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LEGISLATIVE ACTION

Senate

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Senator Passidomo moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (h) of subsection (2) of section  
287.055, Florida Statutes, is amended to read:

287.055 Acquisition of professional architectural,  
engineering, landscape architectural, or surveying and mapping  
services; definitions; procedures; contingent fees prohibited;  
penalties.—

(2) DEFINITIONS.—For purposes of this section:



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12 (h) A "design-build firm" means a partnership, corporation,  
13 or other legal entity that:

14 1. Is certified under s. 489.119 to engage in contracting  
15 through a certified or registered general contractor or a  
16 certified or registered building contractor as the qualifying  
17 agent; or

18 2. Is certified under s. 471.023 to practice or to offer to  
19 practice engineering; qualified ~~certified~~ under s. 481.219 to  
20 practice or to offer to practice architecture; or qualified  
21 ~~certified~~ under s. 481.319 to practice or to offer to practice  
22 landscape architecture.

23 Section 2. Subsection (13) of section 326.004, Florida  
24 Statutes, is amended to read:

25 326.004 Licensing.—

26 (13) Each broker must maintain a principal place of  
27 business in this state and may establish branch offices in the  
28 state. ~~A separate license must be maintained for each branch~~  
29 ~~office. The division shall establish by rule a fee not to exceed~~  
30 ~~\$100 for each branch office license.~~

31 Section 3. Subsection (3) of section 447.02, Florida  
32 Statutes, is amended to read:

33 447.02 Definitions.—The following terms, when used in this  
34 chapter, shall have the meanings ascribed to them in this  
35 section:

36 ~~(3) The term "department" means the Department of Business~~  
37 ~~and Professional Regulation.~~

38 Section 4. Section 447.04, Florida Statutes, is repealed.

39 Section 5. Section 447.041, Florida Statutes, is repealed.

40 Section 6. Section 447.045, Florida Statutes, is repealed.



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41 Section 7. Section 447.06, Florida Statutes, is repealed.

42 Section 8. Subsections (6) and (8) of section 447.09,  
43 Florida Statutes, are amended to read:

44 447.09 Right of franchise preserved; penalties.—It shall be  
45 unlawful for any person:

46 ~~(6) To act as a business agent without having obtained and~~  
47 ~~possessing a valid and subsisting license or permit.~~

48 ~~(8) To make any false statement in an application for a~~  
49 ~~license.~~

50 Section 9. Section 447.12, Florida Statutes, is repealed.

51 Section 10. Section 447.16, Florida Statutes, is repealed.

52 Section 11. Subsections (1) and (2) of section 468.603,  
53 Florida Statutes, are amended to read:

54 468.603 Definitions.—As used in this part:

55 (1) "Building code administrator" or "building official"  
56 means any of those employees of municipal or county governments,  
57 or any person contracted by a municipal or county government,  
58 who have ~~with~~ building construction regulation responsibilities  
59 and who are charged with the responsibility for direct  
60 regulatory administration or supervision of plan review,  
61 enforcement, or inspection of building construction, erection,  
62 repair, addition, remodeling, demolition, or alteration projects  
63 that require permitting indicating compliance with building,  
64 plumbing, mechanical, electrical, gas, fire prevention, energy,  
65 accessibility, and other construction codes as required by state  
66 law or municipal or county ordinance. This term is synonymous  
67 with "building official" as used in the ~~administrative chapter~~  
68 ~~of the Standard Building Code and the South Florida Building~~  
69 Code. One person employed or contracted by each municipal or



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70 county government as a building code administrator or building  
71 official and who is so certified under this part may be  
72 authorized to perform any plan review or inspection for which  
73 certification is required by this part.

74 (2) "Building code inspector" means any of those employees  
75 of local governments or state agencies, or any person contracted  
76 by a local government or state agency, who have ~~with~~ building  
77 construction regulation responsibilities and who themselves  
78 conduct inspections of building construction, erection, repair,  
79 addition, or alteration projects that require permitting  
80 indicating compliance with building, plumbing, mechanical,  
81 electrical, gas, fire prevention, energy, accessibility, and  
82 other construction codes as required by state law or municipal  
83 or county ordinance.

84 Section 12. Subsection (3) of section 468.617, Florida  
85 Statutes, is amended to read:

86 468.617 Joint building code inspection department; other  
87 arrangements.—

88 (3) Nothing in this part shall prohibit any county or  
89 municipal government, school board, community college board,  
90 state university, or state agency from entering into any  
91 contract with any person or entity for the provision of building  
92 code administrator, building official, or building code  
93 inspection services regulated under this part, and  
94 notwithstanding any other statutory provision, such county or  
95 municipal governments may enter into contracts.

96 Section 13. Paragraphs (a) and (e) of subsection (2),  
97 subsection (3), paragraph (b) of subsection (4), and subsection  
98 (6) of section 469.006, Florida Statutes, are amended to read:



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99           469.006 Licensure of business organizations; qualifying  
100 agents.—

101           (2) (a) If the applicant proposes to engage in consulting or  
102 contracting as a partnership, corporation, business trust, or  
103 other legal entity, or in any name other than the applicant's  
104 legal name, the ~~legal entity must apply for licensure through a~~  
105 ~~qualifying agent or the~~ individual applicant must apply for  
106 licensure under the name of the business organization ~~fictitious~~  
107 ~~name.~~

108           (e) ~~A~~ The license, ~~when issued upon application of a~~  
109 ~~business organization~~, must be in the name of the qualifying  
110 agent ~~business organization~~, and the name of the business  
111 organization ~~qualifying agent~~ must be noted on the license  
112 ~~thereon~~. If there is a change in any information that is  
113 required to be stated on the application, the qualifying agent  
114 ~~business organization~~ shall, within 45 days after such change  
115 occurs, mail the correct information to the department.

116           (3) The qualifying agent must ~~shall~~ be licensed under this  
117 chapter in order for the business organization to be qualified  
118 ~~licensed~~ in the category of the business conducted for which the  
119 qualifying agent is licensed. If any qualifying agent ceases to  
120 be affiliated with such business organization, the agent shall  
121 so inform the department. In addition, if such qualifying agent  
122 is the only licensed individual affiliated with the business  
123 organization, the business organization shall notify the  
124 department of the termination of the qualifying agent and has  
125 ~~shall have~~ 60 days after ~~from~~ the date of termination of the  
126 qualifying agent's affiliation with the business organization ~~in~~  
127 ~~which~~ to employ another qualifying agent. The business



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128 organization may not engage in consulting or contracting until a  
129 qualifying agent is employed, unless the department has granted  
130 a temporary nonrenewable license to the financially responsible  
131 officer, the president, the sole proprietor, a partner, or, in  
132 the case of a limited partnership, the general partner, who  
133 assumes all responsibilities of a primary qualifying agent for  
134 the entity. This temporary license only allows ~~shall only allow~~  
135 the entity to proceed with incomplete contracts.

136 (4)

137 (b) Upon a favorable determination by the department, after  
138 investigation of the financial responsibility, credit, and  
139 business reputation of the qualifying agent and the new business  
140 organization, the department shall issue, without any  
141 examination, a new license in the qualifying agent's business  
142 ~~organization's~~ name, and the name of the business organization  
143 ~~qualifying agent~~ shall be noted thereon.

144 (6) Each qualifying agent shall pay the department an  
145 amount equal to the original fee for licensure ~~of a new business~~  
146 ~~organization.~~ if the qualifying agent for a business  
147 organization desires to qualify additional business  
148 organizations. ~~The~~ department shall require the agent to  
149 present evidence of supervisory ability and financial  
150 responsibility of each such organization. Allowing a licensee to  
151 qualify more than one business organization must ~~shall~~ be  
152 conditioned upon the licensee showing that the licensee has both  
153 the capacity and intent to adequately supervise each business  
154 organization. The department may ~~shall~~ not limit the number of  
155 business organizations that ~~which~~ the licensee may qualify  
156 except upon the licensee's failure to provide such information



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157 as is required under this subsection or upon a finding that the  
158 ~~such~~ information or evidence ~~as is~~ supplied is incomplete or  
159 unpersuasive in showing the licensee's capacity and intent to  
160 comply with the requirements of this subsection. A qualification  
161 for an additional business organization may be revoked or  
162 suspended upon a finding by the department that the licensee has  
163 failed in the licensee's responsibility to adequately supervise  
164 the operations of the business organization. Failure to  
165 adequately supervise the operations of a business organization  
166 is ~~shall be~~ grounds for denial to qualify additional business  
167 organizations.

168 Section 14. Subsection (1) of section 469.009, Florida  
169 Statutes, is amended to read:

170 469.009 License revocation, suspension, and denial of  
171 issuance or renewal.—

172 (1) The department may revoke, suspend, or deny the  
173 issuance or renewal of a license; reprimand, censure, or place  
174 on probation any contractor, consultant, or financially  
175 responsible officer, ~~or business organization~~; require financial  
176 restitution to a consumer; impose an administrative fine not to  
177 exceed \$5,000 per violation; require continuing education; or  
178 assess costs associated with any investigation and prosecution  
179 if the contractor or consultant, or business organization or  
180 officer or agent thereof, is found guilty of any of the  
181 following acts:

182 (a) Willfully or deliberately disregarding or violating the  
183 health and safety standards of the Occupational Safety and  
184 Health Act of 1970, the Construction Safety Act, the National  
185 Emission Standards for Asbestos, the Environmental Protection



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186 Agency Asbestos Abatement Projects Worker Protection Rule, the  
187 Florida Statutes or rules promulgated thereunder, or any  
188 ordinance enacted by a political subdivision of this state.

189 (b) Violating any provision of chapter 455.

190 (c) Failing in any material respect to comply with the  
191 provisions of this chapter or any rule promulgated hereunder.

192 (d) Acting in the capacity of an asbestos contractor or  
193 asbestos consultant under any license issued under this chapter  
194 except in the name of the licensee as set forth on the issued  
195 license.

196 (e) Proceeding on any job without obtaining all applicable  
197 approvals, authorizations, permits, and inspections.

198 (f) Obtaining a license by fraud or misrepresentation.

199 (g) Being convicted or found guilty of, or entering a plea  
200 of nolo contendere to, regardless of adjudication, a crime in  
201 any jurisdiction which directly relates to the practice of  
202 asbestos consulting or contracting or the ability to practice  
203 asbestos consulting or contracting.

204 (h) Knowingly violating any building code, lifesafety code,  
205 or county or municipal ordinance relating to the practice of  
206 asbestos consulting or contracting.

207 (i) Performing any act which assists a person or entity in  
208 engaging in the prohibited unlicensed practice of asbestos  
209 consulting or contracting, if the licensee knows or has  
210 reasonable grounds to know that the person or entity was  
211 unlicensed.

212 (j) Committing mismanagement or misconduct in the practice  
213 of contracting that causes financial harm to a customer.

214 Financial mismanagement or misconduct occurs when:





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215           1. Valid liens have been recorded against the property of a  
216 contractor's customer for supplies or services ordered by the  
217 contractor for the customer's job; the contractor has received  
218 funds from the customer to pay for the supplies or services; and  
219 the contractor has not had the liens removed from the property,  
220 by payment or by bond, within 75 days after the date of such  
221 liens;

222           2. The contractor has abandoned a customer's job and the  
223 percentage of completion is less than the percentage of the  
224 total contract price paid to the contractor as of the time of  
225 abandonment, unless the contractor is entitled to retain such  
226 funds under the terms of the contract or refunds the excess  
227 funds within 30 days after the date the job is abandoned; or

228           3. The contractor's job has been completed, and it is shown  
229 that the customer has had to pay more for the contracted job  
230 than the original contract price, as adjusted for subsequent  
231 change orders, unless such increase in cost was the result of  
232 circumstances beyond the control of the contractor, was the  
233 result of circumstances caused by the customer, or was otherwise  
234 permitted by the terms of the contract between the contractor  
235 and the customer.

236           (k) Being disciplined by any municipality or county for an  
237 act or violation of this chapter.

238           (l) Failing in any material respect to comply with the  
239 provisions of this chapter, or violating a rule or lawful order  
240 of the department.

241           (m) Abandoning an asbestos abatement project in which the  
242 asbestos contractor is engaged or under contract as a  
243 contractor. A project may be presumed abandoned after 20 days if



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244 the contractor terminates the project without just cause and  
245 without proper notification to the owner, including the reason  
246 for termination; if the contractor fails to reasonably secure  
247 the project to safeguard the public while work is stopped; or if  
248 the contractor fails to perform work without just cause for 20  
249 days.

250 (n) Signing a statement with respect to a project or  
251 contract falsely indicating that the work is bonded; falsely  
252 indicating that payment has been made for all subcontracted  
253 work, labor, and materials which results in a financial loss to  
254 the owner, purchaser, or contractor; or falsely indicating that  
255 workers' compensation and public liability insurance are  
256 provided.

257 (o) Committing fraud or deceit in the practice of asbestos  
258 consulting or contracting.

259 (p) Committing incompetency or misconduct in the practice  
260 of asbestos consulting or contracting.

261 (q) Committing gross negligence, repeated negligence, or  
262 negligence resulting in a significant danger to life or property  
263 in the practice of asbestos consulting or contracting.

264 (r) Intimidating, threatening, coercing, or otherwise  
265 discouraging the service of a notice to owner under part I of  
266 chapter 713 or a notice to contractor under chapter 255 or part  
267 I of chapter 713.

268 (s) Failing to satisfy, within a reasonable time, the terms  
269 of a civil judgment obtained against the licensee, or the  
270 business organization qualified by the licensee, relating to the  
271 practice of the licensee's profession.

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273 For the purposes of this subsection, construction is considered  
274 to be commenced when the contract is executed and the contractor  
275 has accepted funds from the customer or lender.

276 Section 15. Section 474.2195, Florida Statutes, is created  
277 to read:

278 474.2195 Veterinary telemedicine.—

279 (1) As used in this section, the term:

280 (a) "Patient relationship" means a relationship where the  
281 veterinarian has assumed the responsibility of making medical  
282 judgments regarding the health of an animal and its need for  
283 medical treatment.

284 (b) "Physical examination" means the evaluation of a  
285 patient by a veterinarian through personal inspection,  
286 palpation, and auscultation of the patient. This definition does  
287 not apply to s. 474.2185.

288 (c) "Veterinary telemedicine" means the practice of  
289 veterinary medicine by a Florida-licensed veterinarian which  
290 includes a complete physical examination and the establishment  
291 of a patient relationship in which patient care, treatment, or  
292 service is provided through the use of medical information  
293 exchanged from one site to another via electronic  
294 communications.

295 (2) The standard of care for a veterinarian providing  
296 veterinary telemedicine services to a patient is the same as the  
297 standard of care generally accepted for a veterinarian providing  
298 in-person health care services.

299 (3) Veterinary telemedicine must be practiced within the  
300 context of a patient relationship except for care, treatment, or  
301 service provided to a patient in an emergency until the patient



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302 can be seen by or transported to a veterinarian.

303 (4) In the case of herd animals, the establishment of a  
304 patient relationship does not require the physical examination  
305 of each animal.

306 (5) A veterinarian may consult on patient care with another  
307 veterinarian who has an ongoing patient relationship with the  
308 patient, including the use of any prescription medication, and  
309 may consult on on-call or cross-coverage cases in which the  
310 veterinarian has access to patient records, via electronic  
311 communications.

312 Section 16. Subsection (2) of section 476.034, Florida  
313 Statutes, is amended, and subsections (6) and (7) are added to  
314 that section, to read:

315 476.034 Definitions.—As used in this act:

316 (2) "Barbering" means any of the following practices when  
317 done for remuneration and for the public, but not when done for  
318 the treatment of disease or physical or mental ailments:  
319 shaving, cutting, trimming, coloring, shampooing, arranging,  
320 dressing, curling, or waving the hair or beard or applying oils,  
321 creams, lotions, or other preparations to the face, scalp, or  
322 neck, either by hand or by mechanical appliances, and includes  
323 restricted barbering services.

324 (6) "Restricted barber" means a person who is licensed to  
325 engage in the practice of restricted barbering in this state  
326 under the authority of this chapter and is subject to the same  
327 requirements and restrictions as a barber, except as specified  
328 in s. 476.114.

329 (7) "Restricted barbering" means any of the following  
330 practices when done for remuneration and for the public, but not



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331 when done for the treatment of disease or physical or mental  
332 ailments: shaving, cutting, trimming, shampooing, arranging,  
333 dressing, or curling the hair or beard, including the  
334 application of shampoo, hair conditioners, shaving creams, hair  
335 tonic, and hair spray to the face, scalp, or neck, either by  
336 hand or by mechanical appliances. The term does not include the  
337 application of oils, creams, lotions, or other preparations to  
338 the face, scalp, or neck.

339 Section 17. Present subsection (3) of section 476.114,  
340 Florida Statutes, is redesignated as subsection (4) and amended,  
341 and a new subsection (3) is added to that section, to read:

342 476.114 Examination; prerequisites.—

343 (3) An applicant is eligible for licensure by examination  
344 to practice restricted barbering if the applicant:

345 (a) Is at least 16 years of age;

346 (b) Pays the required application fee;

347 (c) Passes a written examination on the laws and rules  
348 governing the practice of barbering in Florida, as established  
349 by the board; and

350 (d)1. Holds, or has within the previous 5 years held, an  
351 active valid license to practice barbering in another state or  
352 country, or has held a Florida barbering license which has been  
353 declared null and void for failure to renew the license; or

354 2. Has received a minimum of 1,000 hours of training as  
355 established by the board, which must include, but is not limited  
356 to, the equivalent of completion of services directly related to  
357 the practice of restricted barbering at one of the following:

358 a. A school of barbering licensed pursuant to chapter 1005;

359 b. A barbering program within the public school system; or



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360 c. A government-operated barbering program in this state.  
361 (4)-(3) An applicant who meets the requirements set forth in  
362 subparagraphs (2)(c)1. and 2., or subparagraphs (3)(d)1. and 2.,  
363 and who fails to pass the examination may take subsequent  
364 examinations as many times as necessary to pass, except that the  
365 board may specify by rule reasonable timeframes for rescheduling  
366 the examination and additional training requirements for  
367 applicants who, after the third attempt, fail to pass the  
368 examination. Prior to reexamination, the applicant must file the  
369 appropriate form and pay the reexamination fee as required by  
370 rule.

371 Section 18. Subsection (6) of section 476.144, Florida  
372 Statutes, is repealed.

373 Section 19. Subsections (6) and (9) of section 477.013,  
374 Florida Statutes, are amended to read:

375 477.013 Definitions.—As used in this chapter:

376 (6) "Specialty" means the practice of one or more of the  
377 following:

378 (a) Nail specialty, which includes:

379 1. Manicuring, or the cutting, polishing, tinting,  
380 coloring, cleansing, adding, or extending of the nails, and  
381 massaging of the hands. This term includes any procedure or  
382 process for the affixing of artificial nails, except those nails  
383 which may be applied solely by use of a simple adhesive; and—

384 2.-(b) Pedicuring, or the shaping, polishing, tinting, or  
385 cleansing of the nails of the feet, and massaging or beautifying  
386 of the feet.

387 (b)-(e) Facial specialty, which includes facials, or the  
388 massaging or treating of the face or scalp with oils, creams,



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389 lotions, or other preparations, and skin care services.

390 (c) Full specialty, which includes manicuring, pedicuring,  
391 and facial services, including all services as described in  
392 paragraphs (a) and (b).

393 (9) "Hair braiding" means the weaving or interweaving of  
394 natural human hair or commercial hair, including the use of hair  
395 extensions or wefts, for compensation without cutting, coloring,  
396 permanent waving, relaxing, removing, or chemical treatment ~~and~~  
397 ~~does not include the use of hair extensions or wefts.~~

398 Section 20. Section 477.0132, Florida Statutes, is  
399 repealed.

400 Section 21. Subsections (7), (8), and (9) are added to  
401 section 477.0135, Florida Statutes, to read:

402 477.0135 Exemptions.—

403 (7) A license or registration is not required for a person  
404 whose occupation or practice is confined solely to hair braiding  
405 as defined in s. 477.013(9).

406 (8) A license or registration is not required for a person  
407 whose occupation or practice is confined solely to hair wrapping  
408 as defined in s. 477.013(10).

409 (9) A license or registration is not required for a person  
410 whose occupation or practice is confined solely to body wrapping  
411 as defined in s. 477.013(12).

412 Section 22. Paragraph (b) of subsection (7) of section  
413 477.019, Florida Statutes, is amended to read:

414 477.019 Cosmetologists; qualifications; licensure;  
415 supervised practice; license renewal; endorsement; continuing  
416 education.—

417 (7)



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418 ~~(b) Any person whose occupation or practice is confined~~  
419 ~~solely to hair braiding, hair wrapping, or body wrapping is~~  
420 ~~exempt from the continuing education requirements of this~~  
421 ~~subsection.~~

422 Section 23. Paragraph (f) of subsection (1) of section  
423 477.026, Florida Statutes, is amended to read:

424 477.026 Fees; disposition.-

425 (1) The board shall set fees according to the following  
426 schedule:

427 ~~(f) For hair braiders, hair wrappers, and body wrappers,~~  
428 ~~fees for registration shall not exceed \$25.~~

429 Section 24. Subsection (5) of section 481.203, Florida  
430 Statutes, is amended to read:

431 481.203 Definitions.-As used in this part:

432 (5) "Business organization" means a partnership, a limited  
433 liability company, a corporation, or an individual operating  
434 under a fictitious name ~~"Certificate of authorization" means a~~  
435 ~~certificate issued by the department to a corporation or~~  
436 ~~partnership to practice architecture or interior design.~~

437 Section 25. Section 481.219, Florida Statutes, is amended  
438 to read:

439 481.219 Business organization; qualifying agents  
440 ~~Certification of partnerships, limited liability companies, and~~  
441 ~~corporations.-~~

442 (1) A licensee may ~~The practice of or the offer to practice~~  
443 ~~architecture or interior design by licensees through a business~~  
444 organization that offers ~~corporation, limited liability company,~~  
445 ~~or partnership offering~~ architectural or interior design  
446 services to the public, or through by a business organization





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447 ~~that offers corporation, limited liability company, or~~  
448 ~~partnership offering~~ architectural or interior design services  
449 to the public through such licensees ~~under this part~~ as agents,  
450 employees, officers, or partners, ~~is permitted, subject to the~~  
451 ~~provisions of this section.~~

452 (2) If a licensee or an applicant proposes to engage in the  
453 practice of architecture or interior design as a business  
454 organization, the licensee or applicant must apply to qualify  
455 the business organization ~~For the purposes of this section, a~~  
456 ~~certificate of authorization shall be required for a~~  
457 ~~corporation, limited liability company, partnership, or person~~  
458 ~~practicing under a fictitious name, offering architectural~~  
459 ~~services to the public jointly or separately. However, when an~~  
460 ~~individual is practicing architecture in her or his own name,~~  
461 ~~she or he shall not be required to be certified under this~~  
462 ~~section. Certification under this subsection to offer~~  
463 ~~architectural services shall include all the rights and~~  
464 ~~privileges of certification under subsection (3) to offer~~  
465 ~~interior design services.~~

466 (a) An application to qualify a business organization must:

467 1. If the business is a partnership, state the names of the  
468 partnership and its partners.

469 2. If the business is a corporation, state the names of the  
470 corporation and its officers and directors and the name of each  
471 of its stockholders who is also an officer or a director.

472 3. If the business is operating under a fictitious name,  
473 state the fictitious name under which it is doing business.

474 4. If the business is not a partnership, a corporation, or  
475 operating under a fictitious name, state the name of such other



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476 legal entity and its members.

477 (b) The board may deny an application to qualify a business  
478 organization if the applicant or any person required to be named  
479 pursuant to paragraph (a) has been involved in past disciplinary  
480 actions or on any grounds for which an individual registration  
481 or certification may be denied.

482 (3) (a) A business organization may not engage in the  
483 practice of architecture unless its qualifying agent is a  
484 registered architect under this part. A business organization  
485 may not engage in the practice of interior design unless its  
486 qualifying agent is a registered architect or a registered  
487 interior designer under this part. A qualifying agent who  
488 terminates her or his affiliation with a business organization  
489 shall immediately notify the department of such termination. If  
490 the qualifying agent who terminates her or his affiliation is  
491 the only qualifying agent for a business organization, the  
492 business organization must be qualified by another qualifying  
493 agent within 60 days after the termination. Except as provided  
494 in paragraph (b), the business organization may not engage in  
495 the practice of architecture or interior design until it is  
496 qualified by a qualifying agent.

497 (b) In the event a qualifying architect or interior  
498 designer ceases employment with the business organization, the  
499 executive director or the chair of the board may authorize  
500 another registered architect or interior designer employed by  
501 the business organization to temporarily serve as its qualifying  
502 agent for a period of no more than 60 days. The business  
503 organization is not authorized to operate beyond such period  
504 under this chapter absent replacement of the qualifying



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505 architect or interior designer who has ceased employment.

506 (c) A qualifying agent shall notify the department in  
507 writing before engaging in the practice of architecture or  
508 interior design in her or his own name or in affiliation with a  
509 different business organization, and she or he or such business  
510 organization shall supply the same information to the department  
511 as required of applicants under this part ~~For the purposes of~~  
512 ~~this section, a certificate of authorization shall be required~~  
513 ~~for a corporation, limited liability company, partnership, or~~  
514 ~~person operating under a fictitious name, offering interior~~  
515 ~~design services to the public jointly or separately. However,~~  
516 ~~when an individual is practicing interior design in her or his~~  
517 ~~own name, she or he shall not be required to be certified under~~  
518 ~~this section.~~

519 (4) All final construction documents and instruments of  
520 service which include drawings, specifications, plans, reports,  
521 or other papers or documents that involve ~~involving~~ the practice  
522 of architecture which are prepared or approved for the use of  
523 the business organization ~~corporation, limited liability~~  
524 ~~company, or partnership~~ and filed for public record within the  
525 state must ~~shall~~ bear the signature and seal of the licensee who  
526 prepared or approved them and the date on which they were  
527 sealed.

528 (5) All drawings, specifications, plans, reports, or other  
529 papers or documents prepared or approved for the use of the  
530 business organization ~~corporation, limited liability company, or~~  
531 ~~partnership~~ by an interior designer in her or his professional  
532 capacity and filed for public record within the state must ~~shall~~  
533 bear the signature and seal of the licensee who prepared or



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534 approved them and the date on which they were sealed.

535 ~~(6) The department shall issue a certificate of~~  
536 ~~authorization to any applicant who the board certifies as~~  
537 ~~qualified for a certificate of authorization and who has paid~~  
538 ~~the fee set in s. 481.207.~~

539 (6) ~~(7)~~ The board shall allow ~~certify~~ an applicant to  
540 qualify one or more business organizations as qualified for a  
541 certificate of authorization to offer architectural or interior  
542 design services, or to use a fictitious name to offer such  
543 services, if one of the following criteria is met ~~provided that:~~

544 (a) One or more of the principal officers of the  
545 corporation or limited liability company, or one or more  
546 partners of the partnership, and all personnel of the  
547 corporation, limited liability company, or partnership who act  
548 in its behalf in this state as architects, are registered as  
549 provided by this part. ~~7 or~~

550 (b) One or more of the principal officers of the  
551 corporation or one or more partners of the partnership, and all  
552 personnel of the corporation, limited liability company, or  
553 partnership who act in its behalf in this state as interior  
554 designers, are registered as provided by this part.

555 ~~(8) The department shall adopt rules establishing a~~  
556 ~~procedure for the biennial renewal of certificates of~~  
557 ~~authorization.~~

558 ~~(9) The department shall renew a certificate of~~  
559 ~~authorization upon receipt of the renewal application and~~  
560 ~~biennial renewal fee.~~

561 (7) ~~(10)~~ Each qualifying agent approved to qualify a  
562 business organization ~~partnership, limited liability company,~~



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563 ~~and corporation certified~~ under this section shall notify the  
564 department within 30 days after ~~of~~ any change in the information  
565 contained in the application upon which the qualification  
566 ~~certification~~ is based. Any registered architect or interior  
567 designer who qualifies the business organization shall ensure  
568 ~~corporation, limited liability company, or partnership as~~  
569 ~~provided in subsection (7) shall be responsible for ensuring~~  
570 responsible supervising control of projects of the business  
571 organization entity and shall notify the department of the upon  
572 termination of her or his employment with a business  
573 organization qualified partnership, limited liability company,  
574 ~~or corporation certified~~ under this section ~~shall notify the~~  
575 ~~department of the termination~~ within 30 days after such  
576 termination.

577 (8) (11) A business organization is not ~~No corporation,~~  
578 ~~limited liability company, or partnership shall be relieved of~~  
579 responsibility for the conduct or acts of its agents, employees,  
580 or officers by reason of its compliance with this section.  
581 However, except as provided in s. 558.0035, the architect who  
582 signs and seals the construction documents and instruments of  
583 service is ~~shall be~~ liable for the professional services  
584 performed, and the interior designer who signs and seals the  
585 interior design drawings, plans, or specifications is ~~shall be~~  
586 liable for the professional services performed.

587 ~~(12) Disciplinary action against a corporation, limited~~  
588 ~~liability company, or partnership shall be administered in the~~  
589 ~~same manner and on the same grounds as disciplinary action~~  
590 ~~against a registered architect or interior designer,~~  
591 ~~respectively.~~



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592            ~~(9)-(13) Nothing in This section may not shall~~ be construed  
593 to mean that a certificate of registration to practice  
594 architecture or interior design must shall be held by a business  
595 organization corporation, limited liability company, or  
596 partnership. Nothing in This section does not prohibit a  
597 business organization from offering prohibits corporations,  
598 limited liability companies, and partnerships from joining  
599 together to offer architectural, engineering, interior design,  
600 surveying and mapping, and landscape architectural services, or  
601 any combination of such services, to the public if the business  
602 organization, provided that each corporation, limited liability  
603 company, or partnership otherwise meets the requirements of law.

604            ~~(10)-(14) A business organization that is qualified by a~~  
605 registered architect may Corporations, limited liability  
606 companies, or partnerships holding a valid certificate of  
607 authorization to practice architecture shall be permitted to use  
608 in their title the term "interior designer" or "registered  
609 interior designer" in its title. designer."

610            Section 26. Subsection (10) of section 481.221, Florida  
611 Statutes, is amended to read:

612            481.221 Seals; display of certificate number.—

613            (10) Each registered architect or interior designer must,  
614 and each corporation, limited liability company, or partnership  
615 holding a certificate of authorization, shall include her or his  
616 license its certificate number in any newspaper, telephone  
617 directory, or other advertising medium used by the registered  
618 licensee architect, interior designer, corporation, limited  
619 liability company, or partnership. Each business organization  
620 must include the license number of the registered architect or



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621 interior designer who serves as the qualifying agent for that  
622 business organization in any newspaper, telephone directory, or  
623 other advertising medium used by the business organization, but  
624 is not required to display the license numbers of other  
625 registered architects or interior designers employed by the  
626 business organization ~~A corporation, limited liability company,~~  
627 ~~or partnership is not required to display the certificate number~~  
628 ~~of individual registered architects or interior designers~~  
629 ~~employed by or working within the corporation, limited liability~~  
630 ~~company, or partnership.~~

631 Section 27. Paragraphs (a) and (c) of subsection (5) of  
632 section 481.229, Florida Statutes, are amended to read:

633 481.229 Exceptions; exemptions from licensure.—

634 (5) (a) ~~Nothing contained in~~ This part does not prohibit  
635 ~~shall prevent~~ a registered architect or a qualified business  
636 organization ~~partnership, limited liability company, or~~  
637 ~~corporation holding a valid certificate of authorization to~~  
638 ~~provide architectural services~~ from performing any interior  
639 design service or from using the title "interior designer" or  
640 "registered interior designer."

641 (c) Notwithstanding any other provision of this part, a  
642 registered architect or qualified business organization  
643 certified ~~any corporation, partnership, or person operating~~  
644 ~~under a fictitious name which holds a certificate of~~  
645 ~~authorization to provide architectural services~~ must ~~shall~~ be  
646 qualified, without fee, ~~for a certificate of authorization to~~  
647 provide interior design services upon submission of a completed  
648 application for qualification therefor. ~~For corporations,~~  
649 ~~partnerships, and persons operating under a fictitious name~~



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650 ~~which hold a certificate of authorization to provide interior~~  
651 ~~design services, satisfaction of the requirements for renewal of~~  
652 ~~the certificate of authorization to provide architectural~~  
653 ~~services under s. 481.219 shall be deemed to satisfy the~~  
654 ~~requirements for renewal of the certificate of authorization to~~  
655 ~~provide interior design services under that section.~~

656 Section 28. Section 481.303, Florida Statutes, is reordered  
657 and amended to read:

658 481.303 Definitions.—As used in this chapter, the term:

659 (1) "Board" means the Board of Landscape Architecture.

660 (2) "Business organization" means any partnership, limited  
661 liability company, corporation, or individual operating under a  
662 fictitious name.

663 (4)-(2) "Department" means the Department of Business and  
664 Professional Regulation.

665 (8)-(3) "Registered landscape architect" means a person who  
666 holds a license to practice landscape architecture in this state  
667 under the authority of this act.

668 (3)-(4) "Certificate of registration" means a license issued  
669 by the department to a natural person to engage in the practice  
670 of landscape architecture.

671 (5) ~~"Certificate of authorization" means a license issued~~  
672 ~~by the department to a corporation or partnership to engage in~~  
673 ~~the practice of landscape architecture.~~

674 (5)-(6) "Landscape architecture" means professional  
675 services, including, but not limited to, the following:

676 (a) Consultation, investigation, research, planning,  
677 design, preparation of drawings, specifications, contract  
678 documents and reports, responsible construction supervision, or





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679 landscape management in connection with the planning and  
680 development of land and incidental water areas, including the  
681 use of Florida-friendly landscaping as defined in s. 373.185,  
682 where, and to the extent that, the dominant purpose of such  
683 services or creative works is the preservation, conservation,  
684 enhancement, or determination of proper land uses, natural land  
685 features, ground cover and plantings, or naturalistic and  
686 aesthetic values;

687 (b) The determination of settings, grounds, and approaches  
688 for and the siting of buildings and structures, outdoor areas,  
689 or other improvements;

690 (c) The setting of grades, shaping and contouring of land  
691 and water forms, determination of drainage, and provision for  
692 storm drainage and irrigation systems where such systems are  
693 necessary to the purposes outlined herein; and

694 (d) The design of such tangible objects and features as are  
695 necessary to the purpose outlined herein.

696 (6)~~(7)~~ "Landscape design" means consultation for and  
697 preparation of planting plans drawn for compensation, including  
698 specifications and installation details for plant materials,  
699 soil amendments, mulches, edging, gravel, and other similar  
700 materials. Such plans may include only recommendations for the  
701 conceptual placement of tangible objects for landscape design  
702 projects. Construction documents, details, and specifications  
703 for tangible objects and irrigation systems shall be designed or  
704 approved by licensed professionals as required by law.

705 (7) "Qualifying agent" means an owner, officer, or director  
706 of the corporation, or partner of the partnership, who is  
707 responsible for the supervision, direction, and management of



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708 projects of the business organization with which she or he is  
709 affiliated and for ensuring that responsible supervising control  
710 is being exercised.

711 Section 29. Subsection (5) of section 481.321, Florida  
712 Statutes, is amended to read:

713 481.321 Seals; display of certificate number.—

714 (5) Each registered landscape architect must ~~and each~~  
715 ~~corporation or partnership holding a certificate of~~  
716 ~~authorization shall~~ include her or his ~~its~~ certificate number in  
717 any newspaper, telephone directory, or other advertising medium  
718 used by the registered landscape architect, corporation, or  
719 partnership. A corporation or partnership must ~~is not required~~  
720 ~~to~~ display the certificate number ~~numbers~~ of at least one  
721 officer, director, owner, or partner who is a individual  
722 registered landscape architect ~~architects~~ employed by or  
723 practicing with the corporation or partnership.

724 Section 30. Subsection (4) of section 481.311, Florida  
725 Statutes, is amended to read:

726 481.311 Licensure.—

727 ~~(4) The board shall certify as qualified for a certificate~~  
728 ~~of authorization any applicant corporation or partnership who~~  
729 ~~satisfies the requirements of s. 481.319.~~

730 Section 31. Subsection (2) of section 481.317, Florida  
731 Statutes, is amended to read:

732 481.317 Temporary certificates.—

733 ~~(2) Upon approval by the board and payment of the fee set~~  
734 ~~in s. 481.307, the department shall grant a temporary~~  
735 ~~certificate of authorization for work on one specified project~~  
736 ~~in this state for a period not to exceed 1 year to an out-of-~~



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737 ~~state corporation, partnership, or firm, provided one of the~~  
738 ~~principal officers of the corporation, one of the partners of~~  
739 ~~the partnership, or one of the principals in the fictitiously~~  
740 ~~named firm has obtained a temporary certificate of registration~~  
741 ~~in accordance with subsection (1).~~

742 Section 32. Section 481.319, Florida Statutes, is amended  
743 to read:

744 481.319 Corporate and partnership practice of landscape  
745 architecture; ~~certificate of authorization.~~

746 (1) The practice of or offer to practice landscape  
747 architecture by registered landscape architects registered under  
748 this part through a corporation or partnership offering  
749 landscape architectural services to the public, or through a  
750 corporation or partnership offering landscape architectural  
751 services to the public through individual registered landscape  
752 architects as agents, employees, officers, or partners, is  
753 permitted, subject to the provisions of this section, if:

754 (a) One or more of the principal officers of the  
755 corporation, or partners of the partnership, and all personnel  
756 of the corporation or partnership who act in its behalf as  
757 landscape architects in this state are registered landscape  
758 architects; and

759 (b) One or more of the officers, one or more of the  
760 directors, one or more of the owners of the corporation, or one  
761 or more of the partners of the partnership is a registered  
762 landscape architect and has applied to be the qualifying agent  
763 for the business organization; ~~and~~

764 ~~(c) The corporation or partnership has been issued a~~  
765 ~~certificate of authorization by the board as provided herein.~~



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766 (2) All documents involving the practice of landscape  
767 architecture which are prepared for the use of the corporation  
768 or partnership must ~~shall~~ bear the signature and seal of a  
769 registered landscape architect.

770 (3) A landscape architect applying to practice in the name  
771 of a ~~An applicant~~ corporation must ~~shall~~ file with the  
772 department the names and addresses of all officers and board  
773 members of the corporation, including the principal officer or  
774 officers, duly registered to practice landscape architecture in  
775 this state and, also, of all individuals duly registered to  
776 practice landscape architecture in this state who shall be in  
777 responsible charge of the practice of landscape architecture by  
778 the corporation in this state. A landscape architect applying to  
779 practice in the name of a ~~An applicant~~ partnership must ~~shall~~  
780 file with the department the names and addresses of all partners  
781 of the partnership, including the partner or partners duly  
782 registered to practice landscape architecture in this state and,  
783 also, of an individual or individuals duly registered to  
784 practice landscape architecture in this state who shall be in  
785 responsible charge of the practice of landscape architecture by  
786 said partnership in this state.

787 (4) Each landscape architect qualifying a partnership or  
788 ~~and~~ corporation ~~licensed~~ under this part must ~~shall~~ notify the  
789 department within 1 month of any change in the information  
790 contained in the application upon which the license is based.  
791 Any landscape architect who terminates her or his ~~or her~~  
792 employment with a partnership or corporation licensed under this  
793 part shall notify the department of the termination within 1  
794 month.



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795           ~~(5) Disciplinary action against a corporation or~~  
796 ~~partnership shall be administered in the same manner and on the~~  
797 ~~same grounds as disciplinary action against a registered~~  
798 ~~landscape architect.~~

799           (5) ~~(6)~~ Except as provided in s. 558.0035, the fact that a  
800 registered landscape architect practices landscape architecture  
801 through a corporation or partnership as provided in this section  
802 does not relieve the landscape architect from personal liability  
803 for her or his ~~or her~~ professional acts.

804           Section 33. Subsection (5) of section 481.329, Florida  
805 Statutes, is amended to read:

806           481.329 Exceptions; exemptions from licensure.—

807           (5) This part does not prohibit any person from engaging in  
808 the practice of landscape design, as defined in s. 481.303(6) ~~s.~~  
809 ~~481.303(7)~~, or from submitting for approval to a governmental  
810 agency planting plans that are independent of, or a component  
811 of, construction documents that are prepared by a Florida-  
812 registered professional. Persons providing landscape design  
813 services shall not use the title, term, or designation  
814 "landscape architect," "landscape architectural," "landscape  
815 architecture," "L.A.," "landscape engineering," or any  
816 description tending to convey the impression that she or he is a  
817 landscape architect unless she or he is registered as provided  
818 in this part.

819           Section 34. Subsection (1) of section 548.017, Florida  
820 Statutes, is amended to read:

821           548.017 Participants, managers, and other persons required  
822 to have licenses.—

823           (1) A participant, manager, trainer, second, ~~timekeeper,~~



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824 referee, judge, ~~announcer~~, physician, matchmaker, or promoter  
825 must be licensed before directly or indirectly acting in such  
826 capacity in connection with any match involving a participant. A  
827 physician approved by the commission must be licensed pursuant  
828 to chapter 458 or chapter 459, must maintain an unencumbered  
829 license in good standing, and must demonstrate satisfactory  
830 medical training or experience in boxing, or a combination of  
831 both, to the executive director before working as the ringside  
832 physician.

833 Section 35. Paragraph (i) of subsection (2) of section  
834 548.003, Florida Statutes, is amended to read:

835 548.003 Florida State Boxing Commission.—

836 (2) The Florida State Boxing Commission, as created by  
837 subsection (1), shall administer the provisions of this chapter.  
838 The commission has authority to adopt rules pursuant to ss.  
839 120.536(1) and 120.54 to implement the provisions of this  
840 chapter and to implement each of the duties and responsibilities  
841 conferred upon the commission, including, but not limited to:

842 ~~(i) Designation and duties of a knockdown timekeeper.~~

843 Section 36. This act shall take effect October 1, 2017.

844 ===== T I T L E A M E N D M E N T =====

845 And the title is amended as follows:

846 Delete everything before the enacting clause  
847 and insert:

848 A bill to be entitled  
849 An act relating to regulated professions and  
850 occupations; amending s. 287.055, F.S.; redefining the  
851 term "design-build firm"; amending s. 326.004, F.S.;  
852 deleting a requirement that yacht and ship brokers



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853 maintain a separate license for each branch office and  
854 related fees; amending s. 447.02, F.S.; deleting a  
855 definition; repealing s. 447.04, F.S., relating to  
856 business agents, licenses, and permits; repealing s.  
857 447.041, F.S., relating to hearings; repealing s.  
858 447.045, F.S., relating to certain confidential  
859 information; repealing s. 447.06, F.S., relating to  
860 the required registration of labor organizations;  
861 amending s. 447.09, F.S.; deleting prohibitions  
862 against specified actions; repealing s. 447.12, F.S.,  
863 relating to registration fees; repealing s. 447.16,  
864 F.S., relating to the applicability of ch. 447, F.S.;  
865 amending s. 468.603, F.S.; redefining the terms  
866 "building code administrator," "building official,"  
867 and "building code inspector"; amending s. 468.617,  
868 F.S.; providing that a county or municipal government,  
869 school board, community college board, state  
870 university, or state agency is not prohibited from  
871 entering into any contract with any person or entity  
872 for the provision of building code administrator or  
873 building official services; amending s. 469.006, F.S.;  
874 requiring an individual applicant to apply for  
875 licensure in the name of the business organization  
876 that he or she proposes to operate under; requiring  
877 that a license be in the name of a qualifying agent  
878 rather than the name of a business organization;  
879 requiring the qualifying agent, rather than the  
880 business organization, to report certain changes in  
881 information; conforming provisions to changes made by



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882 the act; amending s. 469.009, F.S.; deleting the  
883 authority of the department to reprimand, censure, or  
884 impose probation on certain business organizations;  
885 creating s. 474.2195, F.S.; defining terms; specifying  
886 the standard of care required for veterinary  
887 telemedicine services; requiring veterinary  
888 telemedicine to be practiced within the context of a  
889 patient relationship; providing an exception;  
890 specifying that physical examination of each animal is  
891 not required for herd animals; authorizing a  
892 veterinarian to consult with another veterinarian  
893 under certain circumstances; amending s. 476.034,  
894 F.S.; defining and redefining terms; amending s.  
895 476.114, F.S.; providing requirements for licensure by  
896 examination to practice restricted barbering;  
897 conforming a provision to changes made by the act;  
898 repealing s. 476.144(6), F.S., relating to  
899 requirements to apply for a restricted license to  
900 practice barbering; amending s. 477.013, F.S.;

901 revising the definitions of the terms "specialty" and  
902 "hair braiding"; repealing s. 477.0132, F.S., relating  
903 to hair braiding, hair wrapping, and body wrapping  
904 registration; amending s. 477.0135, F.S.; exempting  
905 from certain licensure and registration requirements  
906 persons whose occupations or practices are confined  
907 solely to hair braiding, hair wrapping, or body  
908 wrapping; amending s. 477.019, F.S.; deleting an  
909 exemption from certain continuing education  
910 requirements for persons whose occupations or





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911 practices are confined solely to hair braiding, hair  
912 wrapping, or body wrapping; amending s. 477.026, F.S.;  
913 conforming a provision to changes made by the act;  
914 amending s. 481.203, F.S.; defining the term "business  
915 organization"; deleting the definition of the term  
916 "certificate of authorization"; amending s. 481.219,  
917 F.S.; revising the process by which a business  
918 organization obtains the requisite license to perform  
919 architectural services; requiring that a licensee or  
920 an applicant apply to qualify a business organization  
921 under certain circumstances; specifying application  
922 requirements; authorizing the Board of Architecture  
923 and Interior Design to deny an application under  
924 certain circumstances; requiring that a qualifying  
925 agent be a registered architect or a registered  
926 interior designer under certain circumstances;  
927 requiring that a qualifying agent notify the  
928 department when she or he ceases to be affiliated with  
929 a business organization; prohibiting a business  
930 organization from engaging in certain practices until  
931 it is qualified by a qualifying agent; authorizing the  
932 executive director or the chair of the board to  
933 authorize a certain registered architect or interior  
934 designer to temporarily serve as the business  
935 organization's qualifying agent for a specified  
936 timeframe under certain circumstances; requiring the  
937 qualifying agent to give written notice to the  
938 department before engaging in practice under her or  
939 his own name or in affiliation with another business



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940 organization; requiring the board to certify an  
941 applicant to qualify one or more business  
942 organizations or to operate using a fictitious name  
943 under certain circumstances; conforming provisions to  
944 changes made by the act; amending s. 481.221, F.S.;  
945 requiring a business organization to include the  
946 license number of a certain registered architect or  
947 interior designer in any advertising; providing an  
948 exception; conforming provisions to changes made by  
949 the act; amending s. 481.229, F.S.; conforming  
950 provisions to changes made by the act; reordering and  
951 amending s. 481.303, F.S.; defining and redefining  
952 terms; amending s. 481.321, F.S.; revising provisions  
953 that require persons to display certificate numbers  
954 under certain circumstances; conforming provisions to  
955 changes made by the act; amending ss. 481.311,  
956 481.317, and 481.319, F.S.; conforming provisions to  
957 changes made by the act; amending s. 481.329, F.S.;  
958 conforming a cross-reference; amending s. 548.017,  
959 F.S.; revising the persons required to be licensed by  
960 the State Boxing Commission; amending s. 548.003,  
961 F.S.; conforming a provision to changes made by the  
962 act; providing an effective date.