

By Senator Brandes

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1 A bill to be entitled
2 An act relating to the deregulation of professions and
3 occupations; amending s. 326.004, F.S.; deleting the
4 requirement for a yacht broker to maintain a separate
5 license for each branch office; deleting the
6 requirement for the Division of Florida Condominiums,
7 Timeshares, and Mobile Homes to establish a fee;
8 amending s. 447.02, F.S.; conforming provisions;
9 repealing s. 447.04, F.S., relating to licensure and
10 permit requirements for business agents; repealing s.
11 447.041, F.S., relating to hearings for persons or
12 labor organizations denied licensure as a business
13 agent; repealing s. 447.045, F.S., relating to
14 confidential information obtained during the
15 application process; repealing s. 447.06, F.S.,
16 relating to required registration of labor
17 organizations; amending s. 447.09, F.S.; deleting
18 certain prohibited actions relating to the right of
19 franchise of a member of a labor organization;
20 repealing s. 447.12, F.S., relating to registration
21 fees; repealing s. 447.16, F.S., relating to
22 applicability; amending s. 447.305, F.S.; deleting a
23 provision that requires notification of registrations
24 and renewals to the Department of Business and
25 Professional Regulation; amending s. 469.006, F.S.;
26 revising licensure requirements for asbestos abatement
27 consulting or contracting as a partnership,
28 corporation, business trust, or other legal entity;
29 amending s. 469.009, F.S.; conforming provisions;

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30 amending s. 476.034, F.S.; defining the terms
31 "restricted barber" and "restricted barbering";
32 amending s. 476.114, F.S.; revising training
33 requirements for licensure as a barber; providing
34 requirements for licensure by examination as a
35 restricted barber; amending s. 476.144, F.S.;
36 requiring the department to license an applicant who
37 the board certifies is qualified to practice
38 restricted barbering; amending s. 477.013, F.S.;
39 revising and providing definitions; repealing s.
40 477.0132, F.S., relating to registration for hair
41 braiding, hair wrapping, and body wrapping; amending
42 s. 477.0135, F.S.; providing that licensure or
43 registration is not required for persons whose
44 occupation or practice is confined solely to hair
45 braiding, hair wrapping, body wrapping, nail
46 polishing, and makeup application; amending s.
47 477.019, F.S.; conforming provisions; amending s.
48 477.0201, F.S.; providing requirements for
49 registration as a nail specialist, facial specialist,
50 or full specialist; amending ss. 477.026, 477.0265,
51 and 477.029, F.S.; conforming provisions; amending s.
52 481.203, F.S.; revising a definition; amending s.
53 481.219, F.S.; revising the process by which a
54 business organization obtains the requisite license to
55 perform architectural services or interior design;
56 requiring that a licensee or an applicant apply to
57 qualify a business organization to practice
58 architecture or interior design; providing application

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59 requirements; authorizing the Board of Architecture
60 and Interior Design to deny an application under
61 certain circumstances; providing notice requirements;
62 prohibiting a business organization from engaging in
63 certain practices until it is qualified by a
64 qualifying agent; authorizing the executive director
65 or the chair of the board to authorize a temporary
66 qualifying agent for a specified timeframe under
67 certain circumstances; requiring the board to allow an
68 applicant to qualify one or more business
69 organizations or to operate using a fictitious name
70 under certain circumstances; deleting a requirement
71 for the administration of disciplinary action against
72 a corporation, limited liability company, or
73 partnership conforming provisions to changes made by
74 the act; amending s. 481.221, F.S.; requiring a
75 business organization to include the license number of
76 a certain registered architect or interior designer in
77 any advertising; providing an exception; conforming
78 provisions to changes made by the act; amending s.
79 481.229, F.S.; conforming provisions to changes made
80 by the act; amending s. 481.303, F.S.; revising
81 definitions; amending ss. 481.311 and 481.317, F.S.;
82 conforming provisions; amending s. 481.319, F.S.;
83 deleting the requirement for a certificate of
84 authorization; authorizing landscape architects to
85 practice through a corporation or partnership;
86 amending s. 481.321, F.S.; revising requirements
87 related to the display of a certificate number;

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88 amending s. 481.329, F.S.; conforming a cross-
89 reference; amending s. 287.055, F.S.; conforming a
90 provision; amending s. 548.003, F.S.; deleting the
91 requirement that the Florida State Boxing Commission
92 adopt rules relating to a knockdown timekeeper;
93 amending s. 548.017, F.S.; deleting the licensure
94 requirement for a timekeeper or announcer; providing
95 an effective date.

96

97 Be It Enacted by the Legislature of the State of Florida:

98

99 Section 1. Subsection (13) of section 326.004, Florida
100 Statutes, is amended to read:

101 326.004 Licensing.—

102 (13) Each broker must maintain a principal place of
103 business in this state and may establish branch offices in the
104 state. ~~A separate license must be maintained for each branch~~
105 ~~office. The division shall establish by rule a fee not to exceed~~
106 ~~\$100 for each branch office license.~~

107 Section 2. Subsection (3) of section 447.02, Florida
108 Statutes, is amended to read:

109 447.02 Definitions.—The following terms, when used in this
110 chapter, shall have the meanings ascribed to them in this
111 section:

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

114 Section 3. Section 447.04, Florida Statutes, is repealed.

115 Section 4. Section 447.041, Florida Statutes, is repealed.

116 Section 5. Section 447.045, Florida Statutes, is repealed.

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117 Section 6. Section 447.06, Florida Statutes, is repealed.
118 Section 7. Subsections (6) and (8) of section 447.09,
119 Florida Statutes, are amended to read:
120 447.09 Right of franchise preserved; penalties.—It shall be
121 unlawful for any person:
122 ~~(6) To act as a business agent without having obtained and~~
123 ~~possessing a valid and subsisting license or permit.~~
124 ~~(8) To make any false statement in an application for a~~
125 ~~license.~~
126 Section 8. Section 447.12, Florida Statutes, is repealed.
127 Section 9. Section 447.16, Florida Statutes, is repealed.
128 Section 10. Subsection (4) of section 447.305, Florida
129 Statutes, is amended to read:
130 447.305 Registration of employee organization.—
131 ~~(4) Notification of registrations and renewals of~~
132 ~~registration shall be furnished at regular intervals by the~~
133 ~~commission to the Department of Business and Professional~~
134 ~~Regulation.~~
135 Section 11. Paragraphs (a) and (e) of subsection (2),
136 subsection (3), paragraph (b) of subsection (4), and subsection
137 (6) of section 469.006, Florida Statutes, are amended to read:
138 469.006 Licensure of business organizations; qualifying
139 agents.—
140 (2) (a) If the applicant proposes to engage in consulting or
141 contracting as a partnership, corporation, business trust, or
142 other legal entity, or in any name other than the applicant's
143 legal name, ~~the legal entity must apply for licensure through a~~
144 ~~qualifying agent or the individual applicant must apply for~~
145 licensure under the ~~fictitious~~ name of the business

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146 organization.

147 (e) ~~A~~ The license, ~~when issued upon application of a~~
148 ~~business organization,~~ must be in the name of the qualifying
149 agent business organization, and the name of the business
150 organization ~~qualifying agent~~ must be noted on the license
151 ~~thereon.~~ If there is a change in any information that is
152 required to be stated on the application, the qualifying agent
153 ~~business organization~~ shall, within 45 days after such change
154 occurs, mail the correct information to the department.

155 (3) The qualifying agent must ~~shall~~ be licensed under this
156 chapter in order for the business organization to be qualified
157 ~~licensed~~ in the category of the business conducted for which the
158 qualifying agent is licensed. If any qualifying agent ceases to
159 be affiliated with such business organization, the agent shall
160 so inform the department. In addition, if such qualifying agent
161 is the only licensed individual affiliated with the business
162 organization, the business organization shall notify the
163 department of the termination of the qualifying agent and has
164 ~~shall have~~ 60 days after ~~from~~ the date of termination of the
165 qualifying agent's affiliation with the business organization ~~in~~
166 ~~which~~ to employ another qualifying agent. The business
167 organization may not engage in consulting or contracting until a
168 qualifying agent is employed, unless the department has granted
169 a temporary nonrenewable license to the financially responsible
170 officer, the president, the sole proprietor, a partner, or, in
171 the case of a limited partnership, the general partner, who
172 assumes all responsibilities of a primary qualifying agent for
173 the entity. This temporary license only allows ~~shall only allow~~
174 the entity to proceed with incomplete contracts.

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175 (4)

176 (b) Upon a favorable determination by the department, after
177 investigation of the financial responsibility, credit, and
178 business reputation of the qualifying agent and the new business
179 organization, the department shall issue, without any
180 examination, a new license in the qualifying agent's business
181 ~~organization's~~ name, and the name of the business organization
182 ~~qualifying agent~~ shall be noted thereon.

183 (6) Each qualifying agent shall pay the department an
184 amount equal to the original fee for licensure ~~of a new business~~
185 ~~organization.~~ if the qualifying agent for a business
186 organization desires to qualify additional business
187 organizations. The department shall require the agent to
188 present evidence of supervisory ability and financial
189 responsibility of each such organization. Allowing a licensee to
190 qualify more than one business organization must ~~shall~~ be
191 conditioned upon the licensee showing that the licensee has both
192 the capacity and intent to adequately supervise each business
193 organization. The department may ~~shall~~ not limit the number of
194 business organizations that ~~which~~ the licensee may qualify
195 except upon the licensee's failure to provide such information
196 as is required under this subsection or upon a finding that the
197 ~~such~~ information or evidence ~~as is~~ supplied is incomplete or
198 unpersuasive in showing the licensee's capacity and intent to
199 comply with the requirements of this subsection. A qualification
200 for an additional business organization may be revoked or
201 suspended upon a finding by the department that the licensee has
202 failed in the licensee's responsibility to adequately supervise
203 the operations of the business organization. Failure to

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204 adequately supervise the operations of a business organization
205 is ~~shall be~~ grounds for denial to qualify additional business
206 organizations.

207 Section 12. Subsection (1) of section 469.009, Florida
208 Statutes, is amended to read:

209 469.009 License revocation, suspension, and denial of
210 issuance or renewal.—

211 (1) The department may revoke, suspend, or deny the
212 issuance or renewal of a license; reprimand, censure, or place
213 on probation any contractor, consultant, or financially
214 responsible officer, ~~or business organization~~; require financial
215 restitution to a consumer; impose an administrative fine not to
216 exceed \$5,000 per violation; require continuing education; or
217 assess costs associated with any investigation and prosecution
218 if the contractor or consultant, or business organization or
219 officer or agent thereof, is found guilty of any of the
220 following acts:

221 (a) Willfully or deliberately disregarding or violating the
222 health and safety standards of the Occupational Safety and
223 Health Act of 1970, the Construction Safety Act, the National
224 Emission Standards for Asbestos, the Environmental Protection
225 Agency Asbestos Abatement Projects Worker Protection Rule, the
226 Florida Statutes or rules promulgated thereunder, or any
227 ordinance enacted by a political subdivision of this state.

228 (b) Violating any provision of chapter 455.

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

231 (d) Acting in the capacity of an asbestos contractor or
232 asbestos consultant under any license issued under this chapter

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233 except in the name of the licensee as set forth on the issued
234 license.

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

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

238 (g) Being convicted or found guilty of, or entering a plea
239 of nolo contendere to, regardless of adjudication, a crime in
240 any jurisdiction which directly relates to the practice of
241 asbestos consulting or contracting or the ability to practice
242 asbestos consulting or contracting.

243 (h) Knowingly violating any building code, lifesafety code,
244 or county or municipal ordinance relating to the practice of
245 asbestos consulting or contracting.

246 (i) Performing any act which assists a person or entity in
247 engaging in the prohibited unlicensed practice of asbestos
248 consulting or contracting, if the licensee knows or has
249 reasonable grounds to know that the person or entity was
250 unlicensed.

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

253 Financial mismanagement or misconduct occurs when:

254 1. Valid liens have been recorded against the property of a
255 contractor's customer for supplies or services ordered by the
256 contractor for the customer's job; the contractor has received
257 funds from the customer to pay for the supplies or services; and
258 the contractor has not had the liens removed from the property,
259 by payment or by bond, within 75 days after the date of such
260 liens;

261 2. The contractor has abandoned a customer's job and the

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262 percentage of completion is less than the percentage of the
263 total contract price paid to the contractor as of the time of
264 abandonment, unless the contractor is entitled to retain such
265 funds under the terms of the contract or refunds the excess
266 funds within 30 days after the date the job is abandoned; or

267 3. The contractor's job has been completed, and it is shown
268 that the customer has had to pay more for the contracted job
269 than the original contract price, as adjusted for subsequent
270 change orders, unless such increase in cost was the result of
271 circumstances beyond the control of the contractor, was the
272 result of circumstances caused by the customer, or was otherwise
273 permitted by the terms of the contract between the contractor
274 and the customer.

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

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

280 (m) Abandoning an asbestos abatement project in which the
281 asbestos contractor is engaged or under contract as a
282 contractor. A project may be presumed abandoned after 20 days if
283 the contractor terminates the project without just cause and
284 without proper notification to the owner, including the reason
285 for termination; if the contractor fails to reasonably secure
286 the project to safeguard the public while work is stopped; or if
287 the contractor fails to perform work without just cause for 20
288 days.

289 (n) Signing a statement with respect to a project or
290 contract falsely indicating that the work is bonded; falsely

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291 indicating that payment has been made for all subcontracted
292 work, labor, and materials which results in a financial loss to
293 the owner, purchaser, or contractor; or falsely indicating that
294 workers' compensation and public liability insurance are
295 provided.

296 (o) Committing fraud or deceit in the practice of asbestos
297 consulting or contracting.

298 (p) Committing incompetency or misconduct in the practice
299 of asbestos consulting or contracting.

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

303 (r) Intimidating, threatening, coercing, or otherwise
304 discouraging the service of a notice to owner under part I of
305 chapter 713 or a notice to contractor under chapter 255 or part
306 I of chapter 713.

307 (s) Failing to satisfy, within a reasonable time, the terms
308 of a civil judgment obtained against the licensee, or the
309 business organization qualified by the licensee, relating to the
310 practice of the licensee's profession.

311
312 For the purposes of this subsection, construction is considered
313 to be commenced when the contract is executed and the contractor
314 has accepted funds from the customer or lender.

315 Section 13. Subsections (2) and (3) of section 476.034,
316 Florida Statutes, are amended, and subsections (6) and (7) are
317 added to that section, to read:

318 476.034 Definitions.—As used in this act:

319 (2) "Barbering" means any of the following practices when

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320 done for remuneration and for the public, but not when done for
 321 the treatment of disease or physical or mental ailments:
 322 shaving, cutting, trimming, coloring, shampooing, arranging,
 323 dressing, curling, or waving the hair or beard or applying oils,
 324 creams, lotions, or other preparations to the face, scalp, or
 325 neck, either by hand or by mechanical appliances, and includes
 326 any services defined as restricted barbering.

327 (3) "Barbershop" means any place of business wherein the
 328 practice of barbering or restricted barbering is carried on.

329 (6) "Restricted barber" means a person who is licensed to
 330 engage in the practice of restricted barbering in this state
 331 under the authority of this chapter and is subject to the same
 332 requirements and restrictions as a barber, except as
 333 specifically provided in s. 476.114.

334 (7) "Restricted barbering" means any of the following
 335 practices when done for remuneration and for the public, but not
 336 when done for the treatment of disease or physical or mental
 337 ailments:

338 (a) Hair cutting and styling, including the application of
 339 hair tonics and hair spray, but not including the application of
 340 other chemical preparations or solutions to the hair;

341 (b) Full facial shaves;

342 (c) Mustache and beard trimming; and

343 (d) Shampooing hair, including the application of shampoos
 344 and conditioners, and blow drying the hair.

345 Section 14. Section 476.114, Florida Statutes, is amended
 346 to read:

347 476.114 Examination; prerequisites.—

348 (1) A person desiring to be licensed as a barber shall

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349 apply to the department for licensure and-

350 ~~(2) An applicant~~ shall be eligible for licensure by
351 examination to practice barbering if the applicant:

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

353 (b) Pays the required application fee; and

354 (c)1. Holds an active valid license to practice barbering
355 in another state, has held the license for at least 1 year, and
356 does not qualify for licensure by endorsement as provided for in
357 s. 476.144(5); or

358 2. Has received a minimum of 600 ~~1,200~~ hours of training in
359 sanitation, safety, and laws and rules, as established by the
360 board, which must ~~shall~~ include, but ~~shall~~ not be limited to,
361 the equivalent of completion of services directly related to the
362 practice of barbering at one of the following:

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

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

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

366

367 ~~The board shall establish by rule procedures whereby the school~~
368 ~~or program may certify that a person is qualified to take the~~
369 ~~required examination after the completion of a minimum of 1,000~~
370 ~~actual school hours. If the person passes the examination, she~~
371 ~~or he shall have satisfied this requirement; but if the person~~
372 ~~fails the examination, she or he shall not be qualified to take~~
373 ~~the examination again until the completion of the full~~
374 ~~requirements provided by this section.~~

375 (2) A person desiring to be licensed as a restricted barber
376 shall apply to the department for licensure and shall be
377 eligible for licensure by examination to practice restricted

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- 378 barbering if the applicant:
- 379 (a) Is at least 16 years of age;
- 380 (b) Pays the required application fee; and
- 381 (c)1. Holds an active valid license to practice barbering
- 382 in another state, has held the license for at least 1 year, and
- 383 does not qualify for licensure by endorsement as provided for in
- 384 s. 476.144(5); or
- 385 2. Has received a minimum of 325 hours of training in
- 386 sanitation, safety, and laws and rules, as established by the
- 387 board, which must include, but not be limited to, the equivalent
- 388 of completion of services directly related to the practice of
- 389 restricted barbering at one of the following:
- 390 a. A school of barbering licensed pursuant to chapter 1005;
- 391 b. A barbering program within the public school system; or
- 392 c. A government-operated barbering program in this state.
- 393 (3) An applicant who meets the requirements set forth in
- 394 subparagraphs (1)(c)1. and 2. ~~subparagraphs (2)(c)1. and 2.~~ who
- 395 fails to pass the examination may take subsequent examinations
- 396 as many times as necessary to pass, except that the board may
- 397 specify by rule reasonable timeframes for rescheduling the
- 398 examination and additional training requirements for applicants
- 399 who, after the third attempt, fail to pass the examination.
- 400 Before ~~Prior to~~ reexamination, the applicant must file the
- 401 appropriate form and pay the reexamination fee as required by
- 402 rule.
- 403 Section 15. Subsections (1) and (6) of section 476.144,
- 404 Florida Statutes, are amended to read:
- 405 476.144 Licensure.—
- 406 (1) The department shall license any applicant who the

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407 board certifies is qualified to practice barbering or restricted
408 barbering in this state.

409 (6) A person may apply for a restricted license to practice
410 barbering. The board shall adopt rules specifying procedures for
411 an applicant to obtain a restricted license if the applicant:

412 (a)1. Has successfully completed a restricted barber
413 course, as established by rule of the board, at a school of
414 barbering licensed pursuant to chapter 1005, a barbering program
415 within the public school system, or a government-operated
416 barbering program in this state; or

417 2.a. Holds or has within the previous 5 years held an
418 active valid license to practice barbering in another state or
419 country or has held a Florida barbering license which has been
420 declared null and void for failure to renew the license, and the
421 applicant fulfilled the requirements of s. 476.114(2)(c)2. for
422 initial licensure; and

423 b. Has not been disciplined relating to the practice of
424 barbering in the previous 5 years; and

425 (b) Passes a written examination on the laws and rules
426 governing the practice of barbering in Florida, as established
427 by the board.

428

429 ~~The restricted license shall limit the licensee's practice to~~
430 ~~those specific areas in which the applicant has demonstrated~~
431 ~~competence pursuant to rules adopted by the board.~~

432 Section 16. Subsections (6) and (9) of section 477.013,
433 Florida Statutes, are amended to read:

434 477.013 Definitions.—As used in this chapter:

435 (6) "Specialty" means the practice of one or more of the

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436 following:

437 (a) "Nail specialty" means manicuring, or the cutting,
438 polishing, tinting, coloring, cleansing, adding, or extending of
439 the nails, and massaging of the hands. This term includes any
440 procedure or process for the affixing of artificial nails,
441 except those nails which may be applied solely by use of a
442 simple adhesive; and-

443 ~~(b)~~ pedicuring, or the shaping, polishing, tinting, or
444 cleansing of the nails of the feet, and massaging or beautifying
445 of the feet.

446 ~~(b)-(e)~~ "Facial specialty" means facials, or the massaging
447 or treating of the face or scalp with oils, creams, lotions, or
448 other preparations, and skin care services.

449 (c) "Full specialty" means all services within the
450 definition of nail specialty and facial specialty, including
451 manicuring, pedicuring, and facial services.

452 (9) "Hair braiding" means the weaving or interweaving of
453 natural human hair or commercial hair, including the use of hair
454 extensions or wefts, for compensation without cutting, coloring,
455 permanent waving, relaxing, removing, or chemical treatment ~~and~~
456 ~~does not include the use of hair extensions or wefts.~~

457 Section 17. Section 477.0132, Florida Statutes, is
458 repealed.

459 Section 18. Subsections (7), (8), (9), (10), and (11) are
460 added to section 477.0135, Florida Statutes, to read:

461 477.0135 Exemptions.—

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

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

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

471 (10) A license or registration is not required for a person
472 whose occupation or practice is confined solely to applying
473 polish to fingernails and toenails.

474 (11) A license or registration is not required for a person
475 whose occupation or practice is confined solely to makeup
476 application.

477 Section 19. Paragraph (b) of subsection (7) of section
478 477.019, Florida Statutes, is amended to read:

479 477.019 Cosmetologists; qualifications; licensure;
480 supervised practice; license renewal; endorsement; continuing
481 education.-

482 (7)

483 ~~(b) Any person whose occupation or practice is confined~~
484 ~~solely to hair braiding, hair wrapping, or body wrapping is~~
485 ~~exempt from the continuing education requirements of this~~
486 ~~subsection.~~

487 Section 20. Present subsections (2) through (6) of section
488 477.0201, Florida Statutes, are redesignated as subsections (4)
489 through (8), respectively, new subsections (2) and (3) are added
490 to that section, and subsection (1) of that section is amended
491 to read:

492 477.0201 Specialty registration; qualifications;
493 registration renewal; endorsement.-

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494 (1) Any person is qualified for registration as a
495 specialist in a nail ~~any one or more of the specialty practice~~
496 ~~practices~~ within the practice of cosmetology under this chapter
497 who:

498 (a) Is at least 16 years of age or has received a high
499 school diploma.

500 (b) Has received at least 150 hours of training as
501 established by the board, which must focus primarily on
502 sanitation and safety and must include, but not be limited to,
503 the equivalent of completion of services directly related to the
504 practice of a nail ~~a certificate of completion in a specialty~~
505 pursuant to s. 477.013(6)(a) ~~477.013(6)~~ from one of the
506 following:

507 1. A school licensed pursuant to s. 477.023.

508 2. A school licensed pursuant to chapter 1005 or the
509 equivalent licensing authority of another state.

510 3. A specialty program within the public school system.

511 4. A specialty division within the Cosmetology Division of
512 the Florida School for the Deaf and the Blind, provided the
513 training programs comply with minimum curriculum requirements
514 established by the board.

515 (2) Any person is qualified for registration as a
516 specialist in a facial specialty practice within the practice of
517 cosmetology under this chapter who:

518 (a) Is at least 16 years of age or has received a high
519 school diploma.

520 (b) Has received at least 165 hours of training as
521 established by the board, which must focus on sanitation and
522 safety and must include, but not be limited to, the equivalent

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523 of completion of services directly related to the practice of
524 facial specialty pursuant to s. 477.013(6) (b) from one of the
525 following:

526 1. A school licensed pursuant to s. 477.023.

527 2. A school licensed pursuant to chapter 1005 or the
528 equivalent licensing authority of another state.

529 3. A specialty program within the public school system.

530 4. A specialty division within the Cosmetology Division of
531 the Florida School for the Deaf and the Blind, provided the
532 training programs comply with minimum curriculum requirements
533 established by the board.

534 (3) Any person is qualified for registration as a
535 specialist in a full specialty practice within the practice of
536 cosmetology under this chapter who:

537 (a) Is at least 16 years of age or has received a high
538 school diploma.

539 (b) Has received at least 300 hours of training as
540 established by the board, which must focus primarily on
541 sanitation and safety and must include, but not be limited to,
542 the equivalent of completion of services directly related to the
543 practice of full specialty pursuant to s. 477.013(6) (c) from one
544 of the following:

545 1. A school licensed pursuant to s. 477.023.

546 2. A school licensed pursuant to chapter 1005 or the
547 equivalent licensing authority of another state.

548 3. A specialty program within the public school system.

549 4. A specialty division within the Cosmetology Division of
550 the Florida School for the Deaf and the Blind, provided the
551 training programs comply with minimum curriculum requirements

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552 established by the board.

553 Section 21. Paragraph (f) of subsection (1) of section
554 477.026, Florida Statutes, is amended to read:

555 477.026 Fees; disposition.—

556 (1) The board shall set fees according to the following
557 schedule:

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

560 Section 22. Paragraph (f) of subsection (1) of section
561 477.0265, Florida Statutes, is amended to read:

562 477.0265 Prohibited acts.—

563 (1) It is unlawful for any person to:

564 (f) Advertise or imply that skin care services ~~or body~~
565 ~~wrapping~~, as performed under this chapter, have any relationship
566 to the practice of massage therapy as defined in s. 480.033(3),
567 except those practices or activities defined in s. 477.013.

568 Section 23. Paragraph (a) of subsection (1) of section
569 477.029, Florida Statutes, is amended to read:

570 477.029 Penalty.—

571 (1) It is unlawful for any person to:

572 (a) Hold himself or herself out as a cosmetologist or
573 ~~specialist, hair wrapper, hair braider, or body wrapper~~ unless
574 duly licensed or registered, or otherwise authorized, as
575 provided in this chapter.

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

578 481.203 Definitions.—As used in this part:

579 (5) "Business organization" means a partnership, a limited
580 liability company, a corporation, or an individual operating

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581 ~~under a fictitious name "Certificate of authorization" means a~~
582 ~~certificate issued by the department to a corporation or~~
583 ~~partnership to practice architecture or interior design.~~

584 Section 25. Section 481.219, Florida Statutes, is amended
585 to read:

586 481.219 Business organization; qualifying agents
587 ~~Certification of partnerships, limited liability companies, and~~
588 ~~corporations.-~~

589 (1) A licensee may ~~The practice of or the offer to practice~~
590 ~~architecture or interior design by licensees through a business~~
591 organization that offers ~~corporation, limited liability company,~~
592 ~~or partnership offering~~ architectural or interior design
593 services to the public, or through ~~by~~ a business organization
594 that offers ~~corporation, limited liability company, or~~
595 ~~partnership offering~~ architectural or interior design services
596 to the public through such licensees ~~under this part~~ as agents,
597 employees, officers, or partners, ~~is permitted, subject to the~~
598 ~~provisions of this section.~~

599 (2) If a licensee or an applicant proposes to engage in the
600 practice of architecture or interior design as a business
601 organization, the licensee or applicant must apply to qualify
602 the business organization ~~For the purposes of this section, a~~
603 ~~certificate of authorization shall be required for a~~
604 ~~corporation, limited liability company, partnership, or person~~
605 ~~practicing under a fictitious name, offering architectural~~
606 ~~services to the public jointly or separately. However, when an~~
607 ~~individual is practicing architecture in her or his own name,~~
608 ~~she or he shall not be required to be certified under this~~
609 ~~section. Certification under this subsection to offer~~

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610 ~~architectural services shall include all the rights and~~
611 ~~privileges of certification under subsection (3) to offer~~
612 ~~interior design services.~~

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

614 1. If the business is a partnership, state the names of the
615 partnership and its partners.

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

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

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

624 (b) The board may deny an application to qualify a business
625 organization if the applicant or any person required to be named
626 pursuant to paragraph (a) has been involved in past disciplinary
627 actions or on any grounds for which an individual registration
628 may be denied.

629 (3) (a) A business organization may not engage in the
630 practice of architecture unless its qualifying agent is a
631 registered architect under this part. A business organization
632 may not engage in the practice of interior design unless its
633 qualifying agent is a registered architect or a registered
634 interior designer under this part. A qualifying agent who
635 terminates her or his affiliation with a business organization
636 shall immediately notify the department of such termination. If
637 the qualifying agent who terminates her or his affiliation is
638 the only qualifying agent for a business organization, the

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639 business organization must be qualified by another qualifying
640 agent within 60 days after the termination. Except as provided
641 in paragraph (b), the business organization may not engage in
642 the practice of architecture or interior design until it is
643 qualified by a qualifying agent.

644 (b) In the event a qualifying architect or interior
645 designer ceases employment with the business organization, the
646 executive director or the chair of the board may authorize
647 another registered architect or interior designer employed by
648 the business organization to temporarily serve as its qualifying
649 agent for a period of no more than 60 days. The business
650 organization is not authorized to operate beyond such period
651 under this chapter absent replacement of the qualifying
652 architect or interior designer who has ceased employment.

653 (c) A qualifying agent shall notify the department in
654 writing before engaging in the practice of architecture or
655 interior design in her or his own name or in affiliation with a
656 different business organization, and she or he or such business
657 organization shall supply the same information to the department
658 as required of applicants under this part ~~For the purposes of~~
659 ~~this section, a certificate of authorization shall be required~~
660 ~~for a corporation, limited liability company, partnership, or~~
661 ~~person operating under a fictitious name, offering interior~~
662 ~~design services to the public jointly or separately. However,~~
663 ~~when an individual is practicing interior design in her or his~~
664 ~~own name, she or he shall not be required to be certified under~~
665 ~~this section.~~

666 (4) All final construction documents and instruments of
667 service which include drawings, specifications, plans, reports,

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668 or other papers or documents that involve ~~involving~~ the practice
669 of architecture which are prepared or approved for the use of
670 the business organization ~~corporation, limited liability~~
671 ~~company, or partnership~~ and filed for public record within the
672 state must ~~shall~~ bear the signature and seal of the licensee who
673 prepared or approved them and the date on which they were
674 sealed.

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

682 ~~(6) The department shall issue a certificate of~~
683 ~~authorization to any applicant who the board certifies as~~
684 ~~qualified for a certificate of authorization and who has paid~~
685 ~~the fee set in s. 481.207.~~

686 ~~(6)~~ ~~(7)~~ The board shall allow ~~certify~~ an applicant to
687 qualify one or more business organizations ~~as qualified for a~~
688 ~~certificate of authorization~~ to offer architectural or interior
689 design services, or to use a fictitious name to offer such
690 services, if provided that:

691 (a) One or more of the principal officers of the
692 corporation or limited liability company, or one or more
693 partners of the partnership, and all personnel of the
694 corporation, limited liability company, or partnership who act
695 in its behalf in this state as architects, are registered as
696 provided by this part; or

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697 (b) One or more of the principal officers of the
698 corporation or one or more partners of the partnership, and all
699 personnel of the corporation, limited liability company, or
700 partnership who act in its behalf in this state as interior
701 designers, are registered as provided by this part.

702 ~~(8) The department shall adopt rules establishing a~~
703 ~~procedure for the biennial renewal of certificates of~~
704 ~~authorization.~~

705 ~~(9) The department shall renew a certificate of~~
706 ~~authorization upon receipt of the renewal application and~~
707 ~~biennial renewal fee.~~

708 ~~(7)(10)~~ Each qualifying agent approved to qualify a
709 business organization ~~partnership, limited liability company,~~
710 ~~and corporation certified~~ under this section shall notify the
711 department within 30 days after ~~of~~ any change in the information
712 contained in the application upon which the qualification
713 ~~certification~~ is based. Any registered architect or interior
714 designer who qualifies the business organization shall ensure
715 ~~corporation, limited liability company, or partnership as~~
716 ~~provided in subsection (7) shall be responsible for ensuring~~
717 responsible supervising control of projects of the business
718 organization entity and shall notify the department of the ~~upon~~
719 ~~termination of her or his employment with a~~ business
720 organization qualified ~~partnership, limited liability company,~~
721 ~~or corporation certified~~ under this section shall notify the
722 department of the termination within 30 days after such
723 termination.

724 ~~(8)(11)~~ A business organization is not ~~No corporation,~~
725 ~~limited liability company, or partnership shall be relieved of~~

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726 responsibility for the conduct or acts of its agents, employees,
727 or officers by reason of its compliance with this section.
728 However, except as provided in s. 558.0035, the architect who
729 signs and seals the construction documents and instruments of
730 service is ~~shall be~~ liable for the professional services
731 performed, and the interior designer who signs and seals the
732 interior design drawings, plans, or specifications is ~~shall be~~
733 liable for the professional services performed.

734 ~~(12) Disciplinary action against a corporation, limited~~
735 ~~liability company, or partnership shall be administered in the~~
736 ~~same manner and on the same grounds as disciplinary action~~
737 ~~against a registered architect or interior designer,~~
738 ~~respectively.~~

739 ~~(9)(13) Nothing in This section may not shall be construed~~
740 ~~to mean that a certificate of registration to practice~~
741 ~~architecture or interior design must shall be held by a business~~
742 ~~organization corporation, limited liability company, or~~
743 ~~partnership. Nothing in This section does not prohibit a~~
744 ~~business organization from offering prohibits corporations,~~
745 ~~limited liability companies, and partnerships from joining~~
746 ~~together to offer architectural, engineering, interior design,~~
747 ~~surveying and mapping, and landscape architectural services, or~~
748 ~~any combination of such services, to the public if the business~~
749 ~~organization, provided that each corporation, limited liability~~
750 ~~company, or partnership otherwise meets the requirements of law.~~

751 ~~(10)(14) A business organization that is qualified by a~~
752 ~~registered architect may use Corporations, limited liability~~
753 ~~companies, or partnerships holding a valid certificate of~~
754 ~~authorization to practice architecture shall be permitted to use~~

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755 ~~in their title~~ the term "interior designer" or "registered
756 interior designer" in its title. ~~designer."~~

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

759 481.221 Seals; display of certificate number.—

760 (10) Each registered architect or interior designer must,
761 ~~and each corporation, limited liability company, or partnership~~
762 ~~holding a certificate of authorization, shall include her or his~~
763 license its certificate number in any newspaper, telephone
764 directory, or other advertising medium used by the registered
765 licensee architect, interior designer, corporation, limited
766 liability company, or partnership. Each business organization
767 must include the license number of the registered architect or
768 interior designer who serves as the qualifying agent for that
769 business organization in any newspaper, telephone directory, or
770 other advertising medium used by the business organization, but
771 is not required to display the license numbers of other
772 registered architects or interior designers employed by the
773 business organization ~~A corporation, limited liability company,~~
774 ~~or partnership is not required to display the certificate number~~
775 ~~of individual registered architects or interior designers~~
776 ~~employed by or working within the corporation, limited liability~~
777 ~~company, or partnership.~~

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

780 481.229 Exceptions; exemptions from licensure.—

781 (5) (a) ~~Nothing contained in~~ This part does not prohibit
782 ~~shall prevent~~ a registered architect or a qualified business
783 organization ~~partnership, limited liability company, or~~

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784 ~~corporation holding a valid certificate of authorization to~~
785 ~~provide architectural services from performing any interior~~
786 ~~design service or from using the title "interior designer" or~~
787 ~~"registered interior designer."~~

788 (c) Notwithstanding any other provision of this part, a
789 registered architect or business organization qualified any
790 ~~corporation, partnership, or person operating under a fictitious~~
791 ~~name which holds a certificate of authorization to provide~~
792 ~~architectural services~~ must ~~shall~~ be qualified, without fee, ~~for~~
793 ~~a certificate of authorization to provide interior design~~
794 ~~services upon submission of a completed application for~~
795 qualification therefor. ~~For corporations, partnerships, and~~
796 ~~persons operating under a fictitious name which hold a~~
797 ~~certificate of authorization to provide interior design~~
798 ~~services, satisfaction of the requirements for renewal of the~~
799 ~~certificate of authorization to provide architectural services~~
800 ~~under s. 481.219 shall be deemed to satisfy the requirements for~~
801 ~~renewal of the certificate of authorization to provide interior~~
802 ~~design services under that section.~~

803 Section 28. Section 481.303, Florida Statutes, is reordered
804 and amended to read:

805 481.303 Definitions.—As used in this chapter:

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

807 (2) "Business organization" means any partnership, limited
808 liability company, corporation, or individual operating under a
809 fictitious name.

810 (4) ~~(2)~~ "Department" means the Department of Business and
811 Professional Regulation.

812 (7) ~~(3)~~ "Registered landscape architect" means a person who

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813 holds a license to practice landscape architecture in this state
814 under the authority of this act.

815 (3)~~(4)~~ "Certificate of registration" means a license issued
816 by the department to a natural person to engage in the practice
817 of landscape architecture.

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

821 (5)~~(6)~~ "Landscape architecture" means professional
822 services, including, but not limited to, the following:

823 (a) Consultation, investigation, research, planning,
824 design, preparation of drawings, specifications, contract
825 documents and reports, responsible construction supervision, or
826 landscape management in connection with the planning and
827 development of land and incidental water areas, including the
828 use of Florida-friendly landscaping as defined in s. 373.185,
829 where, and to the extent that, the dominant purpose of such
830 services or creative works is the preservation, conservation,
831 enhancement, or determination of proper land uses, natural land
832 features, ground cover and plantings, or naturalistic and
833 aesthetic values;

834 (b) The determination of settings, grounds, and approaches
835 for and the siting of buildings and structures, outdoor areas,
836 or other improvements;

837 (c) The setting of grades, shaping and contouring of land
838 and water forms, determination of drainage, and provision for
839 storm drainage and irrigation systems where such systems are
840 necessary to the purposes outlined herein; and

841 (d) The design of such tangible objects and features as are

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842 necessary to the purpose outlined herein.

843 (6)~~(7)~~ "Landscape design" means consultation for and
844 preparation of planting plans drawn for compensation, including
845 specifications and installation details for plant materials,
846 soil amendments, mulches, edging, gravel, and other similar
847 materials. Such plans may include only recommendations for the
848 conceptual placement of tangible objects for landscape design
849 projects. Construction documents, details, and specifications
850 for tangible objects and irrigation systems shall be designed or
851 approved by licensed professionals as required by law.

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

854 481.311 Licensure.—

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

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

860 481.317 Temporary certificates.—

861 ~~(2) Upon approval by the board and payment of the fee set~~
862 ~~in s. 481.307, the department shall grant a temporary~~
863 ~~certificate of authorization for work on one specified project~~
864 ~~in this state for a period not to exceed 1 year to an out-of-~~
865 ~~state corporation, partnership, or firm, provided one of the~~
866 ~~principal officers of the corporation, one of the partners of~~
867 ~~the partnership, or one of the principals in the fictitiously~~
868 ~~named firm has obtained a temporary certificate of registration~~
869 ~~in accordance with subsection (1).~~

870 Section 31. Section 481.319, Florida Statutes, is amended

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871 to read:

872 481.319 Corporate and partnership practice of landscape
873 architecture; ~~certificate of authorization.~~

874 (1) The practice of or offer to practice landscape
875 architecture by registered landscape architects registered under
876 this part through a corporation or partnership offering
877 landscape architectural services to the public, or through a
878 corporation or partnership offering landscape architectural
879 services to the public through individual registered landscape
880 architects as agents, employees, officers, or partners, is
881 permitted, subject to the provisions of this section, if:

882 (a) One or more of the principal officers of the
883 corporation, or partners of the partnership, and all personnel
884 of the corporation or partnership who act in its behalf as
885 landscape architects in this state are registered landscape
886 architects; and

887 (b) One or more of the officers, one or more of the
888 directors, one or more of the owners of the corporation, or one
889 or more of the partners of the partnership is a registered
890 landscape architect and has applied to be the qualifying agent
891 for the business organization; ~~and~~

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

894 (2) All documents involving the practice of landscape
895 architecture which are prepared for the use of the corporation
896 or partnership shall bear the signature and seal of a registered
897 landscape architect.

898 (3) A landscape architect applying to practice in the name
899 of a ~~An applicant~~ corporation must ~~shall~~ file with the

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900 department the names and addresses of all officers and board
 901 members of the corporation, including the principal officer or
 902 officers, duly registered to practice landscape architecture in
 903 this state and, also, of all individuals duly registered to
 904 practice landscape architecture in this state who shall be in
 905 responsible charge of the practice of landscape architecture by
 906 the corporation in this state. A landscape architect applying to
 907 practice in the name of a ~~An applicant~~ partnership must shall
 908 file with the department the names and addresses of all partners
 909 of the partnership, including the partner or partners duly
 910 registered to practice landscape architecture in this state and,
 911 also, of an individual or individuals duly registered to
 912 practice landscape architecture in this state who shall be in
 913 responsible charge of the practice of landscape architecture by
 914 said partnership in this state.

915 (4) Each landscape architect qualifying a partnership or
 916 ~~and corporation licensed~~ under this part must shall notify the
 917 department within 1 month after ~~of~~ any change in the information
 918 contained in the application upon which the license is based.
 919 Any landscape architect who terminates her or his ~~or her~~
 920 employment with a partnership or corporation licensed under this
 921 part shall notify the department of the termination within 1
 922 month after such termination.

923 ~~(5) Disciplinary action against a corporation or~~
 924 ~~partnership shall be administered in the same manner and on the~~
 925 ~~same grounds as disciplinary action against a registered~~
 926 ~~landscape architect.~~

927 (5) ~~(6)~~ Except as provided in s. 558.0035, the fact that a
 928 registered landscape architect practices landscape architecture

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929 through a corporation or partnership as provided in this section
930 does not relieve the landscape architect from personal liability
931 for her or his ~~or her~~ professional acts.

932 Section 32. Subsection (5) of section 481.321, Florida
933 Statutes, is amended to read:

934 481.321 Seals; display of certificate number.—

935 (5) Each registered landscape architect must ~~and each~~
936 ~~corporation or partnership holding a certificate of~~
937 ~~authorization shall~~ include her or his ~~its~~ certificate number in
938 any newspaper, telephone directory, or other advertising medium
939 used by the registered landscape architect, corporation, or
940 partnership. A corporation or partnership must ~~is not required~~
941 ~~to~~ display the certificate number ~~numbers~~ of at least one
942 officer, director, owner, or partner who is a individual
943 registered landscape architect ~~architects~~ employed by or
944 practicing with the corporation or partnership.

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

947 481.329 Exceptions; exemptions from licensure.—

948 (5) This part does not prohibit any person from engaging in
949 the practice of landscape design, as defined in s. 481.303(6)
950 ~~481.303(7)~~, or from submitting for approval to a governmental
951 agency planting plans that are independent of, or a component
952 of, construction documents that are prepared by a Florida-
953 registered professional. Persons providing landscape design
954 services may ~~shall~~ not use the title, term, or designation
955 "landscape architect," "landscape architectural," "landscape
956 architecture," "L.A.," "landscape engineering," or any
957 description tending to convey the impression that she or he is a

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958 landscape architect unless she or he is registered as provided
959 in this part.

960 Section 34. Paragraph (h) of subsection (2) of section
961 287.055, Florida Statutes, is amended to read:

962 287.055 Acquisition of professional architectural,
963 engineering, landscape architectural, or surveying and mapping
964 services; definitions; procedures; contingent fees prohibited;
965 penalties.—

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

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

969 1. Is certified under s. 489.119 to engage in contracting
970 through a certified or registered general contractor or a
971 certified or registered building contractor as the qualifying
972 agent; or

973 2. Is certified under s. 471.023 to practice or to offer to
974 practice engineering; qualified ~~certified~~ under s. 481.219 to
975 practice or to offer to practice architecture; or qualified
976 ~~certified~~ under s. 481.319 to practice or to offer to practice
977 landscape architecture.

978 Section 35. Present paragraphs (j) and (k) of subsection
979 (2) of section 548.003, Florida Statutes, are redesignated as
980 paragraphs (i) and (j), respectively, and present paragraph (i)
981 of that subsection is amended, to read:

982 548.003 Florida State Boxing Commission.—

983 (2) The Florida State Boxing Commission, as created by
984 subsection (1), shall administer the provisions of this chapter.
985 The commission has authority to adopt rules pursuant to ss.
986 120.536(1) and 120.54 to implement the provisions of this

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987 chapter and to implement each of the duties and responsibilities
988 conferred upon the commission, including, but not limited to:

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

990 Section 36. Subsection (1) of section 548.017, Florida
991 Statutes, is amended to read:

992 548.017 Participants, managers, and other persons required
993 to have licenses.—

994 (1) A participant, manager, trainer, second, ~~timekeeper,~~
995 referee, judge, ~~announcer,~~ physician, matchmaker, or promoter
996 must be licensed before directly or indirectly acting in such
997 capacity in connection with any match involving a participant. A
998 physician approved by the commission must be licensed pursuant
999 to chapter 458 or chapter 459, must maintain an unencumbered
1000 license in good standing, and must demonstrate satisfactory
1001 medical training or experience in boxing, or a combination of
1002 both, to the executive director before working as the ringside
1003 physician.

1004 Section 37. This act shall take effect July 1, 2018.