

1 A bill to be entitled
2 An act relating to the deregulation of professions and
3 occupations; amending s. 20.165, F.S.; renaming the
4 Board of Architecture and Interior Design as the Board
5 of Architecture within the Department of Business and
6 Professional Regulation; deleting a provision
7 establishing the Florida Board of Auctioneers;
8 amending s. 326.004, F.S.; deleting the requirement
9 for a yacht broker to maintain a separate license for
10 each branch office; deleting the requirement for the
11 division to establish a fee; amending s. 447.02, F.S.;
12 conforming provisions to changes made by the act;
13 repealing s. 447.04, F.S., relating to licensure and
14 permit requirements for business agents; repealing s.
15 447.041, F.S., relating to hearings for persons or
16 labor organizations denied licensure as a business
17 agent; repealing s. 447.045, F.S., relating to
18 confidential information obtained during the
19 application process; repealing s. 447.06, F.S.,
20 relating to required registration of labor
21 organizations; amending s. 447.09, F.S.; deleting
22 certain prohibited actions relating to the right of
23 franchise of a member of a labor organization;
24 repealing s. 447.12, F.S., relating to registration
25 fees; repealing s. 447.16, F.S., relating to

26 applicability; amending s. 447.305, F.S.; deleting a
27 provision that requires notification of registrations
28 and renewals to the department; amending s. 455.213,
29 F.S.; requiring the Department of Business and
30 Professional Regulation or a board to seek reciprocal
31 licensing agreements with other states under certain
32 circumstances; providing requirements; creating s.
33 455.2278, F.S.; providing definitions; prohibiting the
34 department or a board from suspending or revoking a
35 person's license solely on the basis of a delinquency
36 or default in the payment of his or her student loan;
37 prohibiting the department or a board from suspending
38 or revoking a person's license solely on the basis of
39 a default in satisfying the requirements of his or her
40 work-conditional scholarship; repealing s. 468.381,
41 F.S., relating to purpose; amending s. 468.382, F.S.;
42 revising definitions; repealing s. 468.384, F.S.,
43 relating to the Florida Board of Auctioneers;
44 repealing s. 468.385, F.S., relating to licensure
45 requirements for the practice of auctioneering;
46 repealing s. 468.3851, F.S., relating to licensure
47 renewal; repealing s. 468.3852, F.S., relating to
48 license reactivation; repealing s. 468.3855, F.S.,
49 relating to training requirements for auctioneer
50 apprenticeships; repealing s. 468.386, F.S., relating

51 to fees and local licensing requirements; repealing s.
52 468.387, F.S., relating to licensure by endorsement;
53 amending s. 468.388, F.S.; deleting certain
54 requirements relating to auctioneer licenses with
55 regard to the conduct of an auction; amending s.
56 468.389, F.S.; revising prohibited acts and penalties;
57 amending s. 468.391, F.S.; conforming cross-
58 references; repealing ss. 468.392, 468.393, 468.394,
59 468.395, 468.396, 468.397, 468.398, and 458.399, F.S.,
60 relating to the Auctioneer Recovery Fund, surcharges
61 and assessments on license fees, payment of interest
62 earned into the recovery fund, recovery from the
63 recovery fund, claims against a single licensee in
64 excess of a specified dollar limitation and joinder of
65 claims, payment of claims from the recovery fund,
66 suspension of a judgment debtor's license, and the
67 expenditure of excess funds, respectively; amending s.
68 468.401, F.S.; revising definitions; repealing ss.
69 468.402, 468.403, 468.404, and 468.405, F.S., relating
70 to duties and authority of the Department of Business
71 and Professional Regulation with regard to licensure
72 of talent agencies, licensure requirements, license
73 fees and renewals, and qualification for a talent
74 agency license, respectively; amending s. 468.406,
75 F.S.; requiring an owner or operator of a talent

76 agency to post an itemized schedule of fees, charges,
77 and commissions in a specified place; repealing s.
78 468.407, F.S., relating to the form and posting
79 requirements for a license; amending s. 468.408, F.S.;
80 conforming provisions to changes made by the act;
81 amending s. 468.409, F.S.; deleting a requirement for
82 record inspection; amending s. 468.410, F.S.; deleting
83 a requirement to include specified information in a
84 contract between a talent agency and applicant;
85 amending s. 468.412, F.S.; deleting recordkeeping and
86 posting requirements; amending s. 468.413, F.S.;
87 revising criminal penalties; conforming provisions to
88 changes made by the act; repealing s. 468.414, F.S.,
89 relating to the deposit of certain funds in the
90 Professional Regulation Trust Fund; amending s.
91 468.415, F.S.; prohibiting any agent, owner, or
92 operator who commits sexual misconduct in the
93 operation of a talent agency from acting as an agent,
94 owner, or operator of a Florida talent agency;
95 amending 468.524, F.S.; deleting specified exemptions
96 from the time restriction for an employee leasing
97 company to reapply for licensure; amending s. 468.603,
98 F.S.; revising a definition; amending s. 468.609,
99 F.S.; revising certain experience requirements for a
100 person to take the examination for certification;

101 revising the time period a provisional certificate is
102 valid; amending s. 468.613, F.S.; providing for waiver
103 of specified requirements for certification under
104 certain circumstances; amending s. 468.8314, F.S.;
105 requiring an applicant for a license by endorsement to
106 maintain a specified insurance policy; requiring the
107 department to certify an applicant who holds a
108 specified license issued by another state or territory
109 of the United States under certain circumstances;
110 amending s. 468.8414, F.S.; providing additional
111 licensure requirements for mold remediators; amending
112 s. 469.006, F.S.; providing additional licensure
113 requirements for asbestos abatement consulting or
114 contracting as a partnership, corporation, business
115 trust, or other legal entity; amending s. 469.009,
116 F.S.; conforming provisions to changes made by the
117 act; amending s. 471.005, F.S.; revising definitions;
118 amending s. 471.011, F.S.; conforming a provision to
119 changes made by the act; amending s. 471.015, F.S.;
120 revising licensure requirements for engineers who hold
121 specified licenses in another state; amending s.
122 471.023, F.S.; providing requirements for
123 qualification of a business organization; providing
124 requirements for a qualifying agent; deleting the
125 administration of disciplinary action against a

126 business organization; amending s. 473.308, F.S.;

127 deleting continuing education requirements for license

128 by endorsement for certified public accountants;

129 amending s. 474.202, F.S.; revising the definition of

130 the term "limited-service veterinary medical practice"

131 to include certain vaccinations or immunizations;

132 amending s. 474.207, F.S.; revising education

133 requirements for licensure by examination; amending s.

134 474.217, F.S.; requiring the Department of Business

135 and Professional Regulation to issue a license by

136 endorsement to certain applicants who successfully

137 complete a specified examination; amending s. 476.114,

138 F.S.; revising training requirements for licensure as

139 a barber; amending s. 476.144, F.S.; requiring the

140 department to license an applicant who is licensed to

141 practice barbering in another state; amending s.

142 477.013, F.S.; revising the definition of the term

143 "hair braiding"; repealing s. 477.0132, F.S., relating

144 to registration for hair braiding, hair wrapping, and

145 body wrapping; amending s. 477.0135, F.S.; providing

146 additional exemptions from license or registration

147 requirements for specified occupations or practices;

148 amending s. 477.019, F.S.; conforming provisions to

149 changes made by the act; amending s. 477.0201, F.S.;

150 providing requirements for registration as a

151 specialist; amending s. 477.026, F.S.; conforming
152 provisions to changes made by the act; amending s.
153 477.0263, F.S.; providing certain cosmetology services
154 may be performed in a location other than a licensed
155 salon under certain circumstances; amending ss.
156 477.0265 and 477.029, F.S.; conforming provisions to
157 changes made by the act; amending s. 481.201, F.S.;
158 deleting legislative findings relating to the practice
159 of interior design; amending s. 481.203, F.S.;
160 revising definitions; amending s. 481.205, F.S.;
161 renaming the Board of Architecture and Interior Design
162 as the Board of Architecture; revising membership of
163 the board; conforming provisions; amending ss.
164 481.207, 481.209, and 481.213, F.S.; conforming
165 provisions; amending s. 481.2131, F.S.; requiring
166 certain interior designers to include proof of
167 completed specified examination requirements when
168 submitting documents for the issuance of a building
169 permit; providing that a license or registration is
170 not required for specified persons to practice;
171 amending ss. 481.215 and 481.217, F.S.; conforming
172 provisions to changes made by the act; amending s.
173 481.219, F.S.; deleting provisions permitting the
174 practice of or offer to practice interior design
175 through certain business organizations; deleting

176 provisions requiring certificates of authorization for
177 certain business organizations offering interior
178 design services to the public; requiring a licensee or
179 applicant in the practice of architecture to qualify a
180 business organization; providing requirements;
181 amending 481.221, F.S.; conforming provisions;
182 requiring a registered architect or a qualifying agent
183 for a business organization to display their license
184 number in specified advertisements; providing an
185 exception; amending ss. 481.222 and 481.223, F.S.;
186 conforming provisions; repealing s. 481.2251, F.S.,
187 relating to the practice and regulation of interior
188 design, registration for interior designers, and
189 disciplinary proceedings against registered interior
190 designers; amending ss. 481.229 and 481.231, F.S.;
191 conforming provisions; amending s. 481.303, F.S.;
192 deleting the definition of the term "certificate of
193 authorization"; amending s. 481.310, F.S.; providing
194 that an applicant who holds a specified degree is not
195 required to demonstrate 1 year of practical experience
196 for licensure; amending s. 481.311, F.S.; requiring
197 the Board of Landscape Architecture to certify an
198 applicant who holds a specified license issued by
199 another state or territory of the United States under
200 certain circumstances; conforming provisions; 481.317,

201 F.S.; conforming provisions; amending s. 481.319,
202 F.S.; deleting the requirement for a certificate of
203 authorization; authorizing landscape architects to
204 practice through a corporation or partnership;
205 amending s. 481.321, F.S.; requiring a landscape
206 architect to display their certificate number in
207 specified advertisements; amending s. 481.329, F.S.;
208 conforming a cross-reference; amending s. 489.103,
209 F.S.; revising certain contract prices for exemption;
210 amending s. 489.111, F.S.; providing that an applicant
211 who is exempt from a specified examination is eligible
212 for licensure; amending s. 489.113, F.S.; providing
213 that an applicant holding a specified degree does not
214 have to pass a certain examination; amending s.
215 489.115, F.S.; requiring the Construction Industry
216 Licensing Board to certify any applicant who holds a
217 specified license to practice contracting issued by
218 another state or territory of the United States under
219 certain circumstances; amending s. 489.511, F.S.;
220 requiring the board to certify as qualified for
221 certification by endorsement any applicant who holds a
222 specified license to practice electrical or alarm
223 system contracting issued by another state or
224 territory of the United States under certain
225 circumstances; amending s. 489.517, F.S.; providing a

226 reduction in certain continuing education hours
227 required for registered contractors; amending s.
228 489.518, F.S.; requiring a person to have completed a
229 specified amount of training within a certain time
230 period to perform the duties of an alarm system agent;
231 amending s. 492.104, F.S.; conforming provisions to
232 changes made by the act; amending 492.108, F.S.;
233 requiring the department to issue a license by
234 endorsement to any applicant who has held a specified
235 license to practice geology in another state,
236 territory, or possession of the United States for a
237 certain period of time; providing that an applicant
238 may take the examination required by the board if they
239 have not met the specified examination requirement;
240 amending s. 492.111, F.S.; deleting the requirements
241 for a certificate of authorization for a professional
242 geologist; amending ss. 492.113 and 492.115, F.S.;
243 conforming provisions; amending s. 548.003, F.S.;
244 deleting the requirement that the Florida State Boxing
245 Commission adopt rules relating to a knockdown
246 timekeeper; amending s. 548.017, F.S.; deleting the
247 licensure requirement for a timekeeper or announcer;
248 amending s. 553.5141, F.S.; conforming provisions to
249 changes made by the act; amending s. 553.74, F.S.;
250 revising the membership and qualifications of the

251 Florida Building Commission; amending ss. 553.79,
 252 558.002, 559.25, and 287.055, F.S.; conforming
 253 provisions to changes made by the act; providing an
 254 effective date.

255

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

257

258 Section 1. Paragraph (a) of subsection (4) of section
 259 20.165, Florida Statutes, is amended to read:

260 20.165 Department of Business and Professional
 261 Regulation.—There is created a Department of Business and
 262 Professional Regulation.

263 (4) (a) The following boards and programs are established
 264 within the Division of Professions:

265 1. Board of Architecture ~~and Interior Design~~, created
 266 under part I of chapter 481.

267 ~~2. Florida Board of Auctioneers, created under part VI of~~
 268 ~~chapter 468.~~

269 ~~2.3.~~ Barbers' Board, created under chapter 476.

270 ~~3.4.~~ Florida Building Code Administrators and Inspectors
 271 Board, created under part XII of chapter 468.

272 ~~4.5.~~ Construction Industry Licensing Board, created under
 273 part I of chapter 489.

274 ~~5.6.~~ Board of Cosmetology, created under chapter 477.

275 ~~6.7.~~ Electrical Contractors' Licensing Board, created

276 | under part II of chapter 489.

277 | ~~7.8.~~ Board of Employee Leasing Companies, created under
278 | part XI of chapter 468.

279 | ~~8.9.~~ Board of Landscape Architecture, created under part
280 | II of chapter 481.

281 | ~~9.10.~~ Board of Pilot Commissioners, created under chapter
282 | 310.

283 | ~~10.11.~~ Board of Professional Engineers, created under
284 | chapter 471.

285 | ~~11.12.~~ Board of Professional Geologists, created under
286 | chapter 492.

287 | ~~12.13.~~ Board of Veterinary Medicine, created under chapter
288 | 474.

289 | ~~13.14.~~ Home inspection services licensing program, created
290 | under part XV of chapter 468.

291 | ~~14.15.~~ Mold-related services licensing program, created
292 | under part XVI of chapter 468.

293 | Section 2. Subsection (13) of section 326.004, Florida
294 | Statutes, is amended to read:

295 | 326.004 Licensing.—

296 | (13) Each broker must maintain a principal place of
297 | business in this state and may establish branch offices in the
298 | state. ~~A separate license must be maintained for each branch~~
299 | ~~office. The division shall establish by rule a fee not to exceed~~
300 | ~~\$100 for each branch office license.~~

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

303 447.02 Definitions.—The following terms, when used in this
 304 chapter, shall have the meanings ascribed to them in this
 305 section:

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

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

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

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

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

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

314 447.09 Right of franchise preserved; penalties.—It shall
 315 be unlawful for any person:

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

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

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

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

322 Section 11. Subsection (4) of section 447.305, Florida
 323 Statutes, is amended to read:

324 447.305 Registration of employee organization.—

325 ~~(4) Notification of registrations and renewals of~~

326 ~~registration shall be furnished at regular intervals by the~~
327 ~~commission to the Department of Business and Professional~~
328 ~~Regulation.~~

329 Section 12. Subsection (13) is added to section 455.213,
330 Florida Statutes, to read:

331 455.213 General licensing provisions.—

332 (13) The department or a board must enter into a
333 reciprocal licensing agreement with other states if the practice
334 act within the purview of this chapter permits such agreement.
335 If a reciprocal licensing agreement exists or if the department
336 or board has determined another state's licensing requirements
337 or examinations to be substantially similar to those under the
338 practice act, the department or board must post on its website
339 which jurisdictions have such reciprocal licensing agreements or
340 substantially similar licenses.

341 Section 13. Section 455.2278, Florida Statutes, is created
342 to read:

343 455.2278 Restriction on disciplinary action for student
344 loan default.—

345 (1) DEFINITIONS.—As used in this section, the term:

346 (a) "Default" means the failure to repay a student loan
347 according to the terms agreed to in the promissory note.

348 (b) "Delinquency" means the failure to make a student loan
349 payment when it is due.

350 (c) "Student loan" means a federal-guaranteed or state-

351 guaranteed loan for the purposes of postsecondary education.

352 (d) "Work-conditional scholarship" means an award of
353 financial aid for a student to further his or her education
354 which imposes an obligation on the student to complete certain
355 work-related requirements to receive or to continue receiving
356 the scholarship.

357 (2) STUDENT LOAN DEFAULT; DELINQUENCY.—The department or a
358 board may not suspend or revoke a license that it has issued to
359 any person who is in default on or delinquent in the payment of
360 his or her student loans solely on the basis of such default or
361 delinquency.

362 (3) WORK-CONDITIONAL SCHOLARSHIP DEFAULT.—The department
363 or a board may not suspend or revoke a license that it has
364 issued to any person who is in default on the satisfaction of
365 the requirements of his or her work-conditional scholarship
366 solely on the basis of such default.

367 Section 14. Section 468.381, Florida Statutes, is
368 repealed.

369 Section 15. Section 468.382, Florida Statutes, is amended
370 to read:

371 468.382 Definitions.—As used in this act, the term:

372 (1)~~(8)~~ "Absolute auction" means an auction that requires
373 no minimum opening bid that limits the sale other than to the
374 highest bidder.

375 (2)~~(7)~~ "Agricultural product" means the natural products

376 from a farm, nursery, grove, orchard, vineyard, garden, or
 377 apiary, including livestock, tobacco, and vegetables and
 378 includes those agricultural products as defined in chapter 618.

379 (3)~~(1)~~ "Auction business" means a sole proprietorship,
 380 partnership, or corporation which in the regular course of
 381 business arranges, manages, sponsors, advertises, promotes, or
 382 carries out auctions, employs auctioneers to conduct auctions in
 383 its facilities, or uses or allows the use of its facilities for
 384 auctions.

385 (4)~~(2)~~ "Auctioneer" means any person who conducts auctions
 386 within the state ~~licensed pursuant to this part who holds a~~
 387 ~~valid Florida auctioneer license.~~

388 ~~(3) "Apprentice" means any person who is being trained as~~
 389 ~~an auctioneer by a licensed auctioneer.~~

390 ~~(4) "Board" means the Florida Board of Auctioneers.~~

391 ~~(5) "Department" means the Department of Business and~~
 392 ~~Professional Regulation.~~

393 (5)~~(6)~~ "Livestock" means any animal included in the
 394 definition of "livestock" by s. 585.01 or s. 588.13.

395 Section 16. Section 468.384, Florida Statutes, is
 396 repealed.

397 Section 17. Section 468.385, Florida Statutes, is
 398 repealed.

399 Section 18. Section 468.3851, Florida Statutes, is
 400 repealed.

401 Section 19. Section 468.3852, Florida Statutes, is
402 repealed.

403 Section 20. Section 468.3855, Florida Statutes, is
404 repealed.

405 Section 21. Section 468.386, Florida Statutes, is
406 repealed.

407 Section 22. Section 468.387, Florida Statutes, is
408 repealed.

409 Section 23. Subsections (6) through (11) of section
410 468.388, Florida Statutes, are renumbered as subsections (4)
411 through (9), respectively, and present subsections (3), (4),
412 (5), (9), (10), and (11) are amended to read:

413 468.388 Conduct of an auction.—

414 (3) Each auctioneer or auction business shall maintain a
415 record book of all sales. ~~The record book shall be open to~~
416 ~~inspection by the board at reasonable times.~~

417 ~~(4) Each auction must be conducted by an auctioneer who~~
418 ~~has an active license or by an apprentice who has an active~~
419 ~~apprentice auctioneer license and who has received prior written~~
420 ~~sponsor consent. Each auction must be conducted under the~~
421 ~~auspices of a licensed auction business. Any auctioneer or~~
422 ~~apprentice auctioneer conducting an auction, and any auction~~
423 ~~business under whose auspices such auction is held, shall be~~
424 ~~responsible for determining that any auctioneer, apprentice, or~~
425 ~~auction business with whom they are associated in conducting~~

426 ~~such auction has an active Florida auctioneer, apprentice, or~~
427 ~~auction business license.~~

428 ~~(5) The principal auctioneer shall prominently display at~~
429 ~~the auction site the licenses of the principal auctioneer, the~~
430 ~~auction business, and any other licensed auctioneers or~~
431 ~~apprentices who are actively participating in the auction. If~~
432 ~~such a display is not practicable, then an oral announcement at~~
433 ~~the beginning of the auction or a prominent written announcement~~
434 ~~that these licenses are available for inspection at the auction~~
435 ~~site must be made.~~

436 ~~(7)(9)~~ (7) The auction business under which the auction is
437 conducted is responsible for all other aspects of the auction as
438 required by this part ~~board rule~~. The auction business may
439 delegate in whole, or in part, different aspects of the auction
440 only to the extent that such delegation is permitted by law and
441 that such delegation will not impede the principal auctioneer's
442 ability to ensure the proper conduct of his or her independent
443 responsibility for the auction. The auction business under whose
444 auspices the auction is conducted is responsible for ensuring
445 compliance as required by this part ~~board rule~~.

446 ~~(8)(10)~~ (8)(a) When settlement is not made immediately after
447 an auction, all sale proceeds received for another person must
448 be deposited in an escrow or trust account in an insured bank or
449 savings and loan association located in this state within 2
450 working days after the auction. A maximum of \$100 may be kept in

451 the escrow account for administrative purposes.

452 (b) Each auction business shall maintain, for not less
453 than 2 years, a separate ledger showing the funds held for
454 another person deposited and disbursed by the auction business
455 for each auction. The escrow or trust account must be reconciled
456 monthly with the bank statement. A signed and dated record shall
457 be maintained for a 2-year period ~~and be available for~~
458 ~~inspection by the department or at the request of the board.~~

459 (c) Any interest which accrues to sale proceeds on deposit
460 shall be the property of the seller for whom the funds were
461 received unless the parties have agreed otherwise by written
462 agreement executed prior to the auction.

463 (d) Unless otherwise provided by written agreement
464 executed prior to the auction, funds received by an auctioneer
465 or auction business ~~a licensee~~ from the seller or his or her
466 agent for expenses, including advertising, must be expended for
467 the purposes advanced or refunded to the seller at the time of
468 final settlement. Any funds so received shall be maintained in
469 an escrow or trust account in an insured bank or savings and
470 loan association located in this state. However, this does not
471 prohibit advanced payment of a flat fee.

472 ~~(11) (a) All advertising by an auctioneer or auction~~
473 ~~business shall include the name and Florida license number of~~
474 ~~such auctioneer and auction business. The term "advertising"~~
475 ~~shall not include articles of clothing, directional signs, or~~

476 ~~other promotional novelty items.~~

477 (9) (a) ~~(b)~~ No licensed auctioneer, apprentice, or auction
478 business may disseminate or cause to be disseminated any
479 advertisement or advertising which is false, deceptive,
480 misleading, or untruthful. Any advertisement or advertising
481 shall be deemed to be false, deceptive, misleading, or
482 untruthful if it:

483 1. Contains misrepresentations of facts.

484 2. Is misleading or deceptive because, in its content or
485 in the context in which it is presented, it makes only a partial
486 disclosure of relevant facts.

487 3. Creates false or unjustified expectations of the
488 services to be performed.

489 ~~4. Contains any representation or claim which the~~
490 ~~advertising licensee fails to perform.~~

491 ~~5. Fails to include the name and license number of the~~
492 ~~principal auctioneer and the auction business.~~

493 ~~6. Fails to include the name and license number of the~~
494 ~~sponsor if an apprentice is acting as the principal auctioneer.~~

495 ~~4.7.~~ Advertises an auction as absolute without specifying
496 any and all items to be sold with reserve or with minimum bids.

497 ~~5.8.~~ Fails to include the percentage amount of any buyer's
498 premium or surcharge which is a condition to sale.

499 (b) (e) The provisions of this subsection apply to media
500 exposure of any nature, regardless of whether it is in the form

501 of paid advertising.

502 (c)~~(d)~~ The auction business shall be responsible for the
503 content of all advertising disseminated in preparation for an
504 auction.

505 Section 24. Section 468.389, Florida Statutes, is amended
506 to read:

507 468.389 Prohibited acts; penalties.—

508 ~~(1)~~ The following acts shall be grounds for a civil cause
509 of action for damages against an auctioneer, auction business,
510 or any owner or manager thereof or, in the case of corporate
511 ownership, any substantial stockholder of the corporation owning
512 the auction business ~~the disciplinary activities provided in~~
513 ~~subsections (2) and (3):~~

514 (1)~~(a)~~ A violation of any law relating to trade or
515 commerce of this state or of the state in which an auction is
516 conducted.

517 (2)~~(b)~~ Misrepresentation of property for sale at auction
518 or making false promises concerning the use, value, or condition
519 of such property by an auctioneer or auction business or by
520 anyone acting as an agent of or with the consent of the
521 auctioneer or auction business.

522 (3)~~(c)~~ Failure to account for or to pay or return, within
523 a reasonable time not to exceed 30 days, money or property
524 belonging to another which has come into the control of an
525 auctioneer or auction business through an auction.

- 526 (4)~~(d)~~ False, deceptive, misleading, or untruthful
 527 advertising.
- 528 (5)~~(e)~~ Any conduct in connection with a sales transaction
 529 which demonstrates bad faith or dishonesty.
- 530 (6)~~(f)~~ Using or permitting the use of false bidders,
 531 cappers, or shills.
- 532 ~~(g) Making any material false statement on a license
 533 application.~~
- 534 (7)~~(h)~~ Commingling money or property of another person
 535 with his or her own. Every auctioneer and auction business shall
 536 maintain a separate trust or escrow account in an insured bank
 537 or savings and loan association located in this state in which
 538 shall be deposited all proceeds received for another person
 539 through an auction sale.
- 540 (8)~~(i)~~ Refusal or neglect of any auctioneer or other
 541 receiver of public moneys to pay the moneys so received into the
 542 State Treasury at the times and under the regulations prescribed
 543 by law.
- 544 (9)~~(j)~~ Violating a statute ~~or administrative rule~~
 545 regulating practice under this part ~~or a lawful disciplinary~~
 546 ~~order of the board or the department.~~
- 547 ~~(k) Having a license to practice a comparable profession~~
 548 ~~revoked, suspended, or otherwise acted against by another state,~~
 549 ~~territory, or country.~~
- 550 (10)~~(l)~~ Being convicted or found guilty, regardless of

551 adjudication, of a crime in any jurisdiction which directly
552 relates to the practice or the ability to practice the
553 profession of auctioneering.

554 ~~(2) When the board finds any person guilty of any of the~~
555 ~~prohibited acts set forth in subsection (1), it may enter an~~
556 ~~order imposing one or more of the following penalties:~~

557 ~~(a) Refusal to certify to the department an application~~
558 ~~for licensure.~~

559 ~~(b) Revocation or suspension of a license.~~

560 ~~(c) Imposition of an administrative fine not to exceed~~
561 ~~\$1,000 for each count or separate offense.~~

562 ~~(d) Issuance of a reprimand.~~

563 ~~(e) Placement of the auctioneer on probation for a period~~
564 ~~of time and subject to conditions as the board may specify,~~
565 ~~including requiring the auctioneer to successfully complete the~~
566 ~~licensure examination.~~

567 ~~(f) Requirement that the person in violation make~~
568 ~~restitution to each consumer affected by that violation. Proof~~
569 ~~of such restitution shall be a signed and notarized release~~
570 ~~executed by the consumer or the consumer's estate.~~

571 ~~(3) (a) Failure to pay a fine within a reasonable time, as~~
572 ~~prescribed by board rule, may be grounds for disciplinary~~
573 ~~action.~~

574 ~~(b) The department may file for an injunction or bring any~~
575 ~~other appropriate civil action against anyone who violates this~~

576 ~~part.~~

577 Section 25. Section 468.391, Florida Statutes, is amended
578 to read:

579 468.391 Penalty.—Any auctioneer, ~~apprentice,~~ or auction
580 business or any owner or manager thereof, or, in the case of
581 corporate ownership, any substantial stockholder of the
582 corporation owning the auction business, who ~~operates without an~~
583 ~~active license or~~ violates s. 468.389(3), (5), (6), (7), or (8)
584 ~~s. 468.389(1)(c), (e), (f), (h), or (i)~~ commits a felony of the
585 third degree, punishable as provided in s. 775.082 or s.
586 775.083.

587 Section 26. Section 468.392, Florida Statutes, is
588 repealed.

589 Section 27. Section 468.393, Florida Statutes, is
590 repealed.

591 Section 28. Section 468.394, Florida Statutes, is
592 repealed.

593 Section 29. Section 468.395, Florida Statutes, is
594 repealed.

595 Section 30. Section 468.396, Florida Statutes, is
596 repealed.

597 Section 31. Section 468.397, Florida Statutes, is
598 repealed.

599 Section 32. Section 468.398, Florida Statutes, is
600 repealed.

601 Section 33. Section 468.399, Florida Statutes, is
 602 repealed.

603 Section 34. Section 468.401, Florida Statutes, is amended
 604 to read:

605 468.401 ~~Regulation of~~ Talent agencies; definitions.—As
 606 used in this part, the term ~~or any rule adopted pursuant hereto:~~

607 (1)(8) "Artist" means a person performing on the
 608 professional stage or in the production of television, radio, or
 609 motion pictures; a musician or group of musicians; or a model.

610 (2)(7) "Buyer" or "employer" means a person, company,
 611 partnership, or corporation that uses the services of a talent
 612 agency to provide artists.

613 (3) "Compensation" means any one or more of the following:

614 (a) Any money or other valuable consideration paid or
 615 promised to be paid for services rendered by any person
 616 conducting the business of a talent agency under this part;

617 (b) Any money received by any person in excess of that
 618 which has been paid out by such person for transportation,
 619 transfer of baggage, or board and lodging for any applicant for
 620 employment; or

621 (c) The difference between the amount of money received by
 622 any person who furnishes employees, performers, or entertainers
 623 for circus, vaudeville, theatrical, or other entertainments,
 624 exhibitions, engagements, or performances and the amount paid by
 625 him or her to such employee, performer, or entertainer.

626 (4) "Engagement" means any employment or placement of an
627 artist, where the artist performs in his or her artistic
628 capacity. However, the term "engagement" shall not apply to
629 procuring opera, music, theater, or dance engagements for any
630 organization defined in s. 501(c)(3) of the Internal Revenue
631 Code or any nonprofit Florida arts organization that has
632 received a grant from the Division of Cultural Affairs of the
633 Department of State or has participated in the state touring
634 program of the Division of Cultural Affairs.

635 ~~(5) "Department" means the Department of Business and~~
636 ~~Professional Regulation.~~

637 (5)~~(6)~~ "Operator" means the person who is or who will be
638 in actual charge of a talent agency.

639 (6)~~(2)~~ "Owner" means any partner in a partnership, member
640 of a firm, or principal officer or officers of a corporation,
641 whose partnership, firm, or corporation owns a talent agency, or
642 any individual who is the sole owner of a talent agency.

643 (7)~~(9)~~ "Person" means any individual, company, society,
644 firm, partnership, association, corporation, manager, or any
645 agent or employee of any of the foregoing.

646 ~~(10) "License" means a license issued by the Department of~~
647 ~~Business and Professional Regulation to carry on the business of~~
648 ~~a talent agency under this part.~~

649 ~~(11) "Licensee" means a talent agency which holds a valid~~
650 ~~unrevoked and unforfeited license issued under this part.~~

651 (8)~~(1)~~ "Talent agency" means any person who, for
652 compensation, engages in the occupation or business of procuring
653 or attempting to procure engagements for an artist.

654 Section 35. Section 468.402, Florida Statutes, is
655 repealed.

656 Section 36. Section 468.403, Florida Statutes, is
657 repealed.

658 Section 37. Section 468.404, Florida Statutes, is
659 repealed.

660 Section 38. Section 468.405, Florida Statutes, is
661 repealed.

662 Section 39. Subsection (1) of section 468.406, Florida
663 Statutes, is amended to read:

664 468.406 Fees to be charged by talent agencies; rates;
665 display.—

666 (1) Each owner or operator of a talent agency shall post
667 in a conspicuous place in each place of business of the agency
668 ~~applicant for a license shall file with the application an~~
669 ~~itemized schedule of maximum fees, charges, and commissions that~~
670 ~~which it intends to charge and collect for its services. The~~
671 ~~This schedule may thereafter be raised only by filing with the~~
672 ~~department an amended or supplemental schedule at least 30 days~~
673 ~~before the change is to become effective. The schedule shall be~~
674 ~~posted in a conspicuous place in each place of business of the~~
675 ~~agency and shall be printed in not less than a 30-point~~

676 boldfaced type, except that an agency that uses written
677 contracts containing maximum fee schedules need not post such
678 schedules.

679 Section 40. Section 468.407, Florida Statutes, is
680 repealed.

681 Section 41. Subsection (1) of section 468.408, Florida
682 Statutes, is amended to read:

683 468.408 Bond required.—

684 (1) An owner or operator of a ~~There shall be filed with~~
685 ~~the department for each~~ talent agency shall obtain license a
686 bond in the form of a surety by a reputable company engaged in
687 the bonding business and authorized to do business in this
688 state. The bond shall be for the penal sum of \$5,000, with one
689 or more sureties ~~to be approved by the department,~~ and be
690 conditioned that the owner or operator of the talent agency
691 ~~applicant~~ conform to and not violate any of the duties, terms,
692 conditions, provisions, or requirements of this part.

693 (a) If any person is aggrieved by the misconduct of any
694 talent agency, the person may maintain an action in his or her
695 own name upon the bond of the agency in any court having
696 jurisdiction of the amount claimed. All such claims shall be
697 assignable, and the assignee shall be entitled to the same
698 remedies, upon the bond of the agency or otherwise, as the
699 person aggrieved would have been entitled to if such claim had
700 not been assigned. Any claim or claims so assigned may be

701 enforced in the name of such assignee.

702 (b) The bonding company shall notify the talent agency
703 ~~department~~ of any claim against such bond, and a copy of such
704 notice shall be sent to the talent agency against which the
705 claim is made.

706 Section 42. Section 468.409, Florida Statutes, is amended
707 to read:

708 468.409 Records required to be kept.—Each talent agency
709 shall keep on file the application, registration, or contract of
710 each artist. In addition, such file must include the name and
711 address of each artist, the amount of the compensation received,
712 and all attempts to procure engagements for the artist. No such
713 agency or employee thereof shall knowingly make any false entry
714 in applicant files or receipt files. Each card or document in
715 such files shall be preserved for a period of 1 year after the
716 date of the last entry thereon. ~~Records required under this~~
717 ~~section shall be readily available for inspection by the~~
718 ~~department during reasonable business hours at the talent~~
719 ~~agency's principal office. A talent agency must provide the~~
720 ~~department with true copies of the records in the manner~~
721 ~~prescribed by the department.~~

722 Section 43. Subsection (3) of section 468.410, Florida
723 Statutes, is amended to read:

724 468.410 Prohibition against registration fees; referral.—

725 (3) A talent agency shall give each applicant a copy of a
 726 contract, within 24 hours after the contract's execution, which
 727 lists the services to be provided and the fees to be charged.
 728 ~~The contract shall state that the talent agency is regulated by~~
 729 ~~the department and shall list the address and telephone number~~
 730 ~~of the department.~~

731 Section 44. Subsections (4) through (11) of section
 732 468.412, Florida Statutes, are renumbered as subsections (3)
 733 through (10), respectively, and present subsections (2), (3),
 734 (4), (6), and (11) are amended to read:

735 468.412 Talent agency regulations; prohibited acts.-

736 (2) Each talent agency shall keep records in which shall
 737 be entered:

738 (a) The name and address of each artist employing such
 739 talent agency.†

740 (b) The amount of fees received from each such artist.†

741 (c) The employment in which each such artist is engaged at
 742 the time of employing such talent agency and the amount of
 743 compensation of the artist in such employment, if any, and the
 744 employments subsequently secured by such artist during the term
 745 of the contract between the artist and the talent agency and the
 746 amount of compensation received by the artist pursuant thereto.†
 747 and

748 ~~(d) Other information which the department may require~~
 749 ~~from time to time.~~

750 ~~(3) All books, records, and other papers kept pursuant to~~
751 ~~this act by any talent agency shall be open at all reasonable~~
752 ~~hours to the inspection of the department and its agents. Each~~
753 ~~talent agency shall furnish to the department, upon request, a~~
754 ~~true copy of such books, records, and papers, or any portion~~
755 ~~thereof, and shall make such reports as the department may~~
756 ~~prescribe from time to time.~~

757 (3)~~(4)~~ Each talent agency shall post in a conspicuous
758 place in the office of such talent agency a printed copy of this
759 part ~~and of the rules adopted under this part. Such copies shall~~
760 ~~also contain the name and address of the officer charged with~~
761 ~~enforcing this part. The department shall furnish to talent~~
762 ~~agencies printed copies of any statute or rule required to be~~
763 ~~posted under this subsection.~~

764 (5)~~(6)~~ A ~~No~~ talent agency may not publish or cause to be
765 published any false, fraudulent, or misleading information,
766 representation, notice, or advertisement. All advertisements of
767 a talent agency by means of card, circulars, or signs, and in
768 newspapers and other publications, and all letterheads,
769 receipts, and blanks shall be printed and contain the ~~licensed~~
770 ~~name, department license number,~~ and address of the talent
771 agency and the words "talent agency." A ~~No~~ talent agency may not
772 give any false information or make any false promises or
773 representations concerning an engagement or employment to any
774 applicant who applies for an engagement or employment.

775 (10)~~(11)~~ A talent agency may assign an engagement contract
 776 to another talent agency ~~licensed~~ in this state only if the
 777 artist agrees in writing to the assignment. The assignment must
 778 occur, and written notice of the assignment must be given to the
 779 artist, within 30 days after the artist agrees in writing to the
 780 assignment.

781 Section 45. Section 468.413, Florida Statutes, is amended
 782 to read:

783 468.413 Legal requirements; penalties.—

784 ~~(1) Each of the following acts constitutes a felony of the~~
 785 ~~third degree, punishable as provided in s. 775.082, s. 775.083,~~
 786 ~~or s. 775.084:~~

787 ~~(a) Owning or operating, or soliciting business as, a~~
 788 ~~talent agency in this state without first procuring a license~~
 789 ~~from the department.~~

790 ~~(b) Obtaining or attempting to obtain a license by means~~
 791 ~~of fraud, misrepresentation, or concealment.~~

792 (1)~~(2)~~ Each of the following acts constitutes a
 793 misdemeanor of the second degree, punishable as provided in s.
 794 775.082 or s. 775.083:

795 ~~(a) Relocating a business as a talent agency, or operating~~
 796 ~~under any name other than that designated on the license, unless~~
 797 ~~written notification is given to the department and to the~~
 798 ~~surety or sureties on the original bond, and unless the license~~
 799 ~~is returned to the department for the recording thereon of such~~

800 ~~changes.~~

801 ~~(b) Assigning or attempting to assign a license issued~~
 802 ~~under this part.~~

803 ~~(c) Failing to show on a license application whether or~~
 804 ~~not the agency or any owner of the agency is financially~~
 805 ~~interested in any other business of like nature and, if so,~~
 806 ~~failing to specify such interest or interests.~~

807 (a)~~(d)~~ Failing to maintain the records required by s.
 808 468.409 or knowingly making false entries in such records.

809 (b)~~(e)~~ Requiring as a condition to registering or
 810 obtaining employment or placement for any applicant that the
 811 applicant subscribe to, purchase, or attend any publication,
 812 postcard service, advertisement, resume service, photography
 813 service, school, acting school, workshop, or acting workshop.

814 (c)~~(f)~~ Failing to give each applicant a copy of a contract
 815 which lists the services to be provided and the fees to be
 816 charged by, ~~which states that the talent agency is regulated by~~
 817 ~~the department, and which lists the address and telephone number~~
 818 ~~of the department.~~

819 (d)~~(g)~~ Failing to maintain a record sheet as required by
 820 s. 468.412(1).

821 (e)~~(h)~~ Knowingly sending or causing to be sent any artist
 822 to a prospective employer or place of business, the character or
 823 operation of which employer or place of business the talent
 824 agency knows to be in violation of the laws of the United States

825 or of this state.

826 ~~(3) The court may, in addition to other punishment~~
827 ~~provided for in subsection (2), suspend or revoke the license of~~
828 ~~any licensee under this part who has been found guilty of any~~
829 ~~misdemeanor listed in subsection (2).~~

830 (2)~~(4)~~ In the event that ~~the department or~~ any state
831 attorney shall have probable cause to believe that a talent
832 agency or other person has violated any provision of subsection
833 (1), an action may be brought by ~~the department or~~ any state
834 attorney to enjoin such talent agency or any person from
835 continuing such violation, or engaging therein or doing any acts
836 in furtherance thereof, and for such other relief as to the
837 court seems appropriate. ~~In addition to this remedy, the~~
838 ~~department may assess a penalty against any talent agency or any~~
839 ~~person in an amount not to exceed \$5,000.~~

840 Section 46. Section 468.414, Florida Statutes, is
841 repealed.

842 Section 47. Section 468.415, Florida Statutes, is amended
843 to read:

844 468.415 Sexual misconduct in the operation of a talent
845 agency.—The talent agent-artist relationship is founded on
846 mutual trust. Sexual misconduct in the operation of a talent
847 agency means violation of the talent agent-artist relationship
848 through which the talent agent uses the relationship to induce
849 or attempt to induce the artist to engage or attempt to engage

850 in sexual activity. Sexual misconduct is prohibited in the
851 operation of a talent agency. ~~If~~ Any agent, owner, or operator
852 of a ~~licensed~~ talent agency who commits ~~is found to have~~
853 ~~committed~~ sexual misconduct in the operation of a talent agency,
854 ~~the agency license shall be permanently revoked. Such agent,~~
855 ~~owner, or operator~~ shall be permanently prohibited from acting
856 ~~disqualified from present and future licensure as an agent,~~
857 ~~owner,~~ or operator of a Florida talent agency.

858 Section 48. Subsection (4) of section 468.524, Florida
859 Statutes, is amended to read:

860 468.524 Application for license.—

861 (4) ~~A~~ An ~~applicant or~~ licensee is ineligible to reapply
862 for a license for a period of 1 year following final agency
863 action on the ~~denial or~~ revocation of a license ~~applied for or~~
864 issued under this part. This time restriction does not apply to
865 administrative ~~denials or~~ revocations entered because:

866 (a) The ~~applicant or~~ licensee has made an inadvertent
867 error or omission on the application;

868 (b) The experience documented to the board was
869 insufficient at the time of the previous application; or

870 ~~(c) The department is unable to complete the criminal~~
871 ~~background investigation because of insufficient information~~
872 ~~from the Florida Department of Law Enforcement, the Federal~~
873 ~~Bureau of Investigation, or any other applicable law enforcement~~
874 ~~agency;~~

875 ~~(c)(d)~~ The ~~applicant or~~ licensee has failed to submit
 876 required fees. ~~;~~ ~~or~~

877 ~~(e) An applicant or licensed employee leasing company has~~
 878 ~~been deemed ineligible for a license because of the lack of good~~
 879 ~~moral character of an individual or individuals when such~~
 880 ~~individual or individuals are no longer employed in a capacity~~
 881 ~~that would require their licensing under this part.~~

882 Section 49. Paragraph (f) of subsection (5) of section
 883 468.603, Florida Statutes, is amended to read:

884 468.603 Definitions.—As used in this part:

885 (5) "Categories of building code inspectors" include the
 886 following:

887 (f) "Residential ~~One and two family dwelling~~ inspector"
 888 means a person who is qualified to inspect and determine that
 889 one-family, two-family, or three-family residences not exceeding
 890 two habitable stories above no more than one uninhabitable story
 891 and accessory use structures in connection therewith ~~one and two~~
 892 ~~family dwellings and accessory structures~~ are constructed in
 893 accordance with the provisions of the governing building,
 894 plumbing, mechanical, accessibility, and electrical codes.

895 Section 50. Paragraph (c) of subsection (2) and paragraph
 896 (a) of subsection (7) of section 468.609, Florida Statutes, are
 897 amended to read:

898 468.609 Administration of this part; standards for
 899 certification; additional categories of certification.—

900 (2) A person may take the examination for certification as
901 a building code inspector or plans examiner pursuant to this
902 part if the person:

903 (c) Meets eligibility requirements according to one of the
904 following criteria:

905 1. Demonstrates 4 ~~5~~ years' combined experience in the
906 field of construction or a related field, building code
907 inspection, or plans review corresponding to the certification
908 category sought;

909 2. Demonstrates a combination of postsecondary education
910 in the field of construction or a related field and experience
911 which totals 3 4 years, with at least 1 year of such total being
912 experience in construction, building code inspection, or plans
913 review;

914 3. Demonstrates a combination of technical education in
915 the field of construction or a related field and experience
916 which totals 3 4 years, with at least 1 year of such total being
917 experience in construction, building code inspection, or plans
918 review;

919 4. Currently holds a standard certificate issued by the
920 board or a firesafety inspector license issued pursuant to
921 chapter 633, has a minimum of 3 years' verifiable full-time
922 experience in inspection or plan review, and has satisfactorily
923 completed a building code inspector or plans examiner training
924 program that provides at least 100 hours but not more than 200

925 | hours of cross-training in the certification category sought.
926 | The board shall establish by rule criteria for the development
927 | and implementation of the training programs. The board shall
928 | accept all classroom training offered by an approved provider if
929 | the content substantially meets the intent of the classroom
930 | component of the training program;

931 | 5. Demonstrates a combination of the completion of an
932 | approved training program in the field of building code
933 | inspection or plan review and a minimum of 2 years' experience
934 | in the field of building code inspection, plan review, fire code
935 | inspections and fire plans review of new buildings as a
936 | firesafety inspector certified under s. 633.216, or
937 | construction. The approved training portion of this requirement
938 | shall include proof of satisfactory completion of a training
939 | program that provides at least 200 hours but not more than 300
940 | hours of cross-training that is approved by the board in the
941 | chosen category of building code inspection or plan review in
942 | the certification category sought with at least 20 hours but not
943 | more than 30 hours of instruction in state laws, rules, and
944 | ethics relating to professional standards of practice, duties,
945 | and responsibilities of a certificateholder. The board shall
946 | coordinate with the Building Officials Association of Florida,
947 | Inc., to establish by rule the development and implementation of
948 | the training program. However, the board shall accept all
949 | classroom training offered by an approved provider if the

950 content substantially meets the intent of the classroom
951 component of the training program;

952 6. Currently holds a standard certificate issued by the
953 board or a firesafety inspector license issued pursuant to
954 chapter 633 and:

955 a. Has at least 4 ~~5~~ years' verifiable full-time experience
956 as an inspector or plans examiner in a standard certification
957 category currently held or has a minimum of 4 ~~5~~ years'
958 verifiable full-time experience as a firesafety inspector
959 licensed pursuant to chapter 633.

960 b. Has satisfactorily completed a building code inspector
961 or plans examiner classroom training course or program that
962 provides at least 200 but not more than 300 hours in the
963 certification category sought, except for one-family and two-
964 family dwelling training programs, which must provide at least
965 500 but not more than 800 hours of training as prescribed by the
966 board. The board shall establish by rule criteria for the
967 development and implementation of classroom training courses and
968 programs in each certification category; or

969 7.a. Has completed a 4-year internship certification
970 program as a building code inspector or plans examiner while
971 employed full-time by a municipality, county, or other
972 governmental jurisdiction, under the direct supervision of a
973 certified building official. Proof of graduation with a related
974 vocational degree or college degree or of verifiable work

975 | experience may be exchanged for the internship experience
976 | requirement year-for-year, but may reduce the requirement to no
977 | less than 1 year.

978 | b. Has passed an examination administered by the
979 | International Code Council in the certification category sought.
980 | Such examination must be passed before beginning the internship
981 | certification program.

982 | c. Has passed the principles and practice examination
983 | before completing the internship certification program.

984 | d. Has passed a board-approved 40-hour code training
985 | course in the certification category sought before completing
986 | the internship certification program.

987 | e. Has obtained a favorable recommendation from the
988 | supervising building official after completion of the internship
989 | certification program.

990 | (7) (a) The board shall provide for the issuance of
991 | provisional certificates valid for 2 years ~~1 year~~, as specified
992 | by board rule, to any building code inspector or plans examiner
993 | who meets the eligibility requirements described in subsection
994 | (2) and any newly employed or promoted building code
995 | administrator who meets the eligibility requirements described
996 | in subsection (3). The provisional license may be renewed by the
997 | board for just cause; however, a provisional license is not
998 | valid for longer than 3 years.

999 | Section 51. Section 468.613, Florida Statutes, is amended

1000 to read:

1001 468.613 Certification by endorsement.—The board shall
 1002 examine other certification or training programs, as applicable,
 1003 upon submission to the board for its consideration of an
 1004 application for certification by endorsement. The board shall
 1005 waive its examination, qualification, education, or training
 1006 requirements, to the extent that such examination,
 1007 qualification, education, or training requirements of the
 1008 applicant are determined by the board to be comparable with
 1009 those established by the board. The board shall waive its
 1010 examination, qualification, education, or training requirements
 1011 if an applicant for certification by endorsement is at least 18
 1012 years of age; is of good moral character; has held a valid
 1013 building administrator, inspector, plans examiner, or the
 1014 equivalent, certification issued by another state or territory
 1015 of the United States for at least 10 years before the date of
 1016 application; and has successfully passed an applicable
 1017 examination administered by the International Codes Council.
 1018 Such application must be submitted to the board while the
 1019 applicant holds a valid license in another state or territory or
 1020 within 2 years after the expiration of such license.

1021 Section 52. Subsection (3) of section 468.8314, Florida
 1022 Statutes, is amended to read:

1023 468.8314 Licensure.—

1024 (3) The department shall certify as qualified for a

1025 | license by endorsement an applicant who is of good moral
 1026 | character as determined in s. 468.8313, who maintains an
 1027 | insurance policy as required by s. 468.8322, and who:

1028 | (a) Holds a valid license to practice home inspection
 1029 | services in another state or territory of the United States,
 1030 | whose educational requirements are substantially equivalent to
 1031 | those required by this part; and has passed a national,
 1032 | regional, state, or territorial licensing examination that is
 1033 | substantially equivalent to the examination required by this
 1034 | part; or

1035 | (b) Has held a valid license to practice home inspection
 1036 | services issued by another state or territory of the United
 1037 | States for at least 10 years before the date of application.
 1038 | Such application must be submitted to the department while the
 1039 | applicant holds a valid license in another state or territory or
 1040 | within 2 years after the expiration of such license.

1041 | Section 53. Subsection (3) of section 468.8414, Florida
 1042 | Statutes, is amended to read:

1043 | 468.8414 Licensure.—

1044 | (3) The department shall certify as qualified for a
 1045 | license by endorsement an applicant who is of good moral
 1046 | character, who has the insurance coverage required under s.
 1047 | 468.8421, and who:

1048 | (a) Is qualified to take the examination as set forth in
 1049 | s. 468.8413 and has passed a certification examination offered

1050 by a nationally recognized organization that certifies persons
1051 in the specialty of mold assessment or mold remediation that has
1052 been approved by the department as substantially equivalent to
1053 the requirements of this part and s. 455.217; ~~or~~

1054 (b) Holds a valid license to practice mold assessment or
1055 mold remediation issued by another state or territory of the
1056 United States if the criteria for issuance of the license were
1057 substantially the same as the licensure criteria that is
1058 established by this part as determined by the department; or

1059 (c) Has held a valid license to practice as a mold
1060 assessor or a mold remediator issued by another state or
1061 territory of the United States for at least 10 years before the
1062 date of application. Such application must be submitted to the
1063 department while the applicant holds a valid license in another
1064 state or territory or within 2 years after the expiration of
1065 such license.

1066 Section 54. Paragraphs (a) and (e) of subsection (2),
1067 subsection (3), paragraph (b) of subsection (4), and subsection
1068 (6) of section 469.006, Florida Statutes, are amended to read:

1069 469.006 Licensure of business organizations; qualifying
1070 agents.—

1071 (2) (a) If the applicant proposes to engage in consulting
1072 or contracting as a partnership, corporation, business trust, or
1073 other legal entity, or in any name other than the applicant's
1074 legal name, the ~~legal entity must apply for licensure through a~~

1075 ~~qualifying agent or the~~ individual applicant must qualify ~~apply~~
1076 ~~for licensure under the~~ business organization ~~fictitious~~ name.

1077 (e) A ~~The license, when issued upon application of a~~
1078 ~~business organization,~~ must be in the name of the qualifying
1079 agent ~~business organization,~~ and the name of the business
1080 organization ~~qualifying agent~~ must be noted on the license
1081 ~~thereon~~. If there is a change in any information that is
1082 required to be stated on the application, the qualifying agent
1083 ~~business organization~~ shall, within 45 days after such change
1084 occurs, mail the correct information to the department.

1085 (3) The qualifying agent must ~~shall~~ be licensed under this
1086 chapter in order for the business organization to be qualified
1087 ~~licensed~~ in the category of the business conducted for which the
1088 qualifying agent is licensed. If any qualifying agent ceases to
1089 be affiliated with such business organization, the agent shall
1090 so inform the department. In addition, if such qualifying agent
1091 is the only licensed individual affiliated with the business
1092 organization, the business organization shall notify the
1093 department of the termination of the qualifying agent and has
1094 ~~shall have~~ 60 days after ~~from~~ the date of termination of the
1095 qualifying agent's affiliation with the business organization ~~in~~
1096 ~~which~~ to employ another qualifying agent. The business
1097 organization may not engage in consulting or contracting until a
1098 qualifying agent is employed, unless the department has granted
1099 a temporary nonrenewable license to the financially responsible

1100 officer, the president, the sole proprietor, a partner, or, in
1101 the case of a limited partnership, the general partner, who
1102 assumes all responsibilities of a primary qualifying agent for
1103 the entity. This temporary license only allows ~~shall only allow~~
1104 the entity to proceed with incomplete contracts.

1105 (4)

1106 (b) Upon a favorable determination by the department,
1107 after investigation of the financial responsibility, credit, and
1108 business reputation of the qualifying agent and the new business
1109 organization, the department shall issue, without any
1110 examination, a new license in the qualifying agent's business
1111 ~~organization's~~ name, and the name of the business organization
1112 ~~qualifying agent~~ shall be noted thereon.

1113 (6) Each qualifying agent shall pay the department an
1114 amount equal to the original fee for licensure ~~of a new business~~
1115 ~~organization.~~ if the qualifying agent for a business
1116 organization desires to qualify additional business
1117 organizations. 7 The department shall require the agent to
1118 present evidence of supervisory ability and financial
1119 responsibility of each such organization. Allowing a licensee to
1120 qualify more than one business organization must ~~shall~~ be
1121 conditioned upon the licensee showing that the licensee has both
1122 the capacity and intent to adequately supervise each business
1123 organization. The department may ~~shall~~ not limit the number of
1124 business organizations that ~~which~~ the licensee may qualify

1125 | except upon the licensee's failure to provide such information
 1126 | as is required under this subsection or upon a finding that the
 1127 | ~~such~~ information or evidence ~~as is~~ supplied is incomplete or
 1128 | unpersuasive in showing the licensee's capacity and intent to
 1129 | comply with the requirements of this subsection. A qualification
 1130 | for an additional business organization may be revoked or
 1131 | suspended upon a finding by the department that the licensee has
 1132 | failed in the licensee's responsibility to adequately supervise
 1133 | the operations of the business organization. Failure to
 1134 | adequately supervise the operations of a business organization
 1135 | is ~~shall be~~ grounds for denial to qualify additional business
 1136 | organizations.

1137 | Section 55. Subsection (1) of section 469.009, Florida
 1138 | Statutes, is amended to read:

1139 | 469.009 License revocation, suspension, and denial of
 1140 | issuance or renewal.—

1141 | (1) The department may revoke, suspend, or deny the
 1142 | issuance or renewal of a license; reprimand, censure, or place
 1143 | on probation any contractor, consultant, or financially
 1144 | responsible officer, ~~or business organization~~; require financial
 1145 | restitution to a consumer; impose an administrative fine not to
 1146 | exceed \$5,000 per violation; require continuing education; or
 1147 | assess costs associated with any investigation and prosecution
 1148 | if the contractor or consultant, or business organization or
 1149 | officer or agent thereof, is found guilty of any of the

1150 following acts:

1151 (a) Willfully or deliberately disregarding or violating
 1152 the health and safety standards of the Occupational Safety and
 1153 Health Act of 1970, the Construction Safety Act, the National
 1154 Emission Standards for Asbestos, the Environmental Protection
 1155 Agency Asbestos Abatement Projects Worker Protection Rule, the
 1156 Florida Statutes or rules promulgated thereunder, or any
 1157 ordinance enacted by a political subdivision of this state.

1158 (b) Violating any provision of chapter 455.

1159 (c) Failing in any material respect to comply with the
 1160 provisions of this chapter or any rule promulgated hereunder.

1161 (d) Acting in the capacity of an asbestos contractor or
 1162 asbestos consultant under any license issued under this chapter
 1163 except in the name of the licensee as set forth on the issued
 1164 license.

1165 (e) Proceeding on any job without obtaining all applicable
 1166 approvals, authorizations, permits, and inspections.

1167 (f) Obtaining a license by fraud or misrepresentation.

1168 (g) Being convicted or found guilty of, or entering a plea
 1169 of nolo contendere to, regardless of adjudication, a crime in
 1170 any jurisdiction which directly relates to the practice of
 1171 asbestos consulting or contracting or the ability to practice
 1172 asbestos consulting or contracting.

1173 (h) Knowingly violating any building code, lifesafety
 1174 code, or county or municipal ordinance relating to the practice

1175 | of asbestos consulting or contracting.

1176 | (i) Performing any act which assists a person or entity in
 1177 | engaging in the prohibited unlicensed practice of asbestos
 1178 | consulting or contracting, if the licensee knows or has
 1179 | reasonable grounds to know that the person or entity was
 1180 | unlicensed.

1181 | (j) Committing mismanagement or misconduct in the practice
 1182 | of contracting that causes financial harm to a customer.

1183 | Financial mismanagement or misconduct occurs when:

1184 | 1. Valid liens have been recorded against the property of
 1185 | a contractor's customer for supplies or services ordered by the
 1186 | contractor for the customer's job; the contractor has received
 1187 | funds from the customer to pay for the supplies or services; and
 1188 | the contractor has not had the liens removed from the property,
 1189 | by payment or by bond, within 75 days after the date of such
 1190 | liens;

1191 | 2. The contractor has abandoned a customer's job and the
 1192 | percentage of completion is less than the percentage of the
 1193 | total contract price paid to the contractor as of the time of
 1194 | abandonment, unless the contractor is entitled to retain such
 1195 | funds under the terms of the contract or refunds the excess
 1196 | funds within 30 days after the date the job is abandoned; or

1197 | 3. The contractor's job has been completed, and it is
 1198 | shown that the customer has had to pay more for the contracted
 1199 | job than the original contract price, as adjusted for subsequent

1200 change orders, unless such increase in cost was the result of
1201 circumstances beyond the control of the contractor, was the
1202 result of circumstances caused by the customer, or was otherwise
1203 permitted by the terms of the contract between the contractor
1204 and the customer.

1205 (k) Being disciplined by any municipality or county for an
1206 act or violation of this chapter.

1207 (l) Failing in any material respect to comply with the
1208 provisions of this chapter, or violating a rule or lawful order
1209 of the department.

1210 (m) Abandoning an asbestos abatement project in which the
1211 asbestos contractor is engaged or under contract as a
1212 contractor. A project may be presumed abandoned after 20 days if
1213 the contractor terminates the project without just cause and
1214 without proper notification to the owner, including the reason
1215 for termination; if the contractor fails to reasonably secure
1216 the project to safeguard the public while work is stopped; or if
1217 the contractor fails to perform work without just cause for 20
1218 days.

1219 (n) Signing a statement with respect to a project or
1220 contract falsely indicating that the work is bonded; falsely
1221 indicating that payment has been made for all subcontracted
1222 work, labor, and materials which results in a financial loss to
1223 the owner, purchaser, or contractor; or falsely indicating that
1224 workers' compensation and public liability insurance are

1225 provided.

1226 (o) Committing fraud or deceit in the practice of asbestos
1227 consulting or contracting.

1228 (p) Committing incompetency or misconduct in the practice
1229 of asbestos consulting or contracting.

1230 (q) Committing gross negligence, repeated negligence, or
1231 negligence resulting in a significant danger to life or property
1232 in the practice of asbestos consulting or contracting.

1233 (r) Intimidating, threatening, coercing, or otherwise
1234 discouraging the service of a notice to owner under part I of
1235 chapter 713 or a notice to contractor under chapter 255 or part
1236 I of chapter 713.

1237 (s) Failing to satisfy, within a reasonable time, the
1238 terms of a civil judgment obtained against the licensee, or the
1239 business organization qualified by the licensee, relating to the
1240 practice of the licensee's profession.

1241
1242 For the purposes of this subsection, construction is considered
1243 to be commenced when the contract is executed and the contractor
1244 has accepted funds from the customer or lender.

1245 Section 56. Subsection (13) of section 471.005, Florida
1246 Statutes, is renumbered as subsection (3), and present
1247 subsection (3) and subsection (8) of that section are amended to
1248 read:

1249 471.005 Definitions.—As used in this chapter, the term:

1250 ~~(3) "Certificate of authorization" means a license to~~
 1251 ~~practice engineering issued by the management corporation to a~~
 1252 ~~corporation or partnership.~~

1253 (8) "License" means the licensing of engineers ~~or~~
 1254 ~~certification of businesses~~ to practice engineering in this
 1255 state.

1256 Section 57. Subsection (4) of section 471.011, Florida
 1257 Statutes, is amended to read:

1258 471.011 Fees.—

1259 ~~(4) The fee for a certificate of authorization shall not~~
 1260 ~~exceed \$125.~~

1261 Section 58. Subsection (5) of section 471.015, Florida
 1262 Statutes, is amended to read:

1263 471.015 Licensure.—

1264 (5) (a) The board shall deem that an applicant who seeks
 1265 licensure by endorsement has passed an examination substantially
 1266 equivalent to the fundamentals examination when such applicant
 1267 has held a valid professional engineer's license in another
 1268 state for 10 ~~15~~ years ~~and has had 20 years of continuous~~
 1269 ~~professional-level engineering experience.~~

1270 (b) The board shall deem that an applicant who seeks
 1271 licensure by endorsement has passed an examination substantially
 1272 equivalent to the fundamentals examination and the principles
 1273 and practices examination when such applicant has held a valid
 1274 professional engineer's license in another state for 15 ~~25~~ years

1275 | ~~and has had 30 years of continuous professional-level~~
1276 | ~~engineering experience.~~

1277 | Section 59. Section 471.023, Florida Statutes, is amended
1278 | to read:

1279 | 471.023 Qualification Certification of business
1280 | organizations.—

1281 | (1) The practice of, or the offer to practice, engineering
1282 | by licensees or offering engineering services to the public
1283 | through a business organization, including a partnership,
1284 | corporation, business trust, or other legal entity or by a
1285 | business organization, including a corporation, partnership,
1286 | business trust, or other legal entity offering such services to
1287 | the public through licensees under this chapter as agents,
1288 | employees, officers, or partners is permitted only if the
1289 | business organization is qualified by an engineer licensed under
1290 | this chapter ~~possesses a certification issued by the management~~
1291 | ~~corporation pursuant to qualification by the board~~, subject to
1292 | the provisions of this chapter. One or more of the principal
1293 | officers of the business organization or one or more partners of
1294 | the partnership and all personnel of the business organization
1295 | who act in its behalf as engineers in this state shall be
1296 | licensed as provided by this chapter. All final drawings,
1297 | specifications, plans, reports, or documents involving practices
1298 | licensed under this chapter which are prepared or approved for
1299 | the use of the business organization or for public record within

1300 the state shall be dated and shall bear the signature and seal
1301 of the licensee who prepared or approved them. Nothing in this
1302 section shall be construed to mean that a license to practice
1303 engineering shall be held by a business organization. Nothing
1304 herein prohibits business organizations from joining together to
1305 offer engineering services to the public, if each business
1306 organization otherwise meets the requirements of this section.
1307 No business organization shall be relieved of responsibility for
1308 the conduct or acts of its agents, employees, or officers by
1309 reason of its compliance with this section, nor shall any
1310 individual practicing engineering be relieved of responsibility
1311 for professional services performed by reason of his or her
1312 employment or relationship with a business organization.

1313 (2) For the purposes of this section, a ~~certificate of~~
1314 ~~authorization shall be required for any~~ business organization or
1315 other person practicing under a fictitious name, offering
1316 engineering services to the public must be qualified by an
1317 engineer licensed under this chapter. ~~However, when an~~
1318 ~~individual is practicing engineering in his or her own given~~
1319 ~~name, he or she shall not be required to be licensed under this~~
1320 ~~section.~~

1321 (3) Except as provided in s. 558.0035, the fact that a
1322 licensed engineer practices through a business organization does
1323 not relieve the licensee from personal liability for negligence,
1324 misconduct, or wrongful acts committed by him or her.

1325 Partnerships and all partners shall be jointly and severally
1326 liable for the negligence, misconduct, or wrongful acts
1327 committed by their agents, employees, or partners while acting
1328 in a professional capacity. Any officer, agent, or employee of a
1329 business organization other than a partnership shall be
1330 personally liable and accountable only for negligent acts,
1331 wrongful acts, or misconduct committed by him or her or
1332 committed by any person under his or her direct supervision and
1333 control, while rendering professional services on behalf of the
1334 business organization. The personal liability of a shareholder
1335 or owner of a business organization, in his or her capacity as
1336 shareholder or owner, shall be no greater than that of a
1337 shareholder-employee of a corporation incorporated under chapter
1338 607. The business organization shall be liable up to the full
1339 value of its property for any negligent acts, wrongful acts, or
1340 misconduct committed by any of its officers, agents, or
1341 employees while they are engaged on its behalf in the rendering
1342 of professional services.

1343 (4) ~~Each certification of authorization shall be renewed~~
1344 ~~every 2 years.~~ Each qualifying agent of a business organization
1345 qualified ~~certified~~ under this section must notify the board
1346 within 30 days ~~1 month~~ after any change in the information
1347 contained in the application upon which the certification is
1348 based.

1349 (a) A qualifying agent who terminates an affiliation with

1350 a qualified business organization shall notify the management
1351 corporation of such termination within 24 hours. If such
1352 qualifying agent is the only qualifying agent for that business
1353 organization, the business organization must be qualified by
1354 another qualifying agent within 60 days after the termination.
1355 Except as provided in paragraph (b), the business organization
1356 may not engage in the practice of engineering until it is
1357 qualified by another qualifying agent.

1358 (b) In the event a qualifying agent ceases employment with
1359 a qualified business organization and such qualifying agent is
1360 the only licensed individual affiliated with the business
1361 organization, the executive director of the management
1362 corporation or the chair of the board may authorize another
1363 licensee employed by the business organization to temporarily
1364 serve as its qualifying agent for a period of no more than 60
1365 days to proceed with incomplete contracts. The business
1366 organization is not authorized to operate beyond such period
1367 under this chapter absent replacement of the qualifying agent.

1368 (c) A qualifying agent shall notify the department in
1369 writing before engaging in the practice of engineering in the
1370 licensee's name or in affiliation with a different business
1371 organization.

1372 ~~(5) Disciplinary action against a business organization~~
1373 ~~shall be administered in the same manner and on the same grounds~~
1374 ~~as disciplinary action against a licensed engineer.~~

1375 Section 60. Subsection (7) of section 473.308, Florida
 1376 Statutes, is amended to read:

1377 473.308 Licensure.—

1378 (7) The board shall certify as qualified for a license by
 1379 endorsement an applicant who:

1380 (a)~~1.~~ Is not licensed and has not been licensed in another
 1381 state or territory and who has met the requirements of this
 1382 section for education, work experience, and good moral character
 1383 and has passed a national, regional, state, or territorial
 1384 licensing examination that is substantially equivalent to the
 1385 examination required by s. 473.306; or ~~and~~

1386 ~~2. Has completed such continuing education courses as the~~
 1387 ~~board deems appropriate, within the limits for each applicable~~
 1388 ~~2-year period as set forth in s. 473.312, but at least such~~
 1389 ~~courses as are equivalent to the continuing education~~
 1390 ~~requirements for a Florida certified public accountant licensed~~
 1391 ~~in this state during the 2 years immediately preceding her or~~
 1392 ~~his application for licensure by endorsement; or~~

1393 (b)1.a. Holds a valid license to practice public
 1394 accounting issued by another state or territory of the United
 1395 States, if the criteria for issuance of such license were
 1396 substantially equivalent to the licensure criteria that existed
 1397 in this state at the time the license was issued;

1398 2.b. Holds a valid license to practice public accounting
 1399 issued by another state or territory of the United States but

1400 the criteria for issuance of such license did not meet the
 1401 requirements of subparagraph 1. ~~sub-subparagraph a.~~; has met the
 1402 requirements of this section for education, work experience, and
 1403 good moral character; and has passed a national, regional,
 1404 state, or territorial licensing examination that is
 1405 substantially equivalent to the examination required by s.
 1406 473.306; or

1407 3.e. Holds a valid license to practice public accounting
 1408 issued by another state or territory of the United States for at
 1409 least 10 years before the date of application; has passed a
 1410 national, regional, state, or territorial licensing examination
 1411 that is substantially equivalent to the examination required by
 1412 s. 473.306; and has met the requirements of this section for
 1413 good moral character. ~~;~~ ~~and~~

1414 ~~2. Has completed continuing education courses that are~~
 1415 ~~equivalent to the continuing education requirements for a~~
 1416 ~~Florida certified public accountant licensed in this state~~
 1417 ~~during the 2 years immediately preceding her or his application~~
 1418 ~~for licensure by endorsement.~~

1419 Section 61. Subsection (6) of section 474.202, Florida
 1420 Statutes, is amended to read:

1421 474.202 Definitions.—As used in this chapter:

1422 (6) "Limited-service veterinary medical practice" means
 1423 offering or providing veterinary services at any location that
 1424 has a primary purpose other than that of providing veterinary

1425 medical service at a permanent or mobile establishment permitted
1426 by the board; provides veterinary medical services for privately
1427 owned animals that do not reside at that location; operates for
1428 a limited time; and provides limited types of veterinary medical
1429 services, including vaccinations or immunizations against
1430 disease, preventative procedures for parasitic control, and
1431 microchipping.

1432 Section 62. Paragraph (b) of subsection (2) of section
1433 474.207, Florida Statutes, is amended to read:

1434 474.207 Licensure by examination.—

1435 (2) The department shall license each applicant who the
1436 board certifies has:

1437 (b)1. Graduated from a college of veterinary medicine
1438 accredited by the American Veterinary Medical Association
1439 Council on Education; or

1440 2. Graduated from a college of veterinary medicine listed
1441 in the American Veterinary Medical Association Roster of
1442 Veterinary Colleges of the World and obtained a certificate from
1443 the Education Commission for Foreign Veterinary Graduates or the
1444 Program for the Assessment of Veterinary Education Equivalence.

1445

1446 The department shall not issue a license to any applicant who is
1447 under investigation in any state or territory of the United
1448 States or in the District of Columbia for an act which would
1449 constitute a violation of this chapter until the investigation

1450 is complete and disciplinary proceedings have been terminated,
 1451 at which time the provisions of s. 474.214 shall apply.

1452 Section 63. Subsection (1) of section 474.217, Florida
 1453 Statutes, is amended to read:

1454 474.217 Licensure by endorsement.—

1455 (1) The department shall issue a license by endorsement to
 1456 any applicant who, upon applying to the department and remitting
 1457 a fee set by the board, demonstrates to the board that she or
 1458 he:

1459 (a) Has demonstrated, in a manner designated by rule of
 1460 the board, knowledge of the laws and rules governing the
 1461 practice of veterinary medicine in this state; and

1462 (b)1. ~~Either~~ Holds, and has held for the 3 years
 1463 immediately preceding the application for licensure, a valid,
 1464 active license to practice veterinary medicine in another state
 1465 of the United States, the District of Columbia, or a territory
 1466 of the United States, provided that the applicant has
 1467 successfully completed a state, regional, national, or other
 1468 examination that is equivalent to or more stringent than the
 1469 examination required by the board ~~requirements for licensure in~~
 1470 ~~the issuing state, district, or territory are equivalent to or~~
 1471 ~~more stringent than the requirements of this chapter; or~~

1472 2. Meets the qualifications of s. 474.207(2)(b) and has
 1473 successfully completed a state, regional, national, or other
 1474 examination which is equivalent to or more stringent than the

1475 examination given by the department and has passed the board's
1476 clinical competency examination or another clinical competency
1477 examination specified by rule of the board.

1478 Section 64. Subsection (2) of section 476.114, Florida
1479 Statutes, is amended to read:

1480 476.114 Examination; prerequisites.—

1481 (2) An applicant shall be eligible for licensure by
1482 examination to practice barbering if the applicant:

1483 (a) Is at least 16 years of age;

1484 (b) Pays the required application fee; and

1485 (c)1. Holds an active valid license to practice barbering
1486 in another state, has held the license for at least 1 year, and
1487 does not qualify for licensure by endorsement as provided for in
1488 s. 476.144(5); or

1489 2. Has received a minimum of 600 ~~1,200~~ hours of training
1490 in sanitation, safety, and laws and rules, as established by the
1491 board, which shall include, but shall not be limited to, the
1492 equivalent of completion of services directly related to the
1493 practice of barbering at one of the following:

1494 a. A school of barbering licensed pursuant to chapter
1495 1005;

1496 b. A barbering program within the public school system; or

1497 c. A government-operated barbering program in this state.

1498

1499 The board shall establish by rule procedures whereby the school

1500 or program may certify that a person is qualified to take the
 1501 required examination after the completion of a minimum of 325
 1502 ~~1,000~~ actual school hours. If the person passes the examination,
 1503 she or he shall have satisfied this requirement; but if the
 1504 person fails the examination, she or he shall not be qualified
 1505 to take the examination again until the completion of the full
 1506 requirements provided by this section.

1507 Section 65. Subsection (5) of section 476.144, Florida
 1508 Statutes, is amended to read:

1509 476.144 Licensure.—

1510 (5) The board shall certify as qualified for licensure by
 1511 endorsement as a barber in this state an applicant who holds a
 1512 current active license to practice barbering in another state.

1513 The board shall adopt rules specifying procedures for the
 1514 licensure by endorsement of practitioners desiring to be
 1515 licensed in this state who hold a current active license in
 1516 another ~~state or~~ country and who have met qualifications
 1517 substantially similar to, equivalent to, or greater than the
 1518 qualifications required of applicants from this state.

1519 Section 66. Subsection (9) of section 477.013, Florida
 1520 Statutes, is amended to read:

1521 477.013 Definitions.—As used in this chapter:

1522 (9) "Hair braiding" means the weaving or interweaving of
 1523 natural human hair or commercial hair, including the use of hair
 1524 extensions or wefts, for compensation without cutting, coloring,

1525 permanent waving, relaxing, removing, or chemical treatment ~~and~~
1526 ~~does not include the use of hair extensions or wefts.~~

1527 Section 67. Section 477.0132, Florida Statutes, is
1528 repealed.

1529 Section 68. Subsections (7) through (11) are added to
1530 section 477.0135, Florida Statutes, to read:

1531 477.0135 Exemptions.—

1532 (7) A license or registration is not required for a person
1533 whose occupation or practice is confined solely to hair braiding
1534 as defined in s. 477.013(9).

1535 (8) A license or registration is not required for a person
1536 whose occupation or practice is confined solely to hair wrapping
1537 as defined in s. 477.013(10).

1538 (9) A license or registration is not required for a person
1539 whose occupation or practice is confined solely to body wrapping
1540 as defined in s. 477.013(12).

1541 (10) A license or registration is not required for a
1542 person whose occupation or practice is confined solely to
1543 applying polish to fingernails and toenails.

1544 (11) A license or registration is not required for a
1545 person whose occupation or practice is confined solely to makeup
1546 application.

1547 Section 69. Subsections (6) and (7) of section 477.019,
1548 Florida Statutes, are amended to read:

1549 477.019 Cosmetologists; qualifications; licensure;

1550 supervised practice; license renewal; endorsement; continuing
 1551 education.—

1552 (6) The board shall certify as qualified for licensure by
 1553 endorsement as a cosmetologist in this state an applicant who
 1554 holds a current active license to practice cosmetology in
 1555 another state. ~~The board may not require proof of educational~~
 1556 ~~hours if the license was issued in a state that requires 1,200~~
 1557 ~~or more hours of prelicensure education and passage of a written~~
 1558 ~~examination. This subsection does not apply to applicants who~~
 1559 ~~received their license in another state through an~~
 1560 ~~apprenticeship program.~~

1561 (7) (a) The board shall prescribe by rule continuing
 1562 education requirements intended to ensure protection of the
 1563 public through updated training of licensees and registered
 1564 specialists, not to exceed 10 ~~16~~ hours biennially, as a
 1565 condition for renewal of a license or registration as a
 1566 specialist under this chapter. Continuing education courses
 1567 shall include, but not be limited to, the following subjects as
 1568 they relate to the practice of cosmetology: human
 1569 immunodeficiency virus and acquired immune deficiency syndrome;
 1570 Occupational Safety and Health Administration regulations;
 1571 workers' compensation issues; state and federal laws and rules
 1572 as they pertain to cosmetologists, cosmetology, salons,
 1573 specialists, specialty salons, and booth renters; chemical
 1574 makeup as it pertains to hair, skin, and nails; and

1575 environmental issues. Courses given at cosmetology conferences
 1576 may be counted toward the number of continuing education hours
 1577 required if approved by the board.

1578 ~~(b) Any person whose occupation or practice is confined~~
 1579 ~~solely to hair braiding, hair wrapping, or body wrapping is~~
 1580 ~~exempt from the continuing education requirements of this~~
 1581 ~~subsection.~~

1582 (b)(e) The board may, by rule, require any licensee in
 1583 violation of a continuing education requirement to take a
 1584 refresher course or refresher course and examination in addition
 1585 to any other penalty. The number of hours for the refresher
 1586 course may not exceed 48 hours.

1587 Section 70. Subsection (1) of section 477.0201, Florida
 1588 Statutes, is amended to read:

1589 477.0201 Specialty registration; qualifications;
 1590 registration renewal; endorsement.—

1591 (1) Any person is qualified for registration as a
 1592 specialist in any ~~one or more of the~~ specialty practice
 1593 ~~practices~~ within the practice of cosmetology under this chapter
 1594 who:

1595 (a) Is at least 16 years of age or has received a high
 1596 school diploma.

1597 (b) Has received a certificate of completion for: ~~in a~~

1598 1. 150 hours of training, as established by the board,
 1599 which shall focus primarily on sanitation and safety, to

1600 practice specialties as defined in s. 477.013(6) (a) and (b);
 1601 ~~specialty pursuant to s. 477.013(6)~~

1602 2. 165 hours of training, as established by the board,
 1603 which shall focus primarily on sanitation and safety, to
 1604 practice the specialty as defined in s. 477.013(6) (c); or

1605 3. 300 hours of training, as established by the board,
 1606 which shall focus primarily on sanitation and safety, to
 1607 practice the specialties as defined in s. 477.013(6) (a)-(c).

1608 (c) The certificate of completion specified in paragraph
 1609 (b) must be from one of the following:

- 1610 1. A school licensed pursuant to s. 477.023.
- 1611 2. A school licensed pursuant to chapter 1005 or the
 1612 equivalent licensing authority of another state.
- 1613 3. A specialty program within the public school system.
- 1614 4. A specialty division within the Cosmetology Division of
 1615 the Florida School for the Deaf and the Blind, provided the
 1616 training programs comply with minimum curriculum requirements
 1617 established by the board.

1618 Section 71. Paragraph (f) of subsection (1) of section
 1619 477.026, Florida Statutes, is amended to read:

1620 477.026 Fees; disposition.—

1621 (1) The board shall set fees according to the following
 1622 schedule:

1623 ~~(f) For hair braiders, hair wrappers, and body wrappers,~~
 1624 ~~fees for registration shall not exceed \$25.~~

1625 Section 72. Subsection (4) of section 477.0263, Florida
 1626 Statutes, is amended, and subsection (5) is added to that
 1627 section, to read:

1628 477.0263 Cosmetology services to be performed in licensed
 1629 salon; exceptions.—

1630 (4) Pursuant to rules adopted by the board, any
 1631 cosmetology or specialty service may be performed in a location
 1632 other than a licensed salon when the service is performed in
 1633 connection with a special event and is performed by a person ~~who~~
 1634 ~~is employed by a licensed salon and~~ who holds the proper license
 1635 or specialty registration. ~~An appointment for the performance of~~
 1636 ~~any such service in a location other than a licensed salon must~~
 1637 ~~be made through a licensed salon.~~

1638 (5) Hair shampooing, hair cutting, and hair arranging may
 1639 be performed in a location other than a licensed salon when the
 1640 service is performed by a person who holds the proper license.

1641 Section 73. Paragraph (f) of subsection (1) of section
 1642 477.0265, Florida Statutes, is amended to read:

1643 477.0265 Prohibited acts.—

1644 (1) It is unlawful for any person to:

1645 (f) Advertise or imply that skin care services ~~or body~~
 1646 ~~wrapping~~, as performed under this chapter, have any relationship
 1647 to the practice of massage therapy as defined in s. 480.033(3),
 1648 except those practices or activities defined in s. 477.013.

1649 Section 74. Paragraph (a) of subsection (1) of section

1650 477.029, Florida Statutes, is amended to read:

1651 477.029 Penalty.—

1652 (1) It is unlawful for any person to:

1653 (a) Hold himself or herself out as a cosmetologist or
 1654 specialist, ~~hair wrapper, hair braider, or body wrapper~~ unless
 1655 duly licensed or registered, or otherwise authorized, as
 1656 provided in this chapter.

1657 Section 75. Section 481.201, Florida Statutes, is amended
 1658 to read:

1659 481.201 Purpose.—The primary legislative purpose for
 1660 enacting this part is to ensure that every architect practicing
 1661 in this state meets minimum requirements for safe practice. It
 1662 is the legislative intent that architects who fall below minimum
 1663 competency or who otherwise present a danger to the public shall
 1664 be prohibited from practicing in this state. ~~The Legislature~~
 1665 ~~further finds that it is in the interest of the public to limit~~
 1666 ~~the practice of interior design to interior designers or~~
 1667 ~~architects who have the design education and training required~~
 1668 ~~by this part or to persons who are exempted from the provisions~~
 1669 ~~of this part.~~

1670 Section 76. Section 481.203, Florida Statutes, is amended
 1671 to read:

1672 481.203 Definitions.—As used in this part, the term:

1673 (1)~~(3)~~ "Architect" or "registered architect" means a
1674 natural person who is licensed under this part to engage in the
1675 practice of architecture.

1676 (2)~~(6)~~ "Architecture" means the rendering or offering to
1677 render services in connection with the design and construction
1678 of a structure or group of structures which have as their
1679 principal purpose human habitation or use, and the utilization
1680 of space within and surrounding such structures. These services
1681 include planning, providing preliminary study designs, drawings
1682 and specifications, job-site inspection, and administration of
1683 construction contracts.

1684 (3)~~(1)~~ "Board" means the Board of Architecture ~~and~~
1685 ~~Interior Design.~~

1686 (4)~~(5)~~ "Business organization" means a partnership, a
1687 limited liability company, a corporation, or an individual
1688 operating under a fictitious name ~~"Certificate of authorization"~~
1689 ~~means a certificate issued by the department to a corporation or~~
1690 ~~partnership to practice architecture or interior design.~~

1691 (5)~~(4)~~ "Certificate of registration" means a license
1692 issued by the department to a natural person to engage in the
1693 practice of architecture or interior design.

1694 (6)~~(13)~~ "Common area" means an area that is held out for
1695 use by all tenants or owners in a multiple-unit dwelling,
1696 including, but not limited to, a lobby, elevator, hallway,
1697 laundry room, clubhouse, or swimming pool.

1698 (7)~~(2)~~ "Department" means the Department of Business and
 1699 Professional Regulation.

1700 (8)~~(14)~~ "Diversified interior design experience" means
 1701 experience which substantially encompasses the various elements
 1702 of interior design services set forth under the definition of
 1703 "interior design" in subsection (10)~~(8)~~.

1704 (9)~~(15)~~ "Interior decorator services" includes the
 1705 selection or assistance in selection of surface materials,
 1706 window treatments, wallcoverings, paint, floor coverings,
 1707 surface-mounted lighting, surface-mounted fixtures, and loose
 1708 furnishings not subject to regulation under applicable building
 1709 codes.

1710 (10)~~(8)~~ "Interior design" means designs, consultations,
 1711 studies, drawings, specifications, and administration of design
 1712 construction contracts relating to nonstructural interior
 1713 elements of a building or structure. "Interior design" includes,
 1714 but is not limited to, reflected ceiling plans, space planning,
 1715 furnishings, and the fabrication of nonstructural elements
 1716 within and surrounding interior spaces of buildings. "Interior
 1717 design" specifically excludes the design of or the
 1718 responsibility for architectural and engineering work, except
 1719 for specification of fixtures and their location within interior
 1720 spaces. As used in this subsection, "architectural and
 1721 engineering interior construction relating to the building
 1722 systems" includes, but is not limited to, construction of

1723 structural, mechanical, plumbing, heating, air-conditioning,
1724 ventilating, electrical, or vertical transportation systems, or
1725 construction which materially affects lifesafety systems
1726 pertaining to firesafety protection such as fire-rated
1727 separations between interior spaces, fire-rated vertical shafts
1728 in multistory structures, fire-rated protection of structural
1729 elements, smoke evacuation and compartmentalization, emergency
1730 ingress or egress systems, and emergency alarm systems.

1731 ~~(9) "Registered interior designer" or "interior designer"~~
1732 ~~means a natural person who is licensed under this part.~~

1733 (11)~~(10)~~ "Nonstructural element" means an element which
1734 does not require structural bracing and which is something other
1735 than a load-bearing wall, load-bearing column, or other load-
1736 bearing element of a building or structure which is essential to
1737 the structural integrity of the building.

1738 (12)~~(11)~~ "Reflected ceiling plan" means a ceiling design
1739 plan which is laid out as if it were projected downward and
1740 which may include lighting and other elements.

1741 (13)~~(16)~~ "Responsible supervising control" means the
1742 exercise of direct personal supervision and control throughout
1743 the preparation of documents, instruments of service, or any
1744 other work requiring the seal and signature of a licensee under
1745 this part.

1746 (14)~~(12)~~ "Space planning" means the analysis, programming,
1747 or design of spatial requirements, including preliminary space
1748 layouts and final planning.

1749 (15)~~(7)~~ "Townhouse" is a single-family dwelling unit not
1750 exceeding three stories in height which is constructed in a
1751 series or group of attached units with property lines separating
1752 such units. Each townhouse shall be considered a separate
1753 building and shall be separated from adjoining townhouses by the
1754 use of separate exterior walls meeting the requirements for zero
1755 clearance from property lines as required by the type of
1756 construction and fire protection requirements; or shall be
1757 separated by a party wall; or may be separated by a single wall
1758 meeting the following requirements:

1759 (a) Such wall shall provide not less than 2 hours of fire
1760 resistance. Plumbing, piping, ducts, or electrical or other
1761 building services shall not be installed within or through the
1762 2-hour wall unless such materials and methods of penetration
1763 have been tested in accordance with the Standard Building Code.

1764 (b) Such wall shall extend from the foundation to the
1765 underside of the roof sheathing, and the underside of the roof
1766 shall have at least 1 hour of fire resistance for a width not
1767 less than 4 feet on each side of the wall.

1768 (c) Each dwelling unit sharing such wall shall be designed
1769 and constructed to maintain its structural integrity independent
1770 of the unit on the opposite side of the wall.

1771 Section 77. Subsection (1) and paragraph (a) of subsection
 1772 (3) of section 481.205, Florida Statutes, are amended to read:

1773 481.205 Board of Architecture ~~and Interior Design~~.—

1774 (1) The Board of Architecture ~~and Interior Design~~ is
 1775 created within the Department of Business and Professional
 1776 Regulation. The board shall consist of seven ~~11~~ members. Five
 1777 members must be registered architects who have been engaged in
 1778 the practice of architecture for at least 5 years; ~~three members~~
 1779 ~~must be registered interior designers who have been offering~~
 1780 ~~interior design services for at least 5 years and who are not~~
 1781 ~~also registered architects;~~ and two ~~three~~ members must be
 1782 laypersons who are not, and have never been, architects,
 1783 ~~interior designers,~~ or members of any closely related profession
 1784 or occupation. At least one member of the board must be 60 years
 1785 of age or older.

1786 (3) (a) Notwithstanding the provisions of ss. 455.225,
 1787 455.228, and 455.32, the duties and authority of the department
 1788 to receive complaints and investigate and discipline persons
 1789 licensed under this part, including the ability to determine
 1790 legal sufficiency and probable cause; to initiate proceedings
 1791 and issue final orders for summary suspension or restriction of
 1792 a license pursuant to s. 120.60(6); to issue notices of
 1793 noncompliance, notices to cease and desist, subpoenas, and
 1794 citations; to retain legal counsel, investigators, or
 1795 prosecutorial staff in connection with the licensed practice of

1796 architecture ~~and interior design~~; and to investigate and deter
1797 the unlicensed practice of architecture ~~and interior design~~ as
1798 provided in s. 455.228 are delegated to the board. All
1799 complaints and any information obtained pursuant to an
1800 investigation authorized by the board are confidential and
1801 exempt from s. 119.07(1) as provided in s. 455.225(2) and (10).

1802 Section 78. Section 481.207, Florida Statutes, is amended
1803 to read:

1804 481.207 Fees.—The board, by rule, may establish separate
1805 fees for architects ~~and interior designers~~, to be paid for
1806 applications, examination, reexamination, licensing and renewal,
1807 delinquency, reinstatement, and recordmaking and recordkeeping.
1808 The examination fee shall be in an amount that covers the cost
1809 of obtaining and administering the examination and shall be
1810 refunded if the applicant is found ineligible to sit for the
1811 examination. The application fee is nonrefundable. The fee for
1812 initial application and examination for architects ~~and interior~~
1813 ~~designers~~ may not exceed \$775 plus the actual per applicant cost
1814 to the department for purchase of the examination from the
1815 National Council of Architectural Registration Boards ~~or the~~
1816 ~~National Council of Interior Design Qualifications,~~
1817 ~~respectively,~~ or similar national organizations. The biennial
1818 renewal fee for architects may not exceed \$200. ~~The biennial~~
1819 ~~renewal fee for interior designers may not exceed \$500.~~ The
1820 delinquency fee may not exceed the biennial renewal fee

1821 established by the board for an active license. The board shall
 1822 establish fees that are adequate to ensure the continued
 1823 operation of the board and to fund the proportionate expenses
 1824 incurred by the department which are allocated to the regulation
 1825 of architects ~~and interior designers~~. Fees shall be based on
 1826 department estimates of the revenue required to implement this
 1827 part and the provisions of law with respect to the regulation of
 1828 architects ~~and interior designers~~.

1829 Section 79. Section 481.209, Florida Statutes, is amended
 1830 to read:

1831 481.209 Examinations.—

1832 ~~(1)~~ A person desiring to be licensed as a registered
 1833 architect by initial examination shall apply to the department,
 1834 complete the application form, and remit a nonrefundable
 1835 application fee. The department shall license any applicant who
 1836 the board certifies:

1837 ~~(a)~~ has passed the licensure examination prescribed by
 1838 board rule; and

1839 ~~(b)~~ is a graduate of a school or college of architecture
 1840 with a program accredited by the National Architectural
 1841 Accreditation Board.

1842 ~~(2)~~ A person desiring to be licensed as a registered
 1843 interior designer shall apply to the department for licensure.
 1844 The department shall administer the licensure examination for
 1845 interior designers to each applicant who has completed the

1846 ~~application form and remitted the application and examination~~
1847 ~~fees specified in s. 481.207 and who the board certifies:~~

1848 ~~(a) Is a graduate from an interior design program of 5~~
1849 ~~years or more and has completed 1 year of diversified interior~~
1850 ~~design experience;~~

1851 ~~(b) Is a graduate from an interior design program of 4~~
1852 ~~years or more and has completed 2 years of diversified interior~~
1853 ~~design experience;~~

1854 ~~(c) Has completed at least 3 years in an interior design~~
1855 ~~curriculum and has completed 3 years of diversified interior~~
1856 ~~design experience; or~~

1857 ~~(d) Is a graduate from an interior design program of at~~
1858 ~~least 2 years and has completed 4 years of diversified interior~~
1859 ~~design experience.~~

1860 ~~Subsequent to October 1, 2000, for the purpose of having the~~
1861 ~~educational qualification required under this subsection~~
1862 ~~accepted by the board, the applicant must complete his or her~~
1863 ~~education at a program, school, or college of interior design~~
1864 ~~whose curriculum has been approved by the board as of the time~~
1865 ~~of completion. Subsequent to October 1, 2003, all of the~~
1866 ~~required amount of educational credits shall have been obtained~~
1867 ~~in a program, school, or college of interior design whose~~
1868 ~~curriculum has been approved by the board, as of the time each~~
1869 ~~educational credit is gained. The board shall adopt rules~~
1870 ~~providing for the review and approval of programs, schools, and~~

1871 ~~colleges of interior design and courses of interior design study~~
1872 ~~based on a review and inspection by the board of the curriculum~~
1873 ~~of programs, schools, and colleges of interior design in the~~
1874 ~~United States, including those programs, schools, and colleges~~
1875 ~~accredited by the Foundation for Interior Design Education~~
1876 ~~Research. The board shall adopt rules providing for the review~~
1877 ~~and approval of diversified interior design experience required~~
1878 ~~by this subsection.~~

1879 Section 80. Subsections (1) through (4) of section
1880 481.213, Florida Statutes, are amended to read:

1881 481.213 Licensure.—

1882 (1) The department shall license any applicant who the
1883 board certifies is qualified for licensure and who has paid the
1884 initial licensure fee. ~~Licensure as an architect under this~~
1885 ~~section shall be deemed to include all the rights and privileges~~
1886 ~~of licensure as an interior designer under this section.~~

1887 (2) The board shall certify for licensure by examination
1888 any applicant who passes the prescribed licensure examination
1889 and satisfies the requirements of ss. 481.209 and 481.211, ~~for~~
1890 ~~architects, or the requirements of s. 481.209, for interior~~
1891 ~~designers.~~

1892 (3) The board shall certify as qualified for a license by
1893 endorsement as an architect ~~or as an interior designer~~ an
1894 applicant who:

1895 (a) Qualifies to take the prescribed licensure

1896 examination, and has passed the prescribed licensure examination
 1897 or a substantially equivalent examination in another
 1898 jurisdiction, as set forth in s. 481.209 for architects ~~or~~
 1899 ~~interior designers, as applicable,~~ and has satisfied the
 1900 internship requirements set forth in s. 481.211 for architects;

1901 (b) Holds a valid license to practice architecture ~~or~~
 1902 ~~interior design~~ issued by another jurisdiction of the United
 1903 States, if the criteria for issuance of such license were
 1904 substantially equivalent to the licensure criteria that existed
 1905 in this state at the time the license was issued; ~~provided,~~
 1906 ~~however, that an applicant who has been licensed for use of the~~
 1907 ~~title "interior design" rather than licensed to practice~~
 1908 ~~interior design shall not qualify hereunder;~~ or

1909 (c) Has passed the prescribed licensure examination and
 1910 holds a valid certificate issued by the National Council of
 1911 Architectural Registration Boards, and holds a valid license to
 1912 practice architecture issued by another state or jurisdiction of
 1913 the United States.

1914 (4) The board may refuse to certify any applicant who has
 1915 violated any of the provisions of s. 481.223, or s. 481.225, ~~or~~
 1916 ~~s. 481.2251,~~ as applicable.

1917 Section 81. Section 481.2131, Florida Statutes, is amended
 1918 to read:

1919 481.2131 Interior design; practice requirements;
 1920 ~~disclosure of compensation for professional services.-~~

1921 (1) ~~A registered interior designer is authorized to~~
1922 ~~perform "interior design" as defined in s. 481.203. Interior~~
1923 ~~design documents prepared by a registered interior designer~~
1924 ~~shall contain a statement that the document is not an~~
1925 ~~architectural or engineering study, drawing, specification, or~~
1926 ~~design and is not to be used for construction of any load-~~
1927 ~~bearing columns, load-bearing framing or walls of structures, or~~
1928 ~~issuance of any building permit, except as otherwise provided by~~
1929 ~~law. Interior design documents that are prepared and sealed by~~
1930 an a registered interior designer ~~must~~ ~~may~~, if required by a
1931 permitting body, ~~be accepted by the permitting body~~ ~~be submitted~~
1932 for the issuance of a building permit for interior construction
1933 excluding design of any structural, mechanical, plumbing,
1934 heating, air-conditioning, ventilating, electrical, or vertical
1935 transportation systems or that materially affect lifesafety
1936 systems pertaining to firesafety protection such as fire-rated
1937 separations between interior spaces, fire-rated vertical shafts
1938 in multistory structures, fire-rated protection of structural
1939 elements, smoke evacuation and compartmentalization, emergency
1940 ingress or egress systems, and emergency alarm systems. Interior
1941 design documents submitted for the issuance of a building permit
1942 by an individual performing interior design services who is not
1943 a licensed architect must include written proof that such
1944 individual has successfully passed the qualification examination
1945 prescribed by either the National Council for Interior Design

1946 Qualifications or the California Council for Interior Design
1947 Certification. All drawings, plans, specifications, or reports
1948 prepared or issued by the interior designer and filed for public
1949 record shall bear the signature of the interior designer who
1950 prepared or approved the document and the date on which they
1951 were signed. The signature and date shall be evidence of the
1952 authenticity of that to which they are affixed. Final plans,
1953 specifications, or reports prepared or issued by an interior
1954 designer may be transmitted electronically and may be
1955 electronically signed by the interior designer.

1956 (2) A license or registration is not required for a person
1957 whose occupation or practice is confined to interior design or
1958 interior decorator services ~~An interior designer shall, before~~
1959 ~~entering into a contract, verbal or written, clearly determine~~
1960 ~~the scope and nature of the project and the method or methods of~~
1961 ~~compensation. The interior designer may offer professional~~
1962 ~~services to the client as a consultant, specifier, or supplier~~
1963 ~~on the basis of a fee, percentage, or markup. The interior~~
1964 ~~designer shall have the responsibility of fully disclosing to~~
1965 ~~the client the manner in which all compensation is to be paid.~~
1966 ~~Unless the client knows and agrees, the interior designer shall~~
1967 ~~not accept any form of compensation from a supplier of goods and~~
1968 ~~services in cash or in kind.~~

1969 Section 82. Subsections (3) and (5) of section 481.215,
1970 Florida Statutes, are amended to read:

1971 481.215 Renewal of license.—

1972 (3) A ~~No~~ license renewal may not ~~shall~~ be issued to an
 1973 architect ~~or an interior designer~~ by the department until the
 1974 licensee submits proof satisfactory to the department that,
 1975 during the 2 years before ~~prior to~~ application for renewal, the
 1976 licensee participated per biennium in not less than 20 hours of
 1977 at least 50 minutes each per biennium of continuing education
 1978 approved by the board. The board shall approve only continuing
 1979 education that builds upon the basic knowledge of architecture
 1980 ~~or interior design~~. The board may make exception from the
 1981 requirements of continuing education in emergency or hardship
 1982 cases.

1983 ~~(5) The board shall require, by rule adopted pursuant to~~
 1984 ~~ss. 120.536(1) and 120.54, a specified number of hours in~~
 1985 ~~specialized or advanced courses, approved by the Florida~~
 1986 ~~Building Commission, on any portion of the Florida Building~~
 1987 ~~Code, adopted pursuant to part IV of chapter 553, relating to~~
 1988 ~~the licensee's respective area of practice.~~

1989 Section 83. Subsection (1) of section 481.217, Florida
 1990 Statutes, is amended to read:

1991 481.217 Inactive status.—

1992 (1) The board may prescribe by rule continuing education
 1993 requirements as a condition of reactivating a license. The rules
 1994 may not require more than one renewal cycle of continuing
 1995 education to reactivate a license for a registered architect ~~or~~

1996 ~~interior designer. For interior design, the board may approve~~
 1997 ~~only continuing education that builds upon the basic knowledge~~
 1998 ~~of interior design.~~

1999 Section 84. Section 481.219, Florida Statutes, is amended
 2000 to read:

2001 481.219 Qualification of business organizations
 2002 ~~certification of partnerships, limited liability companies, and~~
 2003 ~~corporations.-~~

2004 (1) A licensee may ~~The practice of or the offer to~~
 2005 ~~practice architecture or interior design by licensees through a~~
 2006 qualified business organization that offers ~~corporation, limited~~
 2007 ~~liability company, or partnership offering architectural or~~
 2008 ~~interior design services to the public, or by a corporation,~~
 2009 ~~limited liability company, or partnership offering architectural~~
 2010 ~~or interior design services to the public through licensees~~
 2011 ~~under this part as agents, employees, officers, or partners, is~~
 2012 ~~permitted, subject to the provisions of this section.~~

2013 (2) If a licensee or an applicant proposes to engage in
 2014 the practice of architecture as a business organization, the
 2015 licensee or applicant shall qualify the business organization
 2016 upon approval of the board ~~For the purposes of this section, a~~
 2017 ~~certificate of authorization shall be required for a~~
 2018 ~~corporation, limited liability company, partnership, or person~~
 2019 ~~practicing under a fictitious name, offering architectural~~
 2020 ~~services to the public jointly or separately. However, when an~~

2021 ~~individual is practicing architecture in her or his own name,~~
2022 ~~she or he shall not be required to be certified under this~~
2023 ~~section. Certification under this subsection to offer~~
2024 ~~architectural services shall include all the rights and~~
2025 ~~privileges of certification under subsection (3) to offer~~
2026 ~~interior design services.~~

2027 (3) (a) A business organization may not engage in the
2028 practice of architecture unless its qualifying agent is a
2029 registered architect under this part. A qualifying agent who
2030 terminates an affiliation with a qualified business organization
2031 shall immediately notify the department of such termination. If
2032 such qualifying agent is the only qualifying agent for that
2033 business organization, the business organization must be
2034 qualified by another qualifying agent within 60 days after the
2035 termination. Except as provided in paragraph (b), the business
2036 organization may not engage in the practice of architecture
2037 until it is qualified by another qualifying agent.

2038 (b) In the event a qualifying agent ceases employment with
2039 a qualified business organization, the executive director or the
2040 chair of the board may authorize another registered architect
2041 employed by the business organization to temporarily serve as
2042 its qualifying agent for a period of no more than 60 days. The
2043 business organization is not authorized to operate beyond such
2044 period under this chapter absent replacement of the qualifying
2045 agent who has ceased employment.

2046 (c) A qualifying agent shall notify the department in
2047 writing before engaging in the practice of architecture in her
2048 or his own name or in affiliation with a different business
2049 organization, and she or he or such business organization shall
2050 supply the same information to the department as required of
2051 applicants under this part.

2052 ~~(3) For the purposes of this section, a certificate of~~
2053 ~~authorization shall be required for a corporation, limited~~
2054 ~~liability company, partnership, or person operating under a~~
2055 ~~fictitious name, offering interior design services to the public~~
2056 ~~jointly or separately. However, when an individual is practicing~~
2057 ~~interior design in her or his own name, she or he shall not be~~
2058 ~~required to be certified under this section.~~

2059 (4) All final construction documents and instruments of
2060 service which include drawings, specifications, plans, reports,
2061 or other papers or documents that involve ~~involving~~ the practice
2062 of architecture which are prepared or approved for the use of
2063 the business organization ~~corporation, limited liability~~
2064 ~~company, or partnership~~ and filed for public record within the
2065 state must ~~shall~~ bear the signature and seal of the licensee who
2066 prepared or approved them and the date on which they were
2067 sealed.

2068 ~~(5) All drawings, specifications, plans, reports, or other~~
2069 ~~papers or documents prepared or approved for the use of the~~
2070 ~~corporation, limited liability company, or partnership by an~~

2071 ~~interior designer in her or his professional capacity and filed~~
 2072 ~~for public record within the state shall bear the signature and~~
 2073 ~~seal of the licensee who prepared or approved them and the date~~
 2074 ~~on which they were sealed.~~

2075 ~~(6) The department shall issue a certificate of~~
 2076 ~~authorization to any applicant who the board certifies as~~
 2077 ~~qualified for a certificate of authorization and who has paid~~
 2078 ~~the fee set in s. 481.207.~~

2079 ~~(5)-(7)~~ The board shall allow a licensee or certify an
 2080 applicant to qualify one or more business organizations as
 2081 qualified for a certificate of authorization to offer
 2082 architectural or interior design services, or to use a
 2083 fictitious name to offer such services, if provided that:

2084 ~~(a)~~ one or more of the principal officers of the
 2085 corporation or limited liability company, or one or more
 2086 partners of the partnership, and all personnel of the
 2087 corporation, limited liability company, or partnership who act
 2088 in its behalf in this state as architects, are registered as
 2089 provided by this part. ~~;~~ ~~or~~

2090 ~~(b) One or more of the principal officers of the~~
 2091 ~~corporation or one or more partners of the partnership, and all~~
 2092 ~~personnel of the corporation, limited liability company, or~~
 2093 ~~partnership who act in its behalf in this state as interior~~
 2094 ~~designers, are registered as provided by this part.~~

2095 ~~(8) The department shall adopt rules establishing a~~

2096 ~~procedure for the biennial renewal of certificates of~~
2097 ~~authorization.~~

2098 ~~(9) The department shall renew a certificate of~~
2099 ~~authorization upon receipt of the renewal application and~~
2100 ~~biennial renewal fee.~~

2101 (6) (10) Each qualifying agent who qualifies a business
2102 organization partnership, limited liability company, and
2103 corporation certified under this section shall notify the
2104 department within 30 days after ~~of~~ any change in the information
2105 contained in the application upon which the qualification
2106 ~~certification~~ is based. Any registered architect ~~or interior~~
2107 ~~designer~~ who qualifies the business organization shall ensure
2108 ~~corporation, limited liability company, or partnership as~~
2109 ~~provided in subsection (7) shall be responsible for ensuring~~
2110 ~~responsible supervising control of projects of the~~ business
2111 organization entity and shall notify the department of the ~~upon~~
2112 ~~termination of her or his employment with a~~ business
2113 organization qualified partnership, limited liability company,
2114 ~~or corporation certified~~ under this section shall notify the
2115 department ~~of the termination~~ within 30 days after such
2116 termination.

2117 (7) (11) A business organization is not ~~No corporation,~~
2118 ~~limited liability company, or partnership shall be relieved of~~
2119 ~~responsibility for the conduct or acts of its agents, employees,~~
2120 ~~or officers by reason of its compliance with this section.~~

2121 However, except as provided in s. 558.0035, the architect who
 2122 signs and seals the construction documents and instruments of
 2123 service is ~~shall be~~ liable for the professional services
 2124 performed, ~~and the interior designer who signs and seals the~~
 2125 ~~interior design drawings, plans, or specifications shall be~~
 2126 ~~liable for the professional services performed.~~

2127 ~~(12) Disciplinary action against a corporation, limited~~
 2128 ~~liability company, or partnership shall be administered in the~~
 2129 ~~same manner and on the same grounds as disciplinary action~~
 2130 ~~against a registered architect or interior designer,~~
 2131 ~~respectively.~~

2132 (8) ~~(13)~~ Nothing in This section may not ~~shall~~ be construed
 2133 to mean that a certificate of registration to practice
 2134 architecture ~~or interior design~~ must ~~shall~~ be held by a business
 2135 organization ~~corporation, limited liability company, or~~
 2136 ~~partnership~~. Nothing in This section does not prohibit a
 2137 business organization from offering ~~prohibits corporations,~~
 2138 ~~limited liability companies, and partnerships from joining~~
 2139 ~~together to offer architectural~~ or, ~~interior~~
 2140 ~~design, surveying and mapping, and landscape architectural~~
 2141 ~~services, or any combination of such services, to the public~~ if
 2142 the business organization, ~~provided that each corporation,~~
 2143 ~~limited liability company, or partnership~~ otherwise meets the
 2144 requirements of law.

2145 ~~(14) Corporations, limited liability companies, or~~
2146 ~~partnerships holding a valid certificate of authorization to~~
2147 ~~practice architecture shall be permitted to use in their title~~
2148 ~~the term "interior designer" or "registered interior designer."~~

2149 Section 85. Subsections (4), (6), (8), (10), (11), and
2150 (12) of section 481.221, Florida Statutes, are renumbered as
2151 subsections (3), (4), (5), (6), (7), and (8), respectively, and
2152 present subsections (3), (5), (7), (9), (10), (11), and (12) of
2153 that section are amended to read:

2154 481.221 Seals; display of certificate number; permitting
2155 requirements.-

2156 ~~(3) The board shall adopt a rule prescribing the~~
2157 ~~distinctly different seals to be used by registered interior~~
2158 ~~designers holding valid certificates of registration. Each~~
2159 ~~registered interior designer shall obtain a seal as prescribed~~
2160 ~~by the board, and all drawings, plans, specifications, or~~
2161 ~~reports prepared or issued by the registered interior designer~~
2162 ~~and being filed for public record shall bear the signature and~~
2163 ~~seal of the registered interior designer who prepared or~~
2164 ~~approved the document and the date on which they were sealed.~~
2165 ~~The signature, date, and seal shall be evidence of the~~
2166 ~~authenticity of that to which they are affixed. Final plans,~~
2167 ~~specifications, or reports prepared or issued by a registered~~
2168 ~~interior designer may be transmitted electronically and may be~~
2169 ~~signed by the registered interior designer, dated, and sealed~~

2170 ~~electronically with the seal in accordance with ss. 668.001-~~
2171 ~~668.006.~~

2172 ~~(5) No registered interior designer shall affix, or permit~~
2173 ~~to be affixed, her or his seal or signature to any plan,~~
2174 ~~specification, drawing, or other document which depicts work~~
2175 ~~which she or he is not competent or licensed to perform.~~

2176 ~~(7) No registered interior designer shall affix her or his~~
2177 ~~signature or seal to any plans, specifications, or other~~
2178 ~~documents which were not prepared by her or him or under her or~~
2179 ~~his responsible supervising control or by another registered~~
2180 ~~interior designer and reviewed, approved, or modified and~~
2181 ~~adopted by her or him as her or his own work according to rules~~
2182 ~~adopted by the board.~~

2183 ~~(9) Studies, drawings, specifications, and other related~~
2184 ~~documents prepared by a registered interior designer in~~
2185 ~~providing interior design services shall be of a sufficiently~~
2186 ~~high standard to clearly and accurately indicate all essential~~
2187 ~~parts of the work to which they refer.~~

2188 ~~(6)~~ ~~(10)~~ Each registered architect must ~~or interior~~
2189 ~~designer, and each corporation, limited liability company, or~~
2190 ~~partnership holding a certificate of authorization, shall~~
2191 ~~include her or his license its certificate number in any~~
2192 ~~newspaper, telephone directory, or other advertising medium used~~
2193 ~~by the registered licensee architect, interior designer,~~
2194 ~~corporation, limited liability company, or partnership. Each~~

2195 business organization must include the license number of the
2196 registered architect who serves as the qualifying agent for that
2197 business organization in any newspaper, telephone directory, or
2198 other advertising medium used by the business organization. A
2199 business organization is not required to display the license
2200 numbers of other registered architects employed by the business
2201 organization ~~A corporation, limited liability company, or~~
2202 ~~partnership is not required to display the certificate number of~~
2203 ~~individual registered architects or interior designers employed~~
2204 ~~by or working within the corporation, limited liability company,~~
2205 ~~or partnership.~~

2206 (7) ~~(11)~~ When the certificate of registration of a
2207 registered architect ~~or interior designer~~ has been revoked or
2208 suspended by the board, the registered architect ~~or interior~~
2209 ~~designer~~ shall surrender her or his seal to the secretary of the
2210 board within a period of 30 days after the revocation or
2211 suspension has become effective. If the certificate of the
2212 registered architect ~~or interior designer~~ has been suspended for
2213 a period of time, her or his seal shall be returned to her or
2214 him upon expiration of the suspension period.

2215 (8) ~~(12)~~ A person may not sign and seal by any means any
2216 final plan, specification, or report after her or his
2217 certificate of registration has expired or is suspended or
2218 revoked. A registered architect ~~or interior designer~~ whose
2219 certificate of registration is suspended or revoked shall,

2220 within 30 days after the effective date of the suspension or
 2221 revocation, surrender her or his seal to the executive director
 2222 of the board and confirm in writing to the executive director
 2223 the cancellation of the registered architect's ~~or interior~~
 2224 ~~designer's~~ electronic signature in accordance with ss. 668.001-
 2225 668.006. When a registered architect's ~~or interior designer's~~
 2226 certificate of registration is suspended for a period of time,
 2227 her or his seal shall be returned upon expiration of the period
 2228 of suspension.

2229 Section 86. Section 481.222, Florida Statutes, is amended
 2230 to read:

2231 481.222 Architects performing building code inspection
 2232 services.—Notwithstanding any other provision of law, a person
 2233 who is currently licensed to practice as an architect under this
 2234 part may provide building code inspection services described in
 2235 s. 468.603(5) and (8) to a local government or state agency upon
 2236 its request, without being certified by the Florida Building
 2237 Code Administrators and Inspectors Board under part XII of
 2238 chapter 468. With respect to the performance of such building
 2239 code inspection services, the architect is subject to the
 2240 disciplinary guidelines of this part and s. 468.621(1)(c)-(h).
 2241 Any complaint processing, investigation, and discipline that
 2242 arise out of an architect's performance of building code
 2243 inspection services shall be conducted by the Board of
 2244 Architecture ~~and Interior Design~~ rather than the Florida

2245 Building Code Administrators and Inspectors Board. An architect
 2246 may not perform plans review as an employee of a local
 2247 government upon any job that the architect or the architect's
 2248 company designed.

2249 Section 87. Section 481.223, Florida Statutes, is amended
 2250 to read:

2251 481.223 Prohibitions; penalties; injunctive relief.—

2252 (1) A person may not knowingly:

2253 (a) Practice architecture unless the person is an
 2254 architect or a registered architect; however, a licensed
 2255 architect who has been licensed by the board and who chooses to
 2256 relinquish or not to renew his or her license may use the title
 2257 "Architect, Retired" but may not otherwise render any
 2258 architectural services.

2259 ~~(b) Practice interior design unless the person is a~~
 2260 ~~registered interior designer unless otherwise exempted herein;~~
 2261 ~~however, an interior designer who has been licensed by the board~~
 2262 ~~and who chooses to relinquish or not to renew his or her license~~
 2263 ~~may use the title "Interior Designer, Retired" but may not~~
 2264 ~~otherwise render any interior design services.~~

2265 (b)(e) Use the name or title "architect," ~~or~~ "registered
 2266 architect," ~~or "interior designer" or "registered interior~~
 2267 ~~designer,"~~ or words to that effect, when the person is not then
 2268 the holder of a valid license issued pursuant to this part.

2269 (c)(d) Present as his or her own the license of another.

2270 (d)~~(e)~~ Give false or forged evidence to the board or a
 2271 member thereof.

2272 (e)~~(f)~~ Use or attempt to use an architect ~~or interior~~
 2273 ~~designer~~ license that has been suspended, revoked, or placed on
 2274 inactive or delinquent status.

2275 (f)~~(g)~~ Employ unlicensed persons to practice architecture
 2276 ~~or interior design~~.

2277 (g)~~(h)~~ Conceal information relative to violations of this
 2278 part.

2279 (2) Any person who violates any provision of subsection
 2280 (1) commits a misdemeanor of the first degree, punishable as
 2281 provided in s. 775.082 or s. 775.083.

2282 (3) (a) Notwithstanding chapter 455 or any other law to the
 2283 contrary, an affected person may maintain an action for
 2284 injunctive relief to restrain or prevent a person from violating
 2285 paragraph (1) (a) or, paragraph (1) (b), ~~or paragraph (1) (c)~~. The
 2286 prevailing party is entitled to actual costs and attorney's
 2287 fees.

2288 (b) For purposes of this subsection, the term "affected
 2289 person" means a person directly affected by the actions of a
 2290 person suspected of violating paragraph (1) (a) or, paragraph
 2291 (1) (b), ~~or paragraph (1) (c)~~ and includes, but is not limited to,
 2292 the department, any person who received services from the
 2293 alleged violator, or any private association composed primarily
 2294 of members of the profession the alleged violator is practicing

2295 or offering to practice or holding himself or herself out as
2296 qualified to practice.

2297 Section 88. Section 481.2251, Florida Statutes, is
2298 repealed.

2299 Section 89. Subsections (5) through (8) of section
2300 481.229, Florida Statutes, are amended to read:

2301 481.229 Exceptions; exemptions from licensure.—

2302 ~~(5) (a) Nothing contained in this part shall prevent a~~
2303 ~~registered architect or a partnership, limited liability~~
2304 ~~company, or corporation holding a valid certificate of~~
2305 ~~authorization to provide architectural services from performing~~
2306 ~~any interior design service or from using the title "interior~~
2307 ~~designer" or "registered interior designer."~~

2308 ~~(b) Notwithstanding any other provision of this part, all~~
2309 ~~persons licensed as architects under this part shall be~~
2310 ~~qualified for interior design licensure upon submission of a~~
2311 ~~completed application for such license and a fee not to exceed~~
2312 ~~\$30. Such persons shall be exempt from the requirements of s.~~
2313 ~~481.209(2). For architects licensed as interior designers,~~
2314 ~~satisfaction of the requirements for renewal of licensure as an~~
2315 ~~architect under s. 481.215 shall be deemed to satisfy the~~
2316 ~~requirements for renewal of licensure as an interior designer~~
2317 ~~under that section. Complaint processing, investigation, or~~
2318 ~~other discipline-related legal costs related to persons licensed~~
2319 ~~as interior designers under this paragraph shall be assessed~~

2320 ~~against the architects' account of the Regulatory Trust Fund.~~

2321 ~~(c) Notwithstanding any other provision of this part, any~~
2322 ~~corporation, partnership, or person operating under a fictitious~~
2323 ~~name which holds a certificate of authorization to provide~~
2324 ~~architectural services shall be qualified, without fee, for a~~
2325 ~~certificate of authorization to provide interior design services~~
2326 ~~upon submission of a completed application therefor. For~~
2327 ~~corporations, partnerships, and persons operating under a~~
2328 ~~fictitious name which hold a certificate of authorization to~~
2329 ~~provide interior design services, satisfaction of the~~
2330 ~~requirements for renewal of the certificate of authorization to~~
2331 ~~provide architectural services under s. 481.219 shall be deemed~~
2332 ~~to satisfy the requirements for renewal of the certificate of~~
2333 ~~authorization to provide interior design services under that~~
2334 ~~section.~~

2335 ~~(6) This part shall not apply to:~~

2336 ~~(a) A person who performs interior design services or~~
2337 ~~interior decorator services for any residential application,~~
2338 ~~provided that such person does not advertise as, or represent~~
2339 ~~himself or herself as, an interior designer. For purposes of~~
2340 ~~this paragraph, "residential applications" includes all types of~~
2341 ~~residences, including, but not limited to, residence buildings,~~
2342 ~~single-family homes, multifamily homes, townhouses, apartments,~~
2343 ~~condominiums, and domestic outbuildings appurtenant to one-~~
2344 ~~family or two-family residences. However, "residential~~

2345 ~~applications" does not include common areas associated with~~
2346 ~~instances of multiple unit dwelling applications.~~

2347 ~~(b) An employee of a retail establishment providing~~
2348 ~~"interior decorator services" on the premises of the retail~~
2349 ~~establishment or in the furtherance of a retail sale or~~
2350 ~~prospective retail sale, provided that such employee does not~~
2351 ~~advertise as, or represent himself or herself as, an interior~~
2352 ~~designer.~~

2353 ~~(7) Nothing in this part shall be construed as authorizing~~
2354 ~~or permitting an interior designer to engage in the business of,~~
2355 ~~or to act as, a contractor within the meaning of chapter 489,~~
2356 ~~unless registered or certified as a contractor pursuant to~~
2357 ~~chapter 489.~~

2358 (5)~~(8)~~ A manufacturer of commercial food service equipment
2359 or the manufacturer's representative, distributor, or dealer or
2360 an employee thereof, who prepares designs, specifications, or
2361 layouts for the sale or installation of such equipment is exempt
2362 from licensure as an architect ~~or interior designer~~, if:

2363 (a) The designs, specifications, or layouts are not used
2364 for construction or installation that may affect structural,
2365 mechanical, plumbing, heating, air conditioning, ventilating,
2366 electrical, or vertical transportation systems.

2367 (b) The designs, specifications, or layouts do not
2368 materially affect lifesafety systems pertaining to firesafety
2369 protection, smoke evacuation and compartmentalization, and

2370 emergency ingress or egress systems.

2371 (c) Each design, specification, or layout document
 2372 prepared by a person or entity exempt under this subsection
 2373 contains a statement on each page of the document that the
 2374 designs, specifications, or layouts are not architectural,
 2375 ~~interior design,~~ or engineering designs, specifications, or
 2376 layouts and not used for construction unless reviewed and
 2377 approved by a licensed architect or engineer.

2378 Section 90. Subsection (1) of section 481.231, Florida
 2379 Statutes, is amended to read:

2380 481.231 Effect of part locally.-

2381 (1) ~~Nothing in~~ This part does not ~~shall be construed to~~
 2382 repeal, amend, limit, or otherwise affect any specific provision
 2383 of any local building code or zoning law or ordinance that has
 2384 been duly adopted, now or hereafter enacted, which is more
 2385 restrictive, with respect to the services of registered
 2386 architects ~~or registered interior designers,~~ than the provisions
 2387 of this part; ~~provided, however, that a licensed architect shall~~
 2388 ~~be deemed licensed as an interior designer for purposes of~~
 2389 ~~offering or rendering interior design services to a county,~~
 2390 ~~municipality, or other local government or political~~
 2391 ~~subdivision.~~

2392 Section 91. Section 481.303, Florida Statutes, is amended
 2393 to read:

2394 481.303 Definitions.-As used in this chapter, the term:

2395 (1) "Board" means the Board of Landscape Architecture.

2396 (2)~~(4)~~ "Certificate of registration" means a license
 2397 issued by the department to a natural person to engage in the
 2398 practice of landscape architecture.

2399 (3)~~(2)~~ "Department" means the Department of Business and
 2400 Professional Regulation.

2401 ~~(5) "Certificate of authorization" means a license issued~~
 2402 ~~by the department to a corporation or partnership to engage in~~
 2403 ~~the practice of landscape architecture.~~

2404 (4)~~(6)~~ "Landscape architecture" means professional
 2405 services, including, but not limited to, the following:

2406 (a) Consultation, investigation, research, planning,
 2407 design, preparation of drawings, specifications, contract
 2408 documents and reports, responsible construction supervision, or
 2409 landscape management in connection with the planning and
 2410 development of land and incidental water areas, including the
 2411 use of Florida-friendly landscaping as defined in s. 373.185,
 2412 where, and to the extent that, the dominant purpose of such
 2413 services or creative works is the preservation, conservation,
 2414 enhancement, or determination of proper land uses, natural land
 2415 features, ground cover and plantings, or naturalistic and
 2416 aesthetic values;

2417 (b) The determination of settings, grounds, and approaches
 2418 for and the siting of buildings and structures, outdoor areas,
 2419 or other improvements;

2420 (c) The setting of grades, shaping and contouring of land
 2421 and water forms, determination of drainage, and provision for
 2422 storm drainage and irrigation systems where such systems are
 2423 necessary to the purposes outlined herein; and

2424 (d) The design of such tangible objects and features as
 2425 are necessary to the purpose outlined herein.

2426 (5)~~(7)~~ "Landscape design" means consultation for and
 2427 preparation of planting plans drawn for compensation, including
 2428 specifications and installation details for plant materials,
 2429 soil amendments, mulches, edging, gravel, and other similar
 2430 materials. Such plans may include only recommendations for the
 2431 conceptual placement of tangible objects for landscape design
 2432 projects. Construction documents, details, and specifications
 2433 for tangible objects and irrigation systems shall be designed or
 2434 approved by licensed professionals as required by law.

2435 (6)~~(3)~~ "Registered landscape architect" means a person who
 2436 holds a license to practice landscape architecture in this state
 2437 under the authority of this act.

2438 Section 92. Section 481.310, Florida Statutes, is amended
 2439 to read:

2440 481.310 Practical experience requirement.—Beginning
 2441 October 1, 1990, every applicant for licensure as a registered
 2442 landscape architect shall demonstrate, prior to licensure, 1
 2443 year of practical experience in landscape architectural work. An
 2444 applicant who holds a master of landscape architecture degree is

2445 not required to demonstrate 1 year of practical experience in
 2446 landscape architectural work to obtain licensure. The board
 2447 shall adopt rules providing standards for the required
 2448 experience. An applicant who qualifies for examination pursuant
 2449 to s. 481.309(1)(b)1. may obtain the practical experience after
 2450 completing the required professional degree. Experience used to
 2451 qualify for examination pursuant to s. 481.309(1)(b)2. may not
 2452 be used to satisfy the practical experience requirement under
 2453 this section.

2454 Section 93. Subsections (5) and (6) of section 481.311,
 2455 Florida Statutes, are renumbered as subsections (4) and (5),
 2456 respectively, and subsection (3) and present subsection (4) of
 2457 that section are amended, to read:

2458 481.311 Licensure.—

2459 (3) The board shall certify as qualified for a license by
 2460 endorsement an applicant who:

2461 (a) Qualifies to take the examination as set forth in s.
 2462 481.309; and has passed a national, regional, state, or
 2463 territorial licensing examination which is substantially
 2464 equivalent to the examination required by s. 481.309; ~~or~~

2465 (b) Holds a valid license to practice landscape
 2466 architecture issued by another state or territory of the United
 2467 States, if the criteria for issuance of such license were
 2468 substantially identical to the licensure criteria which existed
 2469 in this state at the time the license was issued; or—

2470 (c) Has held a valid license to practice landscape
2471 architecture in another state or territory of the United States
2472 for at least 10 years before the date of application and has
2473 successfully completed a state, regional, national, or other
2474 examination that is equivalent to or more stringent than the
2475 examination required by the board, subject to subsection (5). An
2476 applicant who has met the requirements to be qualified for a
2477 license by endorsement except for successful completion of an
2478 examination that is equivalent to or more stringent than the
2479 examination required by the board may take the examination
2480 required by the board without completing additional education
2481 requirements. Such application must be submitted to the board
2482 while the applicant holds a valid license in another state or
2483 territory or within 2 years after the expiration of such
2484 license.

2485 ~~(4) The board shall certify as qualified for a certificate~~
2486 ~~of authorization any applicant corporation or partnership who~~
2487 ~~satisfies the requirements of s. 481.319.~~

2488 Section 94. Subsection (2) of section 481.317, Florida
2489 Statutes, is amended to read:

2490 481.317 Temporary certificates.-

2491 ~~(2) Upon approval by the board and payment of the fee set~~
2492 ~~in s. 481.307, the department shall grant a temporary~~
2493 ~~certificate of authorization for work on one specified project~~
2494 ~~in this state for a period not to exceed 1 year to an out-of-~~

2495 ~~state corporation, partnership, or firm, provided one of the~~
 2496 ~~principal officers of the corporation, one of the partners of~~
 2497 ~~the partnership, or one of the principals in the fictitiously~~
 2498 ~~named firm has obtained a temporary certificate of registration~~
 2499 ~~in accordance with subsection (1).~~

2500 Section 95. Section 481.319, Florida Statutes, is amended
 2501 to read:

2502 481.319 Corporate and partnership practice of landscape
 2503 architecture; ~~certificate of authorization.~~-

2504 (1) The practice of or offer to practice landscape
 2505 architecture by registered landscape architects registered under
 2506 this part through a corporation or partnership offering
 2507 landscape architectural services to the public, or through a
 2508 corporation or partnership offering landscape architectural
 2509 services to the public through individual registered landscape
 2510 architects as agents, employees, officers, or partners, is
 2511 permitted, subject to the provisions of this section, if:

2512 (a) One or more of the principal officers of the
 2513 corporation, or partners of the partnership, and all personnel
 2514 of the corporation or partnership who act in its behalf as
 2515 landscape architects in this state are registered landscape
 2516 architects; and

2517 (b) One or more of the officers, one or more of the
 2518 directors, one or more of the owners of the corporation, or one
 2519 or more of the partners of the partnership is a registered

2520 landscape architect; ~~and~~

2521 ~~(c) The corporation or partnership has been issued a~~

2522 ~~certificate of authorization by the board as provided herein.~~

2523 (2) All documents involving the practice of landscape

2524 architecture which are prepared for the use of the corporation

2525 or partnership shall bear the signature and seal of a registered

2526 landscape architect.

2527 (3) A landscape architect applying to practice in the name

2528 of a ~~An applicant~~ corporation must ~~shall~~ file with the

2529 department the names and addresses of all officers and board

2530 members of the corporation, including the principal officer or

2531 officers, duly registered to practice landscape architecture in

2532 this state and, also, of all individuals duly registered to

2533 practice landscape architecture in this state who shall be in

2534 responsible charge of the practice of landscape architecture by

2535 the corporation in this state. A landscape architect applying to

2536 practice in the name of a ~~An applicant~~ partnership must ~~shall~~

2537 file with the department the names and addresses of all partners

2538 of the partnership, including the partner or partners duly

2539 registered to practice landscape architecture in this state and,

2540 also, of an individual or individuals duly registered to

2541 practice landscape architecture in this state who shall be in

2542 responsible charge of the practice of landscape architecture by

2543 said partnership in this state.

2544 (4) Each landscape architect qualifying a partnership or

2545 ~~and~~ corporation ~~licensed~~ under this part must ~~shall~~ notify the
2546 department within 1 month after ~~of~~ any change in the information
2547 contained in the application upon which the license is based.
2548 Any landscape architect who terminates her or his ~~or her~~
2549 employment with a partnership or corporation licensed under this
2550 part shall notify the department of the termination within 1
2551 month after such termination.

2552 ~~(5) Disciplinary action against a corporation or~~
2553 ~~partnership shall be administered in the same manner and on the~~
2554 ~~same grounds as disciplinary action against a registered~~
2555 ~~landscape architect.~~

2556 (5) ~~(6)~~ Except as provided in s. 558.0035, the fact that a
2557 registered landscape architect practices landscape architecture
2558 through a corporation or partnership as provided in this section
2559 does not relieve the landscape architect from personal liability
2560 for her or his ~~or her~~ professional acts.

2561 Section 96. Subsection (5) of section 481.321, Florida
2562 Statutes, is amended to read:

2563 481.321 Seals; display of certificate number.—

2564 (5) Each registered landscape architect must ~~and each~~
2565 ~~corporation or partnership holding a certificate of~~
2566 ~~authorization shall~~ include her or his ~~its~~ certificate number in
2567 any newspaper, telephone directory, or other advertising medium
2568 used by the registered landscape architect, corporation, or
2569 partnership. A corporation or partnership must ~~is not required~~

2570 ~~to~~ display the certificate number numbers of at least one
2571 officer, director, owner, or partner who is a individual
2572 registered landscape architect architects employed by or
2573 practicing with the corporation or partnership.

2574 Section 97. Subsection (5) of section 481.329, Florida
2575 Statutes, is amended to read:

2576 481.329 Exceptions; exemptions from licensure.—

2577 (5) This part does not prohibit any person from engaging
2578 in the practice of landscape design, as defined in s. 481.303
2579 ~~481.303(7)~~, or from submitting for approval to a governmental
2580 agency planting plans that are independent of, or a component
2581 of, construction documents that are prepared by a Florida-
2582 registered professional. Persons providing landscape design
2583 services shall not use the title, term, or designation
2584 "landscape architect," "landscape architectural," "landscape
2585 architecture," "L.A.," "landscape engineering," or any
2586 description tending to convey the impression that she or he is a
2587 landscape architect unless she or he is registered as provided
2588 in this part.

2589 Section 98. Subsection (9) of section 489.103, Florida
2590 Statutes, is amended to read:

2591 489.103 Exemptions.—This part does not apply to:

2592 (9) Any work or operation of a casual, minor, or
2593 inconsequential nature in which the aggregate contract price for
2594 labor, materials, and all other items is less than \$2,500

2595 ~~\$1,000~~, but this exemption does not apply:

2596 (a) If the construction, repair, remodeling, or
 2597 improvement is a part of a larger or major operation, whether
 2598 undertaken by the same or a different contractor, or in which a
 2599 division of the operation is made in contracts of amounts less
 2600 than \$2,500 ~~\$1,000~~ for the purpose of evading this part or
 2601 otherwise.

2602 (b) To a person who advertises that he or she is a
 2603 contractor or otherwise represents that he or she is qualified
 2604 to engage in contracting.

2605 Section 99. Subsection (2) of section 489.111, Florida
 2606 Statutes, is amended to read:

2607 489.111 Licensure by examination.—

2608 (2) A person shall be eligible for licensure by
 2609 examination if the person:

2610 (a) Is 18 years of age;

2611 (b) Is of good moral character; and

2612 (c) Meets eligibility requirements according to one of the
 2613 following criteria:

2614 1. Has received a baccalaureate degree from an accredited
 2615 4-year college in the appropriate field of engineering,
 2616 architecture, or building construction and has 1 year of proven
 2617 experience in the category in which the person seeks to qualify.
 2618 For the purpose of this part, a minimum of 2,000 person-hours
 2619 shall be used in determining full-time equivalency. An applicant

2620 who is exempt from passing an examination as provided in s.
 2621 489.113(1) is eligible for a license under this section.

2622 2. Has a total of at least 4 years of active experience as
 2623 a worker who has learned the trade by serving an apprenticeship
 2624 as a skilled worker who is able to command the rate of a
 2625 mechanic in the particular trade or as a foreman who is in
 2626 charge of a group of workers and usually is responsible to a
 2627 superintendent or a contractor or his or her equivalent,
 2628 provided, however, that at least 1 year of active experience
 2629 shall be as a foreman.

2630 3. Has a combination of not less than 1 year of experience
 2631 as a foreman and not less than 3 years of credits for any
 2632 accredited college-level courses; has a combination of not less
 2633 than 1 year of experience as a skilled worker, 1 year of
 2634 experience as a foreman, and not less than 2 years of credits
 2635 for any accredited college-level courses; or has a combination
 2636 of not less than 2 years of experience as a skilled worker, 1
 2637 year of experience as a foreman, and not less than 1 year of
 2638 credits for any accredited college-level courses. All junior
 2639 college or community college-level courses shall be considered
 2640 accredited college-level courses.

2641 4.a. An active certified residential contractor is
 2642 eligible to receive a certified building contractor license
 2643 after passing or having previously passed ~~take~~ the building
 2644 contractors' examination if he or she possesses a minimum of 3

2645 | years of proven experience in the classification in which he or
 2646 | she is certified.

2647 | b. An active certified residential contractor is eligible
 2648 | to receive a certified general contractor license after passing
 2649 | or having previously passed ~~take~~ the general contractors'
 2650 | examination if he or she possesses a minimum of 4 years of
 2651 | proven experience in the classification in which he or she is
 2652 | certified.

2653 | c. An active certified building contractor is eligible to
 2654 | receive a certified general contractor license after passing or
 2655 | having previously passed ~~take~~ the general contractors'
 2656 | examination if he or she possesses a minimum of 4 years of
 2657 | proven experience in the classification in which he or she is
 2658 | certified.

2659 | 5.a. An active certified air-conditioning Class C
 2660 | contractor is eligible to receive a certified air conditioning
 2661 | Class B contractor license after passing or having previously
 2662 | passed ~~take~~ the air-conditioning Class B contractors'
 2663 | examination if he or she possesses a minimum of 3 years of
 2664 | proven experience in the classification in which he or she is
 2665 | certified.

2666 | b. An active certified air-conditioning Class C contractor
 2667 | is eligible to receive a certified air conditioning Class A
 2668 | contractor license after passing or having previously passed
 2669 | ~~take~~ the air-conditioning Class A contractors' examination if he

2670 or she possesses a minimum of 4 years of proven experience in
 2671 the classification in which he or she is certified.

2672 c. An active certified air-conditioning Class B contractor
 2673 is eligible to receive a certified air conditioning Class A
 2674 contractor license after passing or having previously passed
 2675 ~~take~~ the air-conditioning Class A contractors' examination if he
 2676 or she possesses a minimum of 1 year of proven experience in the
 2677 classification in which he or she is certified.

2678 6.a. An active certified swimming pool servicing
 2679 contractor is eligible to receive a certified residential
 2680 swimming pool contractor license after passing or having
 2681 previously passed ~~take~~ the residential swimming pool
 2682 contractors' examination if he or she possesses a minimum of 3
 2683 years of proven experience in the classification in which he or
 2684 she is certified.

2685 b. An active certified swimming pool servicing contractor
 2686 is eligible to receive a certified commercial swimming pool
 2687 contractor license after passing or having previously passed
 2688 ~~take~~ the swimming pool commercial contractors' examination if he
 2689 or she possesses a minimum of 4 years of proven experience in
 2690 the classification in which he or she is certified.

2691 c. An active certified residential swimming pool
 2692 contractor is eligible to receive a certified commercial
 2693 swimming pool contractor license after passing or having
 2694 previously passed ~~take~~ the commercial swimming pool contractors'

2695 examination if he or she possesses a minimum of 1 year of proven
2696 experience in the classification in which he or she is
2697 certified.

2698 d. An applicant is eligible to receive a certified
2699 swimming pool/spa servicing contractor license after passing or
2700 having previously passed ~~take~~ the swimming pool/spa servicing
2701 contractors' examination if he or she has satisfactorily
2702 completed 60 hours of instruction in courses related to the
2703 scope of work covered by that license and approved by the
2704 Construction Industry Licensing Board by rule and has at least 1
2705 year of proven experience related to the scope of work of such a
2706 contractor.

2707 Section 100. Subsection (1) of section 489.113, Florida
2708 Statutes, is amended to read:

2709 489.113 Qualifications for practice; restrictions.—

2710 (1) Any person who desires to engage in contracting on a
2711 statewide basis shall, as a prerequisite thereto, establish his
2712 or her competency and qualifications to be certified pursuant to
2713 this part. To establish competency, a person shall pass the
2714 appropriate examination approved by the board and certified by
2715 the department. If an applicant has received a baccalaureate
2716 degree from an accredited 4-year college in building
2717 construction, or a related degree as approved by the board by
2718 rule, such applicant is not required to pass such examination.
2719 Any person who desires to engage in contracting on other than a

2720 statewide basis shall, as a prerequisite thereto, be registered
 2721 pursuant to this part, unless exempted by this part.

2722 Section 101. Subsection (3) of section 489.115, Florida
 2723 Statutes, is amended to read:

2724 489.115 Certification and registration; endorsement;
 2725 reciprocity; renewals; continuing education.—

2726 (3) The board shall certify as qualified for certification
 2727 by endorsement any applicant who:

2728 (a) Meets the requirements for certification as set forth
 2729 in this section; has passed a national, regional, state, or
 2730 United States territorial licensing examination that is
 2731 substantially equivalent to the examination required by this
 2732 part; and has satisfied the requirements set forth in s.
 2733 489.111;

2734 (b) Holds a valid license to practice contracting issued
 2735 by another state or territory of the United States, if the
 2736 criteria for issuance of such license were substantially
 2737 equivalent to Florida's current certification criteria; ~~or~~

2738 (c) Holds a valid, current license to practice contracting
 2739 issued by another state or territory of the United States, if
 2740 the state or territory has entered into a reciprocal agreement
 2741 with the board for the recognition of contractor licenses issued
 2742 in that state, based on criteria for the issuance of such
 2743 licenses that are substantially equivalent to the criteria for
 2744 certification in this state; or

2745 (d) Has held a valid license to practice contracting
 2746 issued by another state or territory for at least 10 years
 2747 before the date of application and is applying for the same or
 2748 similar license in this state, subject to subsections (5)-(9).
 2749 The board may consider whether such applicant has had a license
 2750 to practice contracting revoked, suspended, or otherwise acted
 2751 against by the licensing authority of another state, territory,
 2752 or country. Such application must be submitted to the board
 2753 while the applicant holds a valid license in another state or
 2754 territory or within 2 years after the expiration of such
 2755 license.

2756 Section 102. Subsection (5) of section 489.511, Florida
 2757 Statutes, is amended to read:

2758 489.511 Certification; application; examinations;
 2759 endorsement.—

2760 (5) The board shall certify as qualified for certification
 2761 by endorsement any individual applying for certification who:

2762 (a) Meets the requirements for certification as set forth
 2763 in this section; has passed a national, regional, state, or
 2764 United States territorial licensing examination that is
 2765 substantially equivalent to the examination required by this
 2766 part; and has satisfied the requirements set forth in s.
 2767 489.521; ~~or~~

2768 (b) Holds a valid license to practice electrical or alarm
 2769 system contracting issued by another state or territory of the

2770 United States, if the criteria for issuance of such license was
 2771 substantially equivalent to the certification criteria that
 2772 existed in this state at the time the certificate was issued; or
 2773 (c) Has held a valid license to practice electrical or
 2774 alarm system contracting issued by another state or territory
 2775 for at least 10 years before the date of application and is
 2776 applying for the same or similar license in this state, subject
 2777 to ss. 489.510 and 489.521(3)(a), and subparagraph (1)(b)1. Such
 2778 application must be submitted to the board while the applicant
 2779 holds a valid license in another state or territory or within 2
 2780 years after the expiration of such license.

2781 Section 103. Subsection (3) and paragraph (b) of
 2782 subsection (4) of section 489.517, Florida Statutes, are amended
 2783 to read:

2784 489.517 Renewal of certificate or registration; continuing
 2785 education.—

2786 (3) Each certificateholder or registrant shall provide
 2787 proof, in a form established by rule of the board, that the
 2788 certificateholder or registrant has completed at least 7 ~~14~~
 2789 classroom hours of at least 50 minutes each of continuing
 2790 education courses during each biennium since the issuance or
 2791 renewal of the certificate or registration. The board shall by
 2792 rule establish criteria for the approval of continuing education
 2793 courses and providers and may by rule establish criteria for
 2794 accepting alternative nonclassroom continuing education on an

2795 | hour-for-hour basis.

2796 | (4)

2797 | (b) Of the 7 ~~14~~ classroom hours of continuing education
 2798 | required, at least 1 hour ~~7 hours~~ must be on technical subjects,
 2799 | 1 hour on workers' compensation, 1 hour on workplace safety, 1
 2800 | hour on business practices, and for alarm system contractors and
 2801 | electrical contractors engaged in alarm system contracting, 2
 2802 | hours on false alarm prevention.

2803 | Section 104. Paragraph (b) of subsection (1) of section
 2804 | 489.518, Florida Statutes, is amended to read:

2805 | 489.518 Alarm system agents.—

2806 | (1) A licensed electrical or alarm system contractor may
 2807 | not employ a person to perform the duties of a burglar alarm
 2808 | system agent unless the person:

2809 | (b) Has successfully completed a minimum of 14 hours of
 2810 | training within 90 days after employment, to include basic alarm
 2811 | system electronics in addition to related training including
 2812 | CCTV and access control training, with at least 2 hours of
 2813 | training in the prevention of false alarms. Such training shall
 2814 | be from a board-approved provider, and the employee or applicant
 2815 | for employment shall provide proof of successful completion to
 2816 | the licensed employer. The board shall by rule establish
 2817 | criteria for the approval of training courses and providers and
 2818 | may by rule establish criteria for accepting alternative
 2819 | nonclassroom education on an hour-for-hour basis. The board

2820 shall approve providers that conduct training in other than the
 2821 English language. The board shall establish a fee for the
 2822 approval of training providers or courses, not to exceed \$60.
 2823 Qualified employers may conduct training classes for their
 2824 employees, with board approval.

2825 Section 105. Section 492.104, Florida Statutes, is
 2826 amended, to read:

2827 492.104 Rulemaking authority.—The Board of Professional
 2828 Geologists has authority to adopt rules pursuant to ss.
 2829 120.536(1) and 120.54 to implement this chapter. Every licensee
 2830 shall be governed and controlled by this chapter and the rules
 2831 adopted by the board. The board is authorized to set, by rule,
 2832 fees for application, examination, ~~certificate of authorization,~~
 2833 late renewal, initial licensure, and license renewal. These fees
 2834 may ~~should~~ not exceed the cost of implementing the application,
 2835 examination, initial licensure, and license renewal or other
 2836 administrative process and shall be established as follows:

2837 (1) The application fee shall not exceed \$150 and shall be
 2838 nonrefundable.

2839 (2) The examination fee shall not exceed \$250, and the fee
 2840 may be apportioned to each part of a multipart examination. The
 2841 examination fee shall be refundable in whole or part if the
 2842 applicant is found to be ineligible to take any portion of the
 2843 licensure examination.

2844 (3) The initial license fee shall not exceed \$100.

2845 (4) The biennial renewal fee shall not exceed \$150.

2846 ~~(5) The fee for a certificate of authorization shall not~~
 2847 ~~exceed \$350 and the fee for renewal of the certificate shall not~~
 2848 ~~exceed \$350.~~

2849 (5)~~(6)~~ The fee for reactivation of an inactive license may
 2850 ~~shall~~ not exceed \$50.

2851 (6)~~(7)~~ The fee for a provisional license may ~~shall~~ not
 2852 exceed \$400.

2853 (7)~~(8)~~ The fee for application, examination, and licensure
 2854 for a license by endorsement is ~~shall be~~ as provided in this
 2855 section for licenses in general.

2856 Section 106. Subsection (1) of section 492.108, Florida
 2857 Statutes, is amended to read:

2858 492.108 Licensure by endorsement; requirements; fees.—

2859 (1) The department shall issue a license by endorsement to
 2860 any applicant who, upon applying to the department and remitting
 2861 an application fee, has been certified by the board that he or
 2862 she:

2863 (a) Has met the qualifications for licensure in s.
 2864 492.105(1)(b)-(e) and:—

2865 1.~~(b)~~ Is the holder of an active license in good standing
 2866 in a state, trust, territory, or possession of the United
 2867 States.

2868 2.~~(e)~~ Was licensed through written examination in at least
 2869 one state, trust, territory, or possession of the United States,

2870 the examination requirements of which have been approved by the
2871 board as substantially equivalent to or more stringent than
2872 those of this state, and has received a score on such
2873 examination which is equal to or greater than the score required
2874 by this state for licensure by examination.

2875 3.~~(d)~~ Has taken and successfully passed the laws and rules
2876 portion of the examination required for licensure as a
2877 professional geologist in this state.

2878 (b) Has held a valid license to practice geology in
2879 another state, trust, territory, or possession of the United
2880 States for at least 10 years before the date of application and
2881 has successfully completed a state, regional, national, or other
2882 examination that is equivalent to or more stringent than the
2883 examination required by the department. If such applicant has
2884 met the requirements for a license by endorsement except
2885 successful completion of an examination that is equivalent to or
2886 more stringent than the examination required by the board, such
2887 applicant may take the examination required by the board. Such
2888 application must be submitted to the board while the applicant
2889 holds a valid license in another state or territory or within 2
2890 years after the expiration of such license.

2891 Section 107. Section 492.111, Florida Statutes, is amended
2892 to read:

2893 492.111 Practice of professional geology by a firm,
2894 corporation, or partnership;~~certificate of authorization.~~—The

2895 | practice of, or offer to practice, professional geology by
 2896 | individual professional geologists licensed under the provisions
 2897 | of this chapter through a firm, corporation, or partnership
 2898 | offering geological services to the public through individually
 2899 | licensed professional geologists as agents, employees, officers,
 2900 | or partners thereof is permitted subject to the provisions of
 2901 | this chapter, if ~~provided that~~:

2902 | (1) At all times that it offers geological services to the
 2903 | public, the firm, corporation, or partnership is qualified by
 2904 | ~~has on file with the department the name and license number of~~
 2905 | one or more individuals who hold a current, active license as a
 2906 | professional geologist in the state and are serving as a
 2907 | geologist of record for the firm, corporation, or partnership. A
 2908 | geologist of record may be any principal officer or employee of
 2909 | such firm or corporation, or any partner or employee of such
 2910 | partnership, who holds a current, active license as a
 2911 | professional geologist in this state, or any other Florida-
 2912 | licensed professional geologist with whom the firm, corporation,
 2913 | or partnership has entered into a long-term, ongoing
 2914 | relationship, as defined by rule of the board, to serve as one
 2915 | of its geologists of record. ~~It shall be the responsibility of~~
 2916 | ~~the firm, corporation, or partnership and~~ The geologist of
 2917 | record shall ~~to~~ notify the department of any changes in the
 2918 | relationship or identity of that geologist of record within 30
 2919 | days after such change.

2920 ~~(2) The firm, corporation, or partnership has been issued~~
 2921 ~~a certificate of authorization by the department as provided in~~
 2922 ~~this chapter. For purposes of this section, a certificate of~~
 2923 ~~authorization shall be required of any firm, corporation,~~
 2924 ~~partnership, association, or person practicing under a~~
 2925 ~~fictitious name and offering geological services to the public;~~
 2926 ~~except that, when an individual is practicing professional~~
 2927 ~~geology in her or his own name, she or he shall not be required~~
 2928 ~~to obtain a certificate of authorization under this section.~~
 2929 ~~Such certificate of authorization shall be renewed every 2~~
 2930 ~~years.~~

2931 (2)~~(3)~~ All final geological papers or documents involving
 2932 the practice of the profession of geology which have been
 2933 prepared or approved for the use of such firm, corporation, or
 2934 partnership, for delivery to any person for public record with
 2935 the state, shall be dated and bear the signature and seal of the
 2936 professional geologist or professional geologists who prepared
 2937 or approved them.

2938 (3)~~(4)~~ Except as provided in s. 558.0035, the fact that a
 2939 licensed professional geologist practices through a corporation
 2940 or partnership does not relieve the registrant from personal
 2941 liability for negligence, misconduct, or wrongful acts committed
 2942 by her or him. The partnership and all partners are jointly and
 2943 severally liable for the negligence, misconduct, or wrongful
 2944 acts committed by their agents, employees, or partners while

2945 acting in a professional capacity. Any officer, agent, or
2946 employee of a corporation is personally liable and accountable
2947 only for negligent acts, wrongful acts, or misconduct committed
2948 by her or him or committed by any person under her or his direct
2949 supervision and control, while rendering professional services
2950 on behalf of the corporation. The personal liability of a
2951 shareholder of a corporation, in her or his capacity as
2952 shareholder, may be no greater than that of a shareholder-
2953 employee of a corporation incorporated under chapter 607. The
2954 corporation is liable up to the full value of its property for
2955 any negligent acts, wrongful acts, or misconduct committed by
2956 any of its officers, agents, or employees while they are engaged
2957 on behalf of the corporation in the rendering of professional
2958 services.

2959 ~~(5) The firm, corporation, or partnership desiring a~~
2960 ~~certificate of authorization shall file with the department an~~
2961 ~~application therefor, upon a form to be prescribed by the~~
2962 ~~department, accompanied by the required application fee.~~

2963 ~~(6) The department may refuse to issue a certificate of~~
2964 ~~authorization if any facts exist which would entitle the~~
2965 ~~department to suspend or revoke an existing certificate of~~
2966 ~~authorization or if the department, after giving persons~~
2967 ~~involved a full and fair hearing, determines that any of the~~
2968 ~~officers or directors of said firm or corporation, or partners~~
2969 ~~of said partnership, have violated the provisions of s. 492.113.~~

2970 Section 108. Subsection (4) of section 492.113, Florida
 2971 Statutes, is amended to read:

2972 492.113 Disciplinary proceedings.—

2973 (4) The department shall reissue the license of a
 2974 disciplined professional geologist ~~or business~~ upon
 2975 certification by the board that the disciplined person has
 2976 complied with ~~all of~~ the terms and conditions set forth in the
 2977 final order.

2978 Section 109. Section 492.115, Florida Statutes, is amended
 2979 to read:

2980 492.115 Roster of licensed professional geologists.—A
 2981 roster showing the names and places of business or residence of
 2982 all licensed professional geologists and all properly qualified
 2983 firms, corporations, or partnerships practicing ~~holding~~
 2984 ~~certificates of authorization to practice~~ professional geology
 2985 in the state shall be prepared annually by the department. A
 2986 copy of this roster must be made available to ~~shall be~~
 2987 ~~obtainable by~~ each licensed professional geologist and each
 2988 firm, corporation, or partnership qualified by a professional
 2989 geologist ~~holding a certificate of authorization~~, and copies
 2990 thereof shall be placed on file with the department.

2991 Section 110. Paragraph (i) of subsection (2) of section
 2992 548.003, Florida Statutes, is amended to read:

2993 548.003 Florida State Boxing Commission.—

2994 (2) The Florida State Boxing Commission, as created by

2995 subsection (1), shall administer the provisions of this chapter.
 2996 The commission has authority to adopt rules pursuant to ss.
 2997 120.536(1) and 120.54 to implement the provisions of this
 2998 chapter and to implement each of the duties and responsibilities
 2999 conferred upon the commission, including, but not limited to:

3000 ~~(i) Designation and duties of a knockdown timekeeper.~~

3001 Section 111. Subsection (1) of section 548.017, Florida
 3002 Statutes, is amended to read:

3003 548.017 Participants, managers, and other persons required
 3004 to have licenses.—

3005 (1) A participant, manager, trainer, second, ~~timekeeper,~~
 3006 referee, judge, ~~announcer,~~ physician, matchmaker, or promoter
 3007 must be licensed before directly or indirectly acting in such
 3008 capacity in connection with any match involving a participant. A
 3009 physician approved by the commission must be licensed pursuant
 3010 to chapter 458 or chapter 459, must maintain an unencumbered
 3011 license in good standing, and must demonstrate satisfactory
 3012 medical training or experience in boxing, or a combination of
 3013 both, to the executive director before working as the ringside
 3014 physician.

3015 Section 112. Paragraph (d) of subsection (1) of section
 3016 553.5141, Florida Statutes, is amended to read:

3017 553.5141 Certifications of conformity and remediation
 3018 plans.—

3019 (1) For purposes of this section:

3020 (d) "Qualified expert" means:

3021 1. An engineer licensed pursuant to chapter 471.

3022 2. A certified general contractor licensed pursuant to

3023 chapter 489.

3024 3. A certified building contractor licensed pursuant to

3025 chapter 489.

3026 4. A building code administrator licensed pursuant to

3027 chapter 468.

3028 5. A building inspector licensed pursuant to chapter 468.

3029 6. A plans examiner licensed pursuant to chapter 468.

3030 7. An interior designer who has passed the qualification

3031 examination prescribed by either the National Council for

3032 Interior Design Qualifications or the California Council for

3033 Interior Design Certification ~~licensed pursuant to chapter 481.~~

3034 8. An architect licensed pursuant to chapter 481.

3035 9. A landscape architect licensed pursuant to chapter 481.

3036 10. Any person who has prepared a remediation plan related

3037 to a claim under Title III of the Americans with Disabilities

3038 Act, 42 U.S.C. s. 12182, that has been accepted by a federal

3039 court in a settlement agreement or court proceeding, or who has

3040 been qualified as an expert in Title III of the Americans with

3041 Disabilities Act, 42 U.S.C. s. 12182, by a federal court.

3042 Section 113. Subsection (1) of section 553.74, Florida

3043 Statutes, is amended to read:

3044 553.74 Florida Building Commission.—

3045 (1) The Florida Building Commission is created and located
3046 within the Department of Business and Professional Regulation
3047 for administrative purposes. Members are appointed by the
3048 Governor subject to confirmation by the Senate. The commission
3049 is composed of 17 ~~27~~ members, consisting of the following
3050 members:

3051 (a) One architect licensed under chapter 481 with at least
3052 5 years of experience in the design and construction of
3053 buildings designated for Group E or Group I occupancies by the
3054 Florida Building Code ~~registered to practice in this state and~~
3055 ~~actively engaged in the profession.~~ The American Institute of
3056 Architects, Florida Section, is encouraged to recommend a list
3057 of candidates for consideration.

3058 (b) One structural engineer registered to practice in this
3059 state and actively engaged in the profession. The Florida
3060 Engineering Society is encouraged to recommend a list of
3061 candidates for consideration.

3062 (c) One air-conditioning or mechanical contractor
3063 certified to do business in this state and actively engaged in
3064 the profession. The Florida Air Conditioning Contractors
3065 Association, the Florida Refrigeration and Air Conditioning
3066 Contractors Association, and the Mechanical Contractors
3067 Association of Florida are encouraged to recommend a list of
3068 candidates for consideration.

3069 (d) One electrical contractor or electrical engineer

3070 certified to do business in this state and actively engaged in
 3071 the profession. The Florida Association of Electrical
 3072 Contractors and the National Electrical Contractors Association,
 3073 Florida Chapter, are encouraged to recommend a list of
 3074 candidates for consideration.

3075 ~~(e) One member from fire protection engineering or~~
 3076 ~~technology who is actively engaged in the profession. The~~
 3077 ~~Florida Chapter of the Society of Fire Protection Engineers and~~
 3078 ~~the Florida Fire Marshals and Inspectors Association are~~
 3079 ~~encouraged to recommend a list of candidates for consideration.~~

3080 (e)~~(f)~~ One certified general contractor or one certified
 3081 building contractor certified to do business in this state and
 3082 actively engaged in the profession. The Associated Builders and
 3083 Contractors of Florida, the Florida Associated General
 3084 Contractors Council, the Florida Home Builders Association, and
 3085 the Union Contractors Association are encouraged to recommend a
 3086 list of candidates for consideration.

3087 (f)~~(g)~~ One plumbing contractor licensed to do business in
 3088 this state and actively engaged in the profession. The Florida
 3089 Association of Plumbing, Heating, and Cooling Contractors is
 3090 encouraged to recommend a list of candidates for consideration.

3091 (g)~~(h)~~ One roofing or sheet metal contractor certified to
 3092 do business in this state and actively engaged in the
 3093 profession. The Florida Roofing, Sheet Metal, and Air
 3094 Conditioning Contractors Association and the Sheet Metal and Air

3095 Conditioning Contractors' National Association are encouraged to
3096 recommend a list of candidates for consideration.

3097 ~~(h)-(i)~~ One certified residential contractor licensed to do
3098 business in this state and actively engaged in the profession.
3099 The Florida Home Builders Association is encouraged to recommend
3100 a list of candidates for consideration.

3101 ~~(i)-(j)~~ Three members who are municipal, county, or
3102 district codes enforcement officials, one of whom is also a fire
3103 official. The Building Officials Association of Florida and the
3104 Florida Fire Marshals and Inspectors Association are encouraged
3105 to recommend a list of candidates for consideration.

3106 ~~(k)~~ One member who represents the Department of Financial
3107 Services.

3108 ~~(l)~~ One member who is a county codes enforcement official.
3109 The Building Officials Association of Florida is encouraged to
3110 recommend a list of candidates for consideration.

3111 ~~(j)-(m)~~ One member of a Florida-based organization of
3112 persons with disabilities or a nationally chartered organization
3113 of persons with disabilities with chapters in this state which
3114 complies with or is certified to be compliant with the
3115 requirements of the Americans with Disability Act of 1990, as
3116 amended.

3117 ~~(k)-(n)~~ One member of the manufactured buildings industry
3118 who is licensed to do business in this state and is actively
3119 engaged in the industry. The Florida Manufactured Housing

3120 Association is encouraged to recommend a list of candidates for
 3121 consideration.

3122 ~~(o) One mechanical or electrical engineer registered to~~
 3123 ~~practice in this state and actively engaged in the profession.~~
 3124 ~~The Florida Engineering Society is encouraged to recommend a~~
 3125 ~~list of candidates for consideration.~~

3126 ~~(p) One member who is a representative of a municipality~~
 3127 ~~or a charter county. The Florida League of Cities and the~~
 3128 ~~Florida Association of Counties are encouraged to recommend a~~
 3129 ~~list of candidates for consideration.~~

3130 (l) ~~(q)~~ One member of the building products manufacturing
 3131 industry who is authorized to do business in this state and is
 3132 actively engaged in the industry. The Florida Building Material
 3133 Association, the Florida Concrete and Products Association, and
 3134 the Fenestration Manufacturers Association are encouraged to
 3135 recommend a list of candidates for consideration.

3136 ~~(r) One member who is a representative of the building~~
 3137 ~~owners and managers industry who is actively engaged in~~
 3138 ~~commercial building ownership or management. The Building Owners~~
 3139 ~~and Managers Association is encouraged to recommend a list of~~
 3140 ~~candidates for consideration.~~

3141 (m) ~~(s)~~ One member who is a representative of the insurance
 3142 industry. The Florida Insurance Council is encouraged to
 3143 recommend a list of candidates for consideration.

3144 ~~(t) One member who is a representative of public~~

3145 ~~education.~~

3146 (n) ~~(u)~~ One member who is a swimming pool contractor
3147 licensed to do business in this state and actively engaged in
3148 the profession. The Florida Swimming Pool Association and the
3149 United Pool and Spa Association are encouraged to recommend a
3150 list of candidates for consideration.

3151 ~~(v) One member who is a representative of the green
3152 building industry and who is a third party commission agent, a
3153 Florida board member of the United States Green Building Council
3154 or Green Building Initiative, a professional who is accredited
3155 under the International Green Construction Code (IGCC), or a
3156 professional who is accredited under Leadership in Energy and
3157 Environmental Design (LEED).~~

3158 (o) ~~(w)~~ One member who is a representative of a natural gas
3159 distribution system and who is actively engaged in the
3160 distribution of natural gas in this state. The Florida Natural
3161 Gas Association is encouraged to recommend a list of candidates
3162 for consideration.

3163 ~~(x) One member who is a representative of the Department
3164 of Agriculture and Consumer Services' Office of Energy. The
3165 Commissioner of Agriculture is encouraged to recommend a list of
3166 candidates for consideration.~~

3167 ~~(y) One member who shall be the chair.~~

3168 Section 114. Paragraph (c) of subsection (5) of section
3169 553.79, Florida Statutes, is amended to read:

3170 553.79 Permits; applications; issuance; inspections.—

3171 (5)

3172 (c) The architect or engineer of record may act as the
 3173 special inspector provided she or he is on the Board of
 3174 Professional Engineers' or the Board of Architecture's
 3175 ~~Architecture and Interior Design's~~ list of persons qualified to
 3176 be special inspectors. School boards may utilize employees as
 3177 special inspectors provided such employees are on one of the
 3178 professional licensing board's list of persons qualified to be
 3179 special inspectors.

3180 Section 115. Subsection (7) of section 558.002, Florida
 3181 Statutes, is amended to read:

3182 558.002 Definitions.—As used in this chapter, the term:

3183 (7) "Design professional" means a person, as defined in s.
 3184 1.01, who is licensed in this state as an architect, ~~interior~~
 3185 ~~designer,~~ a landscape architect, an engineer, a surveyor, or a
 3186 geologist.

3187 Section 116. Subsection (3) of section 559.25, Florida
 3188 Statutes, is amended to read:

3189 559.25 Exemptions.—The provisions of this part shall not
 3190 apply to or affect the following persons:

3191 ~~(3) Duly licensed auctioneers, selling at auction.~~

3192 Section 117. Paragraphs (h) and (k) of subsection (2) of
 3193 section 287.055, Florida Statutes, are amended to read:

3194 287.055 Acquisition of professional architectural,

3195 engineering, landscape architectural, or surveying and mapping
 3196 services; definitions; procedures; contingent fees prohibited;
 3197 penalties.—

3198 (2) DEFINITIONS.—For purposes of this section:

3199 (h) A "design-build firm" means a partnership,
 3200 corporation, or other legal entity that:

3201 1. Is certified under s. 489.119 to engage in contracting
 3202 through a certified or registered general contractor or a
 3203 certified or registered building contractor as the qualifying
 3204 agent; or

3205 2. Is qualified ~~certified~~ under s. 471.023 to practice or
 3206 to offer to practice engineering; qualified ~~certified~~ under s.
 3207 481.219 to practice or to offer to practice architecture; or
 3208 qualified ~~certified~~ under s. 481.319 to practice or to offer to
 3209 practice landscape architecture.

3210 (k) A "design criteria professional" means a firm that is
 3211 qualified ~~who holds a current certificate of registration~~ under
 3212 chapter 481 to practice architecture or landscape architecture
 3213 or a firm who holds a current certificate as a registered
 3214 engineer under chapter 471 to practice engineering and who is
 3215 employed by or under contract to the agency for the providing of
 3216 professional architect services, landscape architect services,
 3217 or engineering services in connection with the preparation of
 3218 the design criteria package.

3219 Section 118. This act shall take effect July 1, 2019.