167 ~~department for licensure on or before July 1, 2007.~~

168 Section 6. Section 472.018, Florida Statutes, is amended  
169 to read:

170 472.018 Continuing education.—The department may not renew  
171 a license until the licensee submits proof satisfactory to the  
172 board that during the 2 years before her or his application for  
173 renewal the licensee has completed at least 24 hours of  
174 continuing education. The board may provide by rule for  
175 continuing education hours carryover for each renewal cycle not  
176 to exceed 12 hours.

177 (1) The board shall adopt rules to establish the criteria  
178 ~~and course content~~ for continuing education providers courses.  
179 The rules may provide that up to a maximum of 25 percent of the  
180 required continuing education hours may be fulfilled by the  
181 performance of pro bono services to the indigent or to  
182 underserved populations or in areas of critical need within the  
183 state where the licensee practices. The board must require that  
184 any pro bono services be approved in advance in order to receive  
185 credit for continuing education under this section. The board  
186 shall use the standard recognized by the Federal Poverty Income  
187 Guidelines produced by the United States Department of Health  
188 and Human Services in determining indigency. The board may adopt  
189 rules that may provide that a part of the continuing education  
190 hours may be fulfilled by performing research in critical need  
191 areas or for training leading to advanced professional

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192 certification. The board may adopt rules to define underserved  
193 and critical need areas. The department shall adopt rules for  
194 the administration of continuing education requirements adopted  
195 by the board.

196 (2) The board may provide by rule the method of delivery  
197 and criteria that ~~distance learning~~ may be used to satisfy  
198 continuing education requirements.

199 (3) The board may prorate the required continuing  
200 education hours in the following circumstances:

201 (a) For new licensees:

202 1. By requiring half of the required continuing education  
203 hours for any applicant who becomes licensed with more than half  
204 the renewal period remaining and no continuing education for any  
205 applicant who becomes licensed with half or less than half of  
206 the renewal period remaining; or

207 2. Requiring no continuing education hours until the first  
208 full renewal cycle of the licensee.

209 (b) When the number of hours required is increased by law  
210 or the board.

211 (4) Upon the request of a licensee, the provider must also  
212 furnish to the department information regarding courses  
213 completed by the licensee, in an electronic format required by  
214 rule of the department.

215 (5) Each continuing education provider shall retain all  
216 records relating to a licensee's completion of continuing

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217 education courses for at least 4 years after completion of a  
218 course.

219 (6) A continuing education provider may not be approved,  
220 and the approval may not be renewed, unless the provider agrees  
221 in writing to provide such cooperation under this section as  
222 required by the department.

223 (7) For the purpose of determining which persons or  
224 entities must meet the reporting, recordkeeping, and access  
225 provisions of this section, the board by rule shall adopt a  
226 definition of the term "continuing education provider"  
227 applicable to the profession's continuing education  
228 requirements. The intent of the rule is to ensure that all  
229 records and information necessary to carry out the requirements  
230 of this section are maintained and transmitted accordingly and  
231 to minimize disputes as to what person or entity is responsible  
232 for maintaining and reporting such records and information.

233 (8) The board shall approve the providers of continuing  
234 education. The approval of continuing education providers ~~and~~  
235 ~~courses~~ must be for a specified period of time, not to exceed 4  
236 years. An approval that does not include such a time limitation  
237 may remain in effect under this chapter or the rules adopted  
238 under this chapter.

239 (9) The department may fine, suspend, or revoke approval  
240 of any continuing education provider that fails to comply with  
241 its duties under this section. The fine may not exceed \$500 per

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242 violation. Investigations and prosecutions of a provider's  
243 failure to comply with its duties under this section shall be  
244 conducted pursuant to s. 472.033.

245 (10) The board shall issue an order requiring a person or  
246 entity to cease and desist from offering any continuing  
247 education programs for licensees, and fining, suspending, or  
248 revoking any approval of the provider previously granted by the  
249 board if the board determines that the person or entity failed  
250 to provide appropriate continuing education services ~~that~~  
251 ~~conform to approved course material~~. The fine may not exceed  
252 \$500 per violation. Investigations and prosecutions of a  
253 provider's failure to comply with its duties under this section  
254 shall be conducted under s. 472.033.

255 (11) The board may establish, by rule, a fee not to exceed  
256 \$250 for anyone seeking approval to provide continuing education  
257 courses and may establish, by rule, a biennial fee not to exceed  
258 \$250 for the renewal of providership of such courses. Such  
259 postlicensure education courses are subject to the reporting,  
260 monitoring, and compliance provisions of this section.

261 (12) The department and the board may adopt rules under  
262 ss. 120.536(1) and 120.54 to administer this section.

263 (13) Each continuing education provider shall provide to  
264 the department, in an electronic format determined by the  
265 department, information regarding the continuing education  
266 status of licensees which the department determines is necessary

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267 to carry out its duties under this chapter. After a licensee  
268 completes a course, the information must be submitted  
269 electronically by the continuing education provider to the  
270 department within 30 calendar days after completion. However,  
271 beginning on the 30th day before the renewal deadline or before  
272 the renewal date, whichever occurs sooner, the continuing  
273 education provider shall electronically report such information  
274 to the department within 10 business days after completion.

275 (14) The department shall establish a system to monitor  
276 licensee compliance with continuing education requirements and  
277 to determine the continuing education status of each licensee.  
278 As used in this subsection, the term "monitor" means the act of  
279 determining, for each licensee, whether the licensee is in full  
280 compliance with applicable continuing education requirements as  
281 of the date of the licensee's application for license renewal.

282 (15) The department may refuse to renew a license until  
283 the licensee has satisfied all applicable continuing education  
284 requirements. This subsection does not preclude the department  
285 or board from imposing additional penalties pursuant to this  
286 chapter or rules adopted pursuant this chapter.

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**T I T L E A M E N D M E N T**

Remove lines 7-14 and insert:

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 467 (2017)

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292 date; amending s. 472.003, F.S.; specifying that certain persons  
293 under contract with registered or certified surveyors and  
294 mappers are not subject to the provisions of ch. 472, F.S.;  
295 amending s. 472.005, F.S.; redefining the terms "practice of  
296 surveying and mapping" and "subordinate"; amending s. 472.013,  
297 F.S.; revising the standards for when an applicant is eligible  
298 to take the licensure examination to practice as a surveyor and  
299 mapper; amending s. 472.015, F.S.; revising the qualifications  
300 for licensure by endorsement; amending s. 472.018, F.S.;  
301 revising the continuing education requirements for new licensees  
302 and license renewal; amending s. 472.025, F.S.; deleting a