



226306

LEGISLATIVE ACTION

Senate

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House

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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 Section 447.04, Florida Statutes, is repealed.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 Section 447.041, Florida Statutes, is repealed.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 Section 447.045, Florida Statutes, is repealed.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 Section 447.06, Florida Statutes, is repealed.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. 7 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



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. Subsection (2) of section 476.034, Florida  
277 Statutes, is amended, and subsections (6) and (7) are added to  
278 that section, to read:

279 476.034 Definitions.—As used in this act:

280 (2) "Barbering" means any of the following practices when  
281 done for remuneration and for the public, but not when done for  
282 the treatment of disease or physical or mental ailments:  
283 shaving, cutting, trimming, coloring, shampooing, arranging,  
284 dressing, curling, or waving the hair or beard or applying oils,  
285 creams, lotions, or other preparations to the face, scalp, or  
286 neck, either by hand or by mechanical appliances, and includes  
287 restricted barbering services.

288 (6) "Restricted barber" means a person who is licensed to  
289 engage in the practice of restricted barbering in this state  
290 under the authority of this chapter and is subject to the same  
291 requirements and restrictions as a barber, except as specified  
292 in s. 476.114.

293 (7) "Restricted barbering" means any of the following  
294 practices when done for remuneration and for the public, but not  
295 when done for the treatment of disease or physical or mental  
296 ailments: shaving, cutting, trimming, shampooing, arranging,  
297 dressing, or curling the hair or beard, including the  
298 application of shampoo, hair conditioners, shaving creams, hair  
299 tonic, and hair spray to the face, scalp, or neck, either by  
300 hand or by mechanical appliances. The term does not include the  
301 application of oils, creams, lotions, or other preparations to



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302 the face, scalp, or neck.

303 Section 16. Present subsection (3) of section 476.114,  
304 Florida Statutes, is redesignated as subsection (4) and amended,  
305 and a new subsection (3) is added to that section, to read:

306 476.114 Examination; prerequisites.—

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

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

310 (b) Pays the required application fee;

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

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

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

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

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

324 c. A government-operated barbering program in this state.

325 (4)~~(3)~~ An applicant who meets the requirements set forth in  
326 subparagraphs (2) (c)1. and 2., or subparagraphs (3) (d)1. and 2.,  
327 and who fails to pass the examination may take subsequent  
328 examinations as many times as necessary to pass, except that the  
329 board may specify by rule reasonable timeframes for rescheduling  
330 the examination and additional training requirements for



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331 applicants who, after the third attempt, fail to pass the  
332 examination. Prior to reexamination, the applicant must file the  
333 appropriate form and pay the reexamination fee as required by  
334 rule.

335 Section 17. Subsection (6) of section 476.144, Florida  
336 Statutes, is repealed.

337 Section 18. Subsection (6) of section 477.013, Florida  
338 Statutes, is amended to read:

339 477.013 Definitions.—As used in this chapter:

340 (6) "Specialty" means the practice of one or more of the  
341 following:

342 (a) Nail specialty, which includes:

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

348 2. ~~(b)~~ Pedicuring, or the shaping, polishing, tinting, or  
349 cleansing of the nails of the feet, and massaging or beautifying  
350 of the feet.

351 (b) ~~(e)~~ Facial specialty, which includes facials, or the  
352 massaging or treating of the face or scalp with oils, creams,  
353 lotions, or other preparations, and skin care services.

354 (c) Full specialty, which includes manicuring, pedicuring,  
355 and facial services, including all services as described in  
356 paragraphs (a) and (b).

357 Section 19. Section 477.0132, Florida Statutes, is  
358 repealed.

359 Section 20. Subsections (7), (8), and (9) are added to



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360 section 477.0135, Florida Statutes, to read:

361 477.0135 Exemptions.—

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

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

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

371 Section 21. Paragraph (b) of subsection (7) of section  
372 477.019, Florida Statutes, is amended to read:

373 477.019 Cosmetologists; qualifications; licensure;  
374 supervised practice; license renewal; endorsement; continuing  
375 education.—

376 (7)

377 ~~(b) Any person whose occupation or practice is confined~~  
378 ~~solely to hair braiding, hair wrapping, or body wrapping is~~  
379 ~~exempt from the continuing education requirements of this~~  
380 ~~subsection.~~

381 Section 22. Paragraph (f) of subsection (1) of section  
382 477.026, Florida Statutes, is amended to read:

383 477.026 Fees; disposition.—

384 (1) The board shall set fees according to the following  
385 schedule:

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

388 Section 23. Subsection (5) of section 481.203, Florida



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389 Statutes, is amended to read:

390 481.203 Definitions.—As used in this part:

391 (5) “Business organization” means a partnership, a limited  
392 liability company, a corporation, or an individual operating  
393 under a fictitious name ~~“Certificate of authorization” means a~~  
394 ~~certificate issued by the department to a corporation or~~  
395 ~~partnership to practice architecture or interior design.~~

396 Section 24. Section 481.219, Florida Statutes, is amended  
397 to read:

398 481.219 Business organization; qualifying agents  
399 ~~Certification of partnerships, limited liability companies, and~~  
400 ~~corporations.—~~

401 (1) A licensee may ~~The practice of or the offer to practice~~  
402 ~~architecture or interior design by licensees through a~~ business  
403 organization that offers ~~corporation, limited liability company,~~  
404 ~~or partnership offering~~ architectural or interior design  
405 services to the public, or through ~~by~~ a business organization  
406 that offers ~~corporation, limited liability company, or~~  
407 ~~partnership offering~~ architectural or interior design services  
408 to the public through such licensees ~~under this part~~ as agents,  
409 employees, officers, or partners, ~~is permitted, subject to the~~  
410 ~~provisions of this section.~~

411 (2) If a licensee or an applicant proposes to engage in the  
412 practice of architecture or interior design as a business  
413 organization, the licensee or applicant must apply to qualify  
414 the business organization ~~For the purposes of this section, a~~  
415 ~~certificate of authorization shall be required for a~~  
416 ~~corporation, limited liability company, partnership, or person~~  
417 ~~practicing under a fictitious name, offering architectural~~



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418 ~~services to the public jointly or separately. However, when an~~  
419 ~~individual is practicing architecture in her or his own name,~~  
420 ~~she or he shall not be required to be certified under this~~  
421 ~~section. Certification under this subsection to offer~~  
422 ~~architectural services shall include all the rights and~~  
423 ~~privileges of certification under subsection (3) to offer~~  
424 ~~interior design services.~~

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

426 1. If the business is a partnership, state the names of the  
427 partnership and its partners.

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

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

433 4. If the business is not a partnership, a corporation, or  
434 operating under a fictitious name, state the name of such other  
435 legal entity and its members.

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

441 (3) (a) A business organization may not engage in the  
442 practice of architecture unless its qualifying agent is a  
443 registered architect under this part. A business organization  
444 may not engage in the practice of interior design unless its  
445 qualifying agent is a registered architect or a registered  
446 interior designer under this part. A qualifying agent who





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447 terminates her or his affiliation with a business organization  
448 shall immediately notify the department of such termination. If  
449 the qualifying agent who terminates her or his affiliation is  
450 the only qualifying agent for a business organization, the  
451 business organization must be qualified by another qualifying  
452 agent within 60 days after the termination. Except as provided  
453 in paragraph (b), the business organization may not engage in  
454 the practice of architecture or interior design until it is  
455 qualified by a qualifying agent.

456 (b) In the event a qualifying architect or interior  
457 designer ceases employment with the business organization, the  
458 executive director or the chair of the board may authorize  
459 another registered architect or interior designer employed by  
460 the business organization to temporarily serve as its qualifying  
461 agent for a period of no more than 60 days. The business  
462 organization is not authorized to operate beyond such period  
463 under this chapter absent replacement of the qualifying  
464 architect or interior designer who has ceased employment.

465 (c) A qualifying agent shall notify the department in  
466 writing before engaging in the practice of architecture or  
467 interior design in her or his own name or in affiliation with a  
468 different business organization, and she or he or such business  
469 organization shall supply the same information to the department  
470 as required of applicants under this part ~~For the purposes of~~  
471 ~~this section, a certificate of authorization shall be required~~  
472 ~~for a corporation, limited liability company, partnership, or~~  
473 ~~person operating under a fictitious name, offering interior~~  
474 ~~design services to the public jointly or separately. However,~~  
475 ~~when an individual is practicing interior design in her or his~~



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476 ~~own name, she or he shall not be required to be certified under~~  
477 ~~this section.~~

478 (4) All final construction documents and instruments of  
479 service which include drawings, specifications, plans, reports,  
480 or other papers or documents that involve ~~involving~~ the practice  
481 of architecture which are prepared or approved for the use of  
482 the business organization ~~corporation, limited liability~~  
483 ~~company, or partnership~~ and filed for public record within the  
484 state must ~~shall~~ bear the signature and seal of the licensee who  
485 prepared or approved them and the date on which they were  
486 sealed.

487 (5) All drawings, specifications, plans, reports, or other  
488 papers or documents prepared or approved for the use of the  
489 business organization ~~corporation, limited liability company, or~~  
490 ~~partnership~~ by an interior designer in her or his professional  
491 capacity and filed for public record within the state must ~~shall~~  
492 bear the signature and seal of the licensee who prepared or  
493 approved them and the date on which they were sealed.

494 ~~(6) The department shall issue a certificate of~~  
495 ~~authorization to any applicant who the board certifies as~~  
496 ~~qualified for a certificate of authorization and who has paid~~  
497 ~~the fee set in s. 481.207.~~

498 (6)(7) The board shall allow ~~certify~~ an applicant to  
499 qualify one or more business organizations ~~as qualified for a~~  
500 ~~certificate of authorization~~ to offer architectural or interior  
501 design services, or to use a fictitious name to offer such  
502 services, if one of the following criteria is met ~~provided that:~~

503 (a) One or more of the principal officers of the  
504 corporation or limited liability company, or one or more



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505 partners of the partnership, and all personnel of the  
506 corporation, limited liability company, or partnership who act  
507 in its behalf in this state as architects, are registered as  
508 provided by this part.~~7~~~~or~~

509 (b) One or more of the principal officers of the  
510 corporation or one or more partners of the partnership, and all  
511 personnel of the corporation, limited liability company, or  
512 partnership who act in its behalf in this state as interior  
513 designers, are registered as provided by this part.

514 ~~(8) The department shall adopt rules establishing a~~  
515 ~~procedure for the biennial renewal of certificates of~~  
516 ~~authorization.~~

517 ~~(9) The department shall renew a certificate of~~  
518 ~~authorization upon receipt of the renewal application and~~  
519 ~~biennial renewal fee.~~

520 ~~(7)~~~~(10)~~ Each qualifying agent approved to qualify a  
521 business organization ~~partnership, limited liability company,~~  
522 ~~and corporation certified~~ under this section shall notify the  
523 department within 30 days after ~~of~~ any change in the information  
524 contained in the application upon which the qualification  
525 ~~certification~~ is based. Any registered architect or interior  
526 designer who qualifies the business organization shall ensure  
527 ~~corporation, limited liability company, or partnership as~~  
528 ~~provided in subsection (7) shall be responsible for ensuring~~  
529 responsible supervising control of projects of the business  
530 organization entity and shall notify the department of the ~~upon~~  
531 termination of her or his employment with a business  
532 organization qualified ~~partnership, limited liability company,~~  
533 ~~or corporation certified~~ under this section shall notify the



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534 ~~department of the termination~~ within 30 days after such  
535 termination.

536 (8) (11) A business organization is not ~~No corporation,~~  
537 ~~limited liability company, or partnership shall be~~ relieved of  
538 responsibility for the conduct or acts of its agents, employees,  
539 or officers by reason of its compliance with this section.  
540 However, except as provided in s. 558.0035, the architect who  
541 signs and seals the construction documents and instruments of  
542 service is ~~shall be~~ liable for the professional services  
543 performed, and the interior designer who signs and seals the  
544 interior design drawings, plans, or specifications is ~~shall be~~  
545 liable for the professional services performed.

546 ~~(12) Disciplinary action against a corporation, limited~~  
547 ~~liability company, or partnership shall be administered in the~~  
548 ~~same manner and on the same grounds as disciplinary action~~  
549 ~~against a registered architect or interior designer,~~  
550 ~~respectively.~~

551 (9) (13) Nothing in This section may not shall be construed  
552 to mean that a certificate of registration to practice  
553 architecture or interior design must shall be held by a business  
554 organization ~~corporation, limited liability company, or~~  
555 ~~partnership. Nothing in This section does not prohibit a~~  
556 business organization from offering ~~prohibits corporations,~~  
557 ~~limited liability companies, and partnerships from joining~~  
558 ~~together to offer~~ architectural, engineering, interior design,  
559 surveying and mapping, and landscape architectural services, or  
560 any combination of such services, to the public if the business  
561 organization, ~~provided that each corporation, limited liability~~  
562 ~~company, or partnership~~ otherwise meets the requirements of law.



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563           ~~(10)-(14)~~ A business organization that is qualified by a  
564 registered architect may ~~Corporations, limited liability~~  
565 ~~companies, or partnerships holding a valid certificate of~~  
566 ~~authorization to practice architecture shall be permitted to use~~  
567 ~~in their title~~ the term "interior designer" or "registered  
568 interior designer" in its title. designer."

569           Section 25. Subsection (10) of section 481.221, Florida  
570 Statutes, is amended to read:

571           481.221 Seals; display of certificate number.—

572           (10) Each registered architect or interior designer must,  
573 ~~and each corporation, limited liability company, or partnership~~  
574 ~~holding a certificate of authorization, shall include her or his~~  
575 license its certificate number in any newspaper, telephone  
576 directory, or other advertising medium used by the registered  
577 licensee architect, interior designer, corporation, limited  
578 liability company, or partnership. Each business organization  
579 must include the license number of the registered architect or  
580 interior designer who serves as the qualifying agent for that  
581 business organization in any newspaper, telephone directory, or  
582 other advertising medium used by the business organization, but  
583 is not required to display the license numbers of other  
584 registered architects or interior designers employed by the  
585 business organization ~~A corporation, limited liability company,~~  
586 ~~or partnership is not required to display the certificate number~~  
587 ~~of individual registered architects or interior designers~~  
588 ~~employed by or working within the corporation, limited liability~~  
589 ~~company, or partnership.~~

590           Section 26. Paragraphs (a) and (c) of subsection (5) of  
591 section 481.229, Florida Statutes, are amended to read:



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592 481.229 Exceptions; exemptions from licensure.-

593 (5) (a) ~~Nothing contained in~~ This part does not prohibit  
594 ~~shall prevent~~ a registered architect or a qualified business  
595 organization partnership, limited liability company, or  
596 ~~corporation holding a valid certificate of authorization to~~  
597 ~~provide architectural services~~ from performing any interior  
598 design service or from using the title "interior designer" or  
599 "registered interior designer."

600 (c) Notwithstanding any other provision of this part, a  
601 registered architect or qualified business organization  
602 certified any corporation, partnership, or person operating  
603 ~~under a fictitious name which holds a certificate of~~  
604 ~~authorization to provide architectural services~~ must ~~shall~~ be  
605 qualified, without fee, ~~for a certificate of authorization to~~  
606 provide interior design services upon submission of a completed  
607 application for qualification therefor. ~~For corporations,~~  
608 ~~partnerships, and persons operating under a fictitious name~~  
609 ~~which hold a certificate of authorization to provide interior~~  
610 ~~design services, satisfaction of the requirements for renewal of~~  
611 ~~the certificate of authorization to provide architectural~~  
612 ~~services under s. 481.219 shall be deemed to satisfy the~~  
613 ~~requirements for renewal of the certificate of authorization to~~  
614 ~~provide interior design services under that section.~~

615 Section 27. Section 481.303, Florida Statutes, is reordered  
616 and amended to read:

617 481.303 Definitions.-As used in this chapter, the term:

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

619 (2) "Business organization" means any partnership, limited  
620 liability company, corporation, or individual operating under a



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621 fictitious name.

622 ~~(4)(2)~~ "Department" means the Department of Business and  
623 Professional Regulation.

624 ~~(8)(3)~~ "Registered landscape architect" means a person who  
625 holds a license to practice landscape architecture in this state  
626 under the authority of this act.

627 ~~(3)(4)~~ "Certificate of registration" means a license issued  
628 by the department to a natural person to engage in the practice  
629 of landscape architecture.

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

633 ~~(5)(6)~~ "Landscape architecture" means professional  
634 services, including, but not limited to, the following:

635 (a) Consultation, investigation, research, planning,  
636 design, preparation of drawings, specifications, contract  
637 documents and reports, responsible construction supervision, or  
638 landscape management in connection with the planning and  
639 development of land and incidental water areas, including the  
640 use of Florida-friendly landscaping as defined in s. 373.185,  
641 where, and to the extent that, the dominant purpose of such  
642 services or creative works is the preservation, conservation,  
643 enhancement, or determination of proper land uses, natural land  
644 features, ground cover and plantings, or naturalistic and  
645 aesthetic values;

646 (b) The determination of settings, grounds, and approaches  
647 for and the siting of buildings and structures, outdoor areas,  
648 or other improvements;

649 (c) The setting of grades, shaping and contouring of land



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650 and water forms, determination of drainage, and provision for  
651 storm drainage and irrigation systems where such systems are  
652 necessary to the purposes outlined herein; and

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

655 (6)~~(7)~~ "Landscape design" means consultation for and  
656 preparation of planting plans drawn for compensation, including  
657 specifications and installation details for plant materials,  
658 soil amendments, mulches, edging, gravel, and other similar  
659 materials. Such plans may include only recommendations for the  
660 conceptual placement of tangible objects for landscape design  
661 projects. Construction documents, details, and specifications  
662 for tangible objects and irrigation systems shall be designed or  
663 approved by licensed professionals as required by law.

664 (7) "Qualifying agent" means an owner, officer, or director  
665 of the corporation, or partner of the partnership, who is  
666 responsible for the supervision, direction, and management of  
667 projects of the business organization with which she or he is  
668 affiliated and for ensuring that responsible supervising control  
669 is being exercised.

670 Section 28. Subsection (5) of section 481.321, Florida  
671 Statutes, is amended to read:

672 481.321 Seals; display of certificate number.—

673 (5) Each registered landscape architect must ~~and each~~  
674 ~~corporation or partnership holding a certificate of~~  
675 ~~authorization shall~~ include her or his ~~its~~ certificate number in  
676 any newspaper, telephone directory, or other advertising medium  
677 used by the registered landscape architect, corporation, or  
678 partnership. A corporation or partnership must ~~is not required~~





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679 ~~to~~ display the certificate number numbers of at least one  
680 officer, director, owner, or partner who is a individual  
681 registered landscape architect architects employed by or  
682 practicing with the corporation or partnership.

683 Section 29. Subsection (4) of section 481.311, Florida  
684 Statutes, is amended to read:

685 481.311 Licensure.-

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

689 Section 30. Subsection (2) of section 481.317, Florida  
690 Statutes, is amended to read:

691 481.317 Temporary certificates.-

692 ~~(2) Upon approval by the board and payment of the fee set~~  
693 ~~in s. 481.307, the department shall grant a temporary~~  
694 ~~certificate of authorization for work on one specified project~~  
695 ~~in this state for a period not to exceed 1 year to an out-of-~~  
696 ~~state corporation, partnership, or firm, provided one of the~~  
697 ~~principal officers of the corporation, one of the partners of~~  
698 ~~the partnership, or one of the principals in the fictitiously~~  
699 ~~named firm has obtained a temporary certificate of registration~~  
700 ~~in accordance with subsection (1).~~

701 Section 31. Section 481.319, Florida Statutes, is amended  
702 to read:

703 481.319 Corporate and partnership practice of landscape  
704 architecture; ~~certificate of authorization.~~-

705 (1) The practice of or offer to practice landscape  
706 architecture by registered landscape architects registered under  
707 this part through a corporation or partnership offering



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708 landscape architectural services to the public, or through a  
709 corporation or partnership offering landscape architectural  
710 services to the public through individual registered landscape  
711 architects as agents, employees, officers, or partners, is  
712 permitted, subject to the provisions of this section, if:

713 (a) One or more of the principal officers of the  
714 corporation, or partners of the partnership, and all personnel  
715 of the corporation or partnership who act in its behalf as  
716 landscape architects in this state are registered landscape  
717 architects; and

718 (b) One or more of the officers, one or more of the  
719 directors, one or more of the owners of the corporation, or one  
720 or more of the partners of the partnership is a registered  
721 landscape architect and has applied to be the qualifying agent  
722 for the business organization; ~~and~~

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

725 (2) All documents involving the practice of landscape  
726 architecture which are prepared for the use of the corporation  
727 or partnership must ~~shall~~ bear the signature and seal of a  
728 registered landscape architect.

729 (3) A landscape architect applying to practice in the name  
730 of a ~~An applicant~~ corporation must ~~shall~~ file with the  
731 department the names and addresses of all officers and board  
732 members of the corporation, including the principal officer or  
733 officers, duly registered to practice landscape architecture in  
734 this state and, also, of all individuals duly registered to  
735 practice landscape architecture in this state who shall be in  
736 responsible charge of the practice of landscape architecture by



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737 the corporation in this state. A landscape architect applying to  
738 practice in the name of a ~~An applicant~~ partnership must shall  
739 file with the department the names and addresses of all partners  
740 of the partnership, including the partner or partners duly  
741 registered to practice landscape architecture in this state and,  
742 also, of an individual or individuals duly registered to  
743 practice landscape architecture in this state who shall be in  
744 responsible charge of the practice of landscape architecture by  
745 said partnership in this state.

746 (4) Each landscape architect qualifying a partnership or  
747 ~~and corporation licensed~~ under this part must shall notify the  
748 department within 1 month of any change in the information  
749 contained in the application upon which the license is based.  
750 Any landscape architect who terminates her or his ~~or her~~  
751 employment with a partnership or corporation licensed under this  
752 part shall notify the department of the termination within 1  
753 month.

754 ~~(5) Disciplinary action against a corporation or~~  
755 ~~partnership shall be administered in the same manner and on the~~  
756 ~~same grounds as disciplinary action against a registered~~  
757 ~~landscape architect.~~

758 (5)(6) Except as provided in s. 558.0035, the fact that a  
759 registered landscape architect practices landscape architecture  
760 through a corporation or partnership as provided in this section  
761 does not relieve the landscape architect from personal liability  
762 for her or his ~~or her~~ professional acts.

763 Section 32. Subsection (5) of section 481.329, Florida  
764 Statutes, is amended to read:

765 481.329 Exceptions; exemptions from licensure.—



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766 (5) This part does not prohibit any person from engaging in  
767 the practice of landscape design, as defined in s. 481.303(6) ~~s.~~  
768 ~~481.303(7)~~, or from submitting for approval to a governmental  
769 agency planting plans that are independent of, or a component  
770 of, construction documents that are prepared by a Florida-  
771 registered professional. Persons providing landscape design  
772 services shall not use the title, term, or designation  
773 "landscape architect," "landscape architectural," "landscape  
774 architecture," "L.A.," "landscape engineering," or any  
775 description tending to convey the impression that she or he is a  
776 landscape architect unless she or he is registered as provided  
777 in this part.

778 Section 33. Subsection (1) of section 548.017, Florida  
779 Statutes, is amended to read:

780 548.017 Participants, managers, and other persons required  
781 to have licenses.—

782 (1) A participant, manager, trainer, second, ~~timekeeper,~~  
783 referee, judge, ~~announcer,~~ physician, matchmaker, or promoter  
784 must be licensed before directly or indirectly acting in such  
785 capacity in connection with any match involving a participant. A  
786 physician approved by the commission must be licensed pursuant  
787 to chapter 458 or chapter 459, must maintain an unencumbered  
788 license in good standing, and must demonstrate satisfactory  
789 medical training or experience in boxing, or a combination of  
790 both, to the executive director before working as the ringside  
791 physician.

792 Section 34. Paragraph (i) of subsection (2) of section  
793 548.003, Florida Statutes, is amended to read:

794 548.003 Florida State Boxing Commission.—



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795 (2) The Florida State Boxing Commission, as created by  
796 subsection (1), shall administer the provisions of this chapter.  
797 The commission has authority to adopt rules pursuant to ss.  
798 120.536(1) and 120.54 to implement the provisions of this  
799 chapter and to implement each of the duties and responsibilities  
800 conferred upon the commission, including, but not limited to:

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

802 Section 35. This act shall take effect October 1, 2017.

803  
804 ===== T I T L E A M E N D M E N T =====

805 And the title is amended as follows:

806 Delete everything before the enacting clause  
807 and insert:

808 A bill to be entitled

809 An act relating to regulated professions and  
810 occupations; amending s. 287.055, F.S.; redefining the  
811 term "design-build firm"; amending s. 326.004, F.S.;  
812 deleting a requirement that yacht and ship brokers  
813 maintain a separate license for each branch office and  
814 related fees; amending s. 447.02, F.S.; deleting a  
815 definition; repealing s. 447.04, F.S., relating to  
816 business agents, licenses, and permits; repealing s.  
817 447.041, F.S., relating to hearings; repealing s.  
818 447.045, F.S., relating to certain confidential  
819 information; repealing s. 447.06, F.S., relating to  
820 the required registration of labor organizations;  
821 amending s. 447.09, F.S.; deleting prohibitions  
822 against specified actions; repealing s. 447.12, F.S.,  
823 relating to registration fees; repealing s. 447.16,



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824 F.S., relating to the applicability of ch. 447, F.S.;

825 amending s. 468.603, F.S.; redefining the terms

826 "building code administrator," "building official,"

827 and "building code inspector"; amending s. 468.617,

828 F.S.; providing that a county or municipal government,

829 school board, community college board, state

830 university, or state agency is not prohibited from

831 entering into any contract with any person or entity

832 for the provision of building code administrator or

833 building official services; amending s. 469.006, F.S.;

834 requiring an individual applicant to apply for

835 licensure in the name of the business organization

836 that he or she proposes to operate under; requiring

837 that a license be in the name of a qualifying agent

838 rather than the name of a business organization;

839 requiring the qualifying agent, rather than the

840 business organization, to report certain changes in

841 information; conforming provisions to changes made by

842 the act; amending s. 469.009, F.S.; deleting the

843 authority of the department to reprimand, censure, or

844 impose probation on certain business organizations;

845 amending s. 476.034, F.S.; defining and redefining

846 terms; amending s. 476.114, F.S.; providing

847 requirements for licensure by examination to practice

848 restricted barbering; conforming a provision to

849 changes made by the act; repealing s. 476.144(6),

850 F.S., relating to requirements to apply for a

851 restricted license to practice barbering; amending s.

852 477.013, F.S.; revising the definition of the term



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853 "specialty"; repealing s. 477.0132, F.S., relating to  
854 hair braiding, hair wrapping, and body wrapping  
855 registration; amending s. 477.0135, F.S.; exempting  
856 from certain licensure and registration requirements  
857 persons whose occupations or practices are confined  
858 solely to hair braiding, hair wrapping, or body  
859 wrapping; amending s. 477.019, F.S.; deleting an  
860 exemption from certain continuing education  
861 requirements for persons whose occupations or  
862 practices are confined solely to hair braiding, hair  
863 wrapping, or body wrapping; amending s. 477.026, F.S.;  
864 conforming a provision to changes made by the act;  
865 amending s. 481.203, F.S.; defining the term "business  
866 organization"; deleting the definition of the term  
867 "certificate of authorization"; amending s. 481.219,  
868 F.S.; revising the process by which a business  
869 organization obtains the requisite license to perform  
870 architectural services; requiring that a licensee or  
871 an applicant apply to qualify a business organization  
872 under certain circumstances; specifying application  
873 requirements; authorizing the Board of Architecture  
874 and Interior Design to deny an application under  
875 certain circumstances; requiring that a qualifying  
876 agent be a registered architect or a registered  
877 interior designer under certain circumstances;  
878 requiring that a qualifying agent notify the  
879 department when she or he ceases to be affiliated with  
880 a business organization; prohibiting a business  
881 organization from engaging in certain practices until



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882 it is qualified by a qualifying agent; authorizing the  
883 executive director or the chair of the board to  
884 authorize a certain registered architect or interior  
885 designer to temporarily serve as the business  
886 organization's qualifying agent for a specified  
887 timeframe under certain circumstances; requiring the  
888 qualifying agent to give written notice to the  
889 department before engaging in practice under her or  
890 his own name or in affiliation with another business  
891 organization; requiring the board to certify an  
892 applicant to qualify one or more business  
893 organizations or to operate using a fictitious name  
894 under certain circumstances; conforming provisions to  
895 changes made by the act; amending s. 481.221, F.S.;  
896 requiring a business organization to include the  
897 license number of a certain registered architect or  
898 interior designer in any advertising; providing an  
899 exception; conforming provisions to changes made by  
900 the act; amending s. 481.229, F.S.; conforming  
901 provisions to changes made by the act; reordering and  
902 amending s. 481.303, F.S.; defining and redefining  
903 terms; amending s. 481.321, F.S.; revising provisions  
904 that require persons to display certificate numbers  
905 under certain circumstances; conforming provisions to  
906 changes made by the act; amending ss. 481.311,  
907 481.317, and 481.319, F.S.; conforming provisions to  
908 changes made by the act; amending s. 481.329, F.S.;  
909 conforming a cross-reference; amending s. 548.017,  
910 F.S.; revising the persons required to be licensed by





911 | the State Boxing Commission; amending s. 548.003,  
912 | F.S.; conforming a provision to changes made by the  
913 | act; providing an effective date.