

1 A bill to be entitled
2 An act relating to the deregulation of professions and
3 occupations; providing a short title; amending s.
4 20.165, F.S.; renaming the Board of Architecture and
5 Interior Design as the Board of Architecture within
6 the Department of Business and Professional
7 Regulation; deleting a provision establishing the
8 Florida Board of Auctioneers; amending s. 326.004,
9 F.S.; deleting the requirement for a yacht broker to
10 maintain a separate license for each branch office;
11 deleting the requirement for the division to establish
12 a fee; amending s. 447.02, F.S.; conforming provisions
13 to changes made by the act; repealing s. 447.04, F.S.,
14 relating to licensure and permit requirements for
15 business agents; repealing s. 447.041, F.S., relating
16 to hearings for persons or labor organizations denied
17 licensure as a business agent; repealing s. 447.045,
18 F.S., relating to confidential information obtained
19 during the application process; repealing s. 447.06,
20 F.S., 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 prohibiting certain bonds from being issued or renewed
82 by a bonding agency to an owner or operator of a
83 talent agency unless the bonding agency verifies that
84 each owner or operator has not been convicted of
85 specified crimes; amending s. 468.409, F.S.; deleting
86 a requirement for record inspection; amending s.
87 468.410, F.S.; deleting a requirement to include
88 specified information in a contract between a talent
89 agency and applicant; amending s. 468.412, F.S.;
90 deleting recordkeeping and posting requirements;
91 amending s. 468.413, F.S.; revising criminal
92 penalties; conforming provisions to changes made by
93 the act; repealing s. 468.414, F.S., relating to the
94 deposit of certain funds in the Professional
95 Regulation Trust Fund; amending s. 468.415, F.S.;
96 prohibiting any agent, owner, or operator who commits
97 sexual misconduct in the operation of a talent agency
98 from acting as an agent, owner, or operator of a
99 Florida talent agency; amending 468.524, F.S.;
100 deleting specified exemptions from the time

101 restriction for an employee leasing company to reapply
102 for licensure; amending s. 468.603, F.S.; revising a
103 definition; amending s. 468.609, F.S.; revising
104 certain experience requirements for a person to take
105 the examination for certification; revising the time
106 period a provisional certificate is valid; amending s.
107 468.613, F.S.; providing for waiver of specified
108 requirements for certification under certain
109 circumstances; amending s. 468.8314, F.S.; requiring
110 an applicant for a license by endorsement to maintain
111 a specified insurance policy; requiring the department
112 to certify an applicant who holds a specified license
113 issued by another state or territory of the United
114 States under certain circumstances; amending s.
115 468.8414, F.S.; providing additional licensure
116 requirements for mold remediators; amending s.
117 469.006, F.S.; providing additional licensure
118 requirements for asbestos abatement consulting or
119 contracting as a partnership, corporation, business
120 trust, or other legal entity; amending s. 469.009,
121 F.S.; conforming provisions to changes made by the
122 act; amending s. 471.005, F.S.; revising definitions;
123 amending s. 471.011, F.S.; conforming a provision to
124 changes made by the act; amending s. 471.015, F.S.;
125 revising licensure requirements for engineers who hold

126 specified licenses in another state; amending s.
127 471.023, F.S.; providing requirements for
128 qualification of a business organization; providing
129 requirements for a qualifying agent; deleting the
130 administration of disciplinary action against a
131 business organization; amending s. 473.308, F.S.;
132 deleting continuing education requirements for license
133 by endorsement for certified public accountants;
134 amending s. 474.202, F.S.; revising the definition of
135 the term "limited-service veterinary medical practice"
136 to include certain vaccinations or immunizations;
137 amending s. 474.207, F.S.; revising education
138 requirements for licensure by examination; amending s.
139 474.217, F.S.; requiring the Department of Business
140 and Professional Regulation to issue a license by
141 endorsement to certain applicants who successfully
142 complete a specified examination; amending s. 476.114,
143 F.S.; revising training requirements for licensure as
144 a barber; amending s. 476.144, F.S.; requiring the
145 department to license an applicant who is licensed to
146 practice barbering in another state; amending s.
147 477.013, F.S.; revising the definition of the term
148 "hair braiding"; repealing s. 477.0132, F.S., relating
149 to registration for hair braiding, hair wrapping, and
150 body wrapping; amending s. 477.0135, F.S.; providing

151 additional exemptions from license or registration
152 requirements for specified occupations or practices;
153 amending s. 477.019, F.S.; conforming provisions to
154 changes made by the act; amending s. 477.0201, F.S.;
155 providing requirements for registration as a
156 specialist; amending s. 477.026, F.S.; conforming
157 provisions to changes made by the act; amending s.
158 477.0263, F.S.; authorizing certain persons to perform
159 specified cosmetology services in a location other
160 than a licensed salon under certain circumstances;
161 amending ss. 477.0265 and 477.029, F.S.; conforming
162 provisions to changes made by the act; amending s.
163 481.201, F.S.; deleting legislative findings relating
164 to the practice of interior design; amending s.
165 481.203, F.S.; revising definitions; amending s.
166 481.205, F.S.; renaming the Board of Architecture and
167 Interior Design as the Board of Architecture; revising
168 membership of the board; conforming provisions;
169 amending ss. 481.207, 481.209, and 481.213, F.S.;
170 conforming provisions; amending s. 481.2131, F.S.;
171 requiring certain interior designers to include proof
172 of completed specified examination requirements when
173 submitting documents for the issuance of a building
174 permit; providing that a license or registration is
175 not required for specified persons to practice;

176 amending ss. 481.215 and 481.217, F.S.; conforming
177 provisions to changes made by the act; amending s.
178 481.219, F.S.; deleting provisions permitting the
179 practice of or offer to practice interior design
180 through certain business organizations; deleting
181 provisions requiring certificates of authorization for
182 certain business organizations offering interior
183 design services to the public; requiring a licensee or
184 applicant in the practice of architecture to qualify a
185 business organization; providing requirements;
186 amending 481.221, F.S.; conforming provisions;
187 requiring a registered architect or a qualifying agent
188 for a business organization to display their license
189 number in specified advertisements; providing an
190 exception; amending ss. 481.222 and 481.223, F.S.;
191 conforming provisions; repealing s. 481.2251, F.S.,
192 relating to the practice and regulation of interior
193 design, registration for interior designers, and
194 disciplinary proceedings against registered interior
195 designers; amending ss. 481.229 and 481.231, F.S.;
196 conforming provisions; amending s. 481.303, F.S.;
197 deleting the definition of the term "certificate of
198 authorization"; amending s. 481.310, F.S.; providing
199 that an applicant who holds a specified degree is not
200 required to demonstrate 1 year of practical experience

201 for licensure; amending s. 481.311, F.S.; requiring
202 the Board of Landscape Architecture to certify an
203 applicant who holds a specified license issued by
204 another state or territory of the United States under
205 certain circumstances; conforming provisions; 481.317,
206 F.S.; conforming provisions; amending s. 481.319,
207 F.S.; deleting the requirement for a certificate of
208 authorization; authorizing landscape architects to
209 practice through a corporation or partnership;
210 amending s. 481.321, F.S.; requiring a landscape
211 architect to display their certificate number in
212 specified advertisements; amending s. 481.329, F.S.;
213 conforming a cross-reference; amending s. 489.103,
214 F.S.; revising certain contract prices for exemption;
215 amending s. 489.111, F.S.; providing that an applicant
216 who is exempt from a specified examination is eligible
217 for licensure; amending s. 489.113, F.S.; providing
218 that an applicant holding a specified degree does not
219 have to pass a certain examination; amending s.
220 489.115, F.S.; requiring the Construction Industry
221 Licensing Board to certify any applicant who holds a
222 specified license to practice contracting issued by
223 another state or territory of the United States under
224 certain circumstances; amending s. 489.511, F.S.;
225 requiring the board to certify as qualified for

226 certification by endorsement any applicant who holds a
227 specified license to practice electrical or alarm
228 system contracting issued by another state or
229 territory of the United States under certain
230 circumstances; amending s. 489.517, F.S.; providing a
231 reduction in certain continuing education hours
232 required for registered contractors; amending s.
233 489.518, F.S.; requiring a person to have completed a
234 specified amount of training within a certain time
235 period to perform the duties of an alarm system agent;
236 amending s. 492.104, F.S.; conforming provisions to
237 changes made by the act; amending 492.108, F.S.;

238 requiring the department to issue a license by
239 endorsement to any applicant who has held a specified
240 license to practice geology in another state,
241 territory, or possession of the United States for a
242 certain period of time; providing that an applicant
243 may take the examination required by the board if they
244 have not met the specified examination requirement;
245 amending s. 492.111, F.S.; deleting the requirements
246 for a certificate of authorization for a professional
247 geologist; amending ss. 492.113 and 492.115, F.S.;

248 conforming provisions; amending s. 548.003, F.S.;

249 deleting the requirement that the Florida State Boxing
250 Commission adopt rules relating to a knockdown

251 timekeeper; amending s. 548.017, F.S.; deleting the
 252 licensure requirement for a timekeeper or announcer;
 253 amending s. 553.5141, F.S.; conforming provisions to
 254 changes made by the act; amending s. 553.74, F.S.;
 255 revising the membership and qualifications of the
 256 Florida Building Commission; amending ss. 553.79,
 257 558.002, 559.25, and 287.055, F.S.; conforming
 258 provisions to changes made by the act; providing an
 259 effective date.

260

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

262

263 Section 1. This act may be cited as the "Occupational
 264 Freedom and Opportunity Act."

265 Section 2. Paragraph (a) of subsection (4) of section
 266 20.165, Florida Statutes, is amended to read:

267 20.165 Department of Business and Professional
 268 Regulation.—There is created a Department of Business and
 269 Professional Regulation.

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

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

274 2. ~~Florida Board of Auctioneers, created under part VI of~~
 275 ~~chapter 468.~~

- 276 ~~2.3.~~ Barbers' Board, created under chapter 476.
- 277 ~~3.4.~~ Florida Building Code Administrators and Inspectors
 278 Board, created under part XII of chapter 468.
- 279 ~~4.5.~~ Construction Industry Licensing Board, created under
 280 part I of chapter 489.
- 281 ~~5.6.~~ Board of Cosmetology, created under chapter 477.
- 282 ~~6.7.~~ Electrical Contractors' Licensing Board, created
 283 under part II of chapter 489.
- 284 ~~7.8.~~ Board of Employee Leasing Companies, created under
 285 part XI of chapter 468.
- 286 ~~8.9.~~ Board of Landscape Architecture, created under part
 287 II of chapter 481.
- 288 ~~9.10.~~ Board of Pilot Commissioners, created under chapter
 289 310.
- 290 ~~10.11.~~ Board of Professional Engineers, created under
 291 chapter 471.
- 292 ~~11.12.~~ Board of Professional Geologists, created under
 293 chapter 492.
- 294 ~~12.13.~~ Board of Veterinary Medicine, created under chapter
 295 474.
- 296 ~~13.14.~~ Home inspection services licensing program, created
 297 under part XV of chapter 468.
- 298 ~~14.15.~~ Mold-related services licensing program, created
 299 under part XVI of chapter 468.

300 Section 3. Subsection (13) of section 326.004, Florida
 301 Statutes, is amended to read:

302 326.004 Licensing.—

303 (13) Each broker must maintain a principal place of
 304 business in this state and may establish branch offices in the
 305 state. ~~A separate license must be maintained for each branch~~
 306 ~~office. The division shall establish by rule a fee not to exceed~~
 307 ~~\$100 for each branch office license.~~

308 Section 4. Subsection (3) of section 447.02, Florida
 309 Statutes, is amended to read:

310 447.02 Definitions.—The following terms, when used in this
 311 chapter, shall have the meanings ascribed to them in this
 312 section:

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

315 Section 5. Section 447.04, Florida Statutes, is repealed.

316 Section 6. Section 447.041, Florida Statutes, is repealed.

317 Section 7. Section 447.045, Florida Statutes, is repealed.

318 Section 8. Section 447.06, Florida Statutes, is repealed.

319 Section 9. Subsections (6) and (8) of section 447.09,
 320 Florida Statutes, are amended to read:

321 447.09 Right of franchise preserved; penalties.—It shall
 322 be unlawful for any person:

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

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

327 Section 10. Section 447.12, Florida Statutes, is repealed.

328 Section 11. Section 447.16, Florida Statutes, is repealed.

329 Section 12. Subsection (4) of section 447.305, Florida
 330 Statutes, is amended to read:

331 447.305 Registration of employee organization.—

332 ~~(4) Notification of registrations and renewals of~~
 333 ~~registration shall be furnished at regular intervals by the~~
 334 ~~commission to the Department of Business and Professional~~
 335 ~~Regulation.~~

336 Section 13. Subsection (13) is added to section 455.213,
 337 Florida Statutes, to read:

338 455.213 General licensing provisions.—

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

348 Section 14. Section 455.2278, Florida Statutes, is created
 349 to read:

350 455.2278 Restriction on disciplinary action for student
351 loan default.—

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

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

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

357 (c) "Student loan" means a federal-guaranteed or state-
358 guaranteed loan for the purposes of postsecondary education.

359 (d) "Work-conditional scholarship" means an award of
360 financial aid for a student to further his or her education
361 which imposes an obligation on the student to complete certain
362 work-related requirements to receive or to continue receiving
363 the scholarship.

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

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

374 Section 15. Section 468.381, Florida Statutes, is

375 repealed.

376 Section 16. Section 468.382, Florida Statutes, is amended
377 to read:

378 468.382 Definitions.—As used in this act, the term:

379 (1)~~(8)~~ "Absolute auction" means an auction that requires
380 no minimum opening bid that limits the sale other than to the
381 highest bidder.

382 (2)~~(7)~~ "Agricultural product" means the natural products
383 from a farm, nursery, grove, orchard, vineyard, garden, or
384 apiary, including livestock, tobacco, and vegetables and
385 includes those agricultural products as defined in chapter 618.

386 (3)~~(1)~~ "Auction business" means a sole proprietorship,
387 partnership, or corporation which in the regular course of
388 business arranges, manages, sponsors, advertises, promotes, or
389 carries out auctions, employs auctioneers to conduct auctions in
390 its facilities, or uses or allows the use of its facilities for
391 auctions.

392 (4)~~(2)~~ "Auctioneer" means any person who conducts auctions
393 within the state ~~licensed pursuant to this part who holds a~~
394 ~~valid Florida auctioneer license.~~

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

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

398 ~~(5) "Department" means the Department of Business and~~
399 ~~Professional Regulation.~~

400 ~~(5)-(6)~~ "Livestock" means any animal included in the
 401 definition of "livestock" by s. 585.01 or s. 588.13.

402 Section 17. Section 468.384, Florida Statutes, is
 403 repealed.

404 Section 18. Section 468.385, Florida Statutes, is
 405 repealed.

406 Section 19. Section 468.3851, Florida Statutes, is
 407 repealed.

408 Section 20. Section 468.3852, Florida Statutes, is
 409 repealed.

410 Section 21. Section 468.3855, Florida Statutes, is
 411 repealed.

412 Section 22. Section 468.386, Florida Statutes, is
 413 repealed.

414 Section 23. Section 468.387, Florida Statutes, is
 415 repealed.

416 Section 24. Subsections (6) through (11) of section
 417 468.388, Florida Statutes, are renumbered as subsections (4)
 418 through (9), respectively, and present subsections (3), (4),
 419 (5), (9), (10), and (11) are amended to read:

420 468.388 Conduct of an auction.—

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

424 ~~(4) Each auction must be conducted by an auctioneer who~~

425 | ~~has an active license or by an apprentice who has an active~~
426 | ~~apprentice auctioneer license and who has received prior written~~
427 | ~~sponsor consent. Each auction must be conducted under the~~
428 | ~~auspices of a licensed auction business. Any auctioneer or~~
429 | ~~apprentice auctioneer conducting an auction, and any auction~~
430 | ~~business under whose auspices such auction is held, shall be~~
431 | ~~responsible for determining that any auctioneer, apprentice, or~~
432 | ~~auction business with whom they are associated in conducting~~
433 | ~~such auction has an active Florida auctioneer, apprentice, or~~
434 | ~~auction business license.~~

435 | ~~(5) The principal auctioneer shall prominently display at~~
436 | ~~the auction site the licenses of the principal auctioneer, the~~
437 | ~~auction business, and any other licensed auctioneers or~~
438 | ~~apprentices who are actively participating in the auction. If~~
439 | ~~such a display is not practicable, then an oral announcement at~~
440 | ~~the beginning of the auction or a prominent written announcement~~
441 | ~~that these licenses are available for inspection at the auction~~
442 | ~~site must be made.~~

443 | (7)~~(9)~~ The auction business under which the auction is
444 | conducted is responsible for all other aspects of the auction as
445 | required by this part ~~board rule~~. The auction business may
446 | delegate in whole, or in part, different aspects of the auction
447 | only to the extent that such delegation is permitted by law and
448 | that such delegation will not impede the principal auctioneer's
449 | ability to ensure the proper conduct of his or her independent

450 responsibility for the auction. The auction business under whose
451 auspices the auction is conducted is responsible for ensuring
452 compliance as required by this part ~~board rule~~.

453 ~~(8)-(10)~~(a) When settlement is not made immediately after
454 an auction, all sale proceeds received for another person must
455 be deposited in an escrow or trust account in an insured bank or
456 savings and loan association located in this state within 2
457 working days after the auction. A maximum of \$100 may be kept in
458 the escrow account for administrative purposes.

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

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

470 (d) Unless otherwise provided by written agreement
471 executed prior to the auction, funds received by an auctioneer
472 or auction business ~~a licensee~~ from the seller or his or her
473 agent for expenses, including advertising, must be expended for
474 the purposes advanced or refunded to the seller at the time of

475 final settlement. Any funds so received shall be maintained in
476 an escrow or trust account in an insured bank or savings and
477 loan association located in this state. However, this does not
478 prohibit advanced payment of a flat fee.

479 ~~(11) (a) All advertising by an auctioneer or auction~~
480 ~~business shall include the name and Florida license number of~~
481 ~~such auctioneer and auction business. The term "advertising"~~
482 ~~shall not include articles of clothing, directional signs, or~~
483 ~~other promotional novelty items.~~

484 (9) (a) ~~(b)~~ No licensed auctioneer, apprentice, or auction
485 business may disseminate or cause to be disseminated any
486 advertisement or advertising which is false, deceptive,
487 misleading, or untruthful. Any advertisement or advertising
488 shall be deemed to be false, deceptive, misleading, or
489 untruthful if it:

- 490 1. Contains misrepresentations of facts.
- 491 2. Is misleading or deceptive because, in its content or
492 in the context in which it is presented, it makes only a partial
493 disclosure of relevant facts.
- 494 3. Creates false or unjustified expectations of the
495 services to be performed.
- 496 4. ~~Contains any representation or claim which the~~
497 ~~advertising licensee fails to perform.~~
- 498 5. ~~Fails to include the name and license number of the~~
499 ~~principal auctioneer and the auction business.~~

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

502 4.7. Advertises an auction as absolute without specifying
 503 any and all items to be sold with reserve or with minimum bids.

504 ~~5.8.~~ Fails to include the percentage amount of any buyer's
 505 premium or surcharge which is a condition to sale.

506 ~~(b)(e)~~ The provisions of this subsection apply to media
 507 exposure of any nature, regardless of whether it is in the form
 508 of paid advertising.

509 ~~(c)(d)~~ The auction business shall be responsible for the
 510 content of all advertising disseminated in preparation for an
 511 auction.

512 Section 25. Section 468.389, Florida Statutes, is amended
 513 to read:

514 468.389 Prohibited acts; penalties.—

515 ~~(1)~~ The following acts shall be grounds for a civil cause
 516 of action for damages against an auctioneer, auction business,
 517 or any owner or manager thereof or, in the case of corporate
 518 ownership, any substantial stockholder of the corporation owning
 519 the auction business ~~the disciplinary activities provided in~~
 520 ~~subsections (2) and (3):~~

521 (1)(a) A violation of any law relating to trade or
 522 commerce of this state or of the state in which an auction is
 523 conducted.

524 (2)(b) Misrepresentation of property for sale at auction

525 or making false promises concerning the use, value, or condition
526 of such property by an auctioneer or auction business or by
527 anyone acting as an agent of or with the consent of the
528 auctioneer or auction business.

529 (3)~~(e)~~ Failure to account for or to pay or return, within
530 a reasonable time not to exceed 30 days, money or property
531 belonging to another which has come into the control of an
532 auctioneer or auction business through an auction.

533 (4)~~(d)~~ False, deceptive, misleading, or untruthful
534 advertising.

535 (5)~~(e)~~ Any conduct in connection with a sales transaction
536 which demonstrates bad faith or dishonesty.

537 (6)~~(f)~~ Using or permitting the use of false bidders,
538 cappers, or shells.

539 ~~(g) Making any material false statement on a license
540 application.~~

541 (7)~~(h)~~ Commingling money or property of another person
542 with his or her own. Every auctioneer and auction business shall
543 maintain a separate trust or escrow account in an insured bank
544 or savings and loan association located in this state in which
545 shall be deposited all proceeds received for another person
546 through an auction sale.

547 (8)~~(i)~~ Refusal or neglect of any auctioneer or other
548 receiver of public moneys to pay the moneys so received into the
549 State Treasury at the times and under the regulations prescribed

550 by law.

551 (9)~~(j)~~ Violating a statute or administrative rule
552 regulating practice under this part or a lawful disciplinary
553 order of the board or the department.

554 ~~(k) Having a license to practice a comparable profession~~
555 ~~revoked, suspended, or otherwise acted against by another state,~~
556 ~~territory, or country.~~

557 (10)~~(l)~~ Being convicted or found guilty, regardless of
558 adjudication, of a crime in any jurisdiction which directly
559 relates to the practice or the ability to practice the
560 profession of auctioneering.

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

564 ~~(a) Refusal to certify to the department an application~~
565 ~~for licensure.~~

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

567 ~~(c) Imposition of an administrative fine not to exceed~~
568 ~~\$1,000 for each count or separate offense.~~

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

570 ~~(e) Placement of the auctioneer on probation for a period~~
571 ~~of time and subject to conditions as the board may specify,~~
572 ~~including requiring the auctioneer to successfully complete the~~
573 ~~licensure examination.~~

574 ~~(f) Requirement that the person in violation make~~

575 ~~restitution to each consumer affected by that violation. Proof~~
576 ~~of such restitution shall be a signed and notarized release~~
577 ~~executed by the consumer or the consumer's estate.~~

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

581 ~~(b) The department may file for an injunction or bring any~~
582 ~~other appropriate civil action against anyone who violates this~~
583 ~~part.~~

584 Section 26. Section 468.391, Florida Statutes, is amended
585 to read:

586 468.391 Penalty.—Any auctioneer, ~~apprentice,~~ or auction
587 business or any owner or manager thereof, or, in the case of
588 corporate ownership, any substantial stockholder of the
589 corporation owning the auction business, who ~~operates without an~~
590 ~~active license or~~ violates s. 468.389(3), (5), (6), (7), or (8)
591 ~~s. 468.389(1)(c), (e), (f), (h), or (i)~~ commits a felony of the
592 third degree, punishable as provided in s. 775.082 or s.
593 775.083.

594 Section 27. Section 468.392, Florida Statutes, is
595 repealed.

596 Section 28. Section 468.393, Florida Statutes, is
597 repealed.

598 Section 29. Section 468.394, Florida Statutes, is
599 repealed.

600 Section 30. Section 468.395, Florida Statutes, is
 601 repealed.

602 Section 31. Section 468.396, Florida Statutes, is
 603 repealed.

604 Section 32. Section 468.397, Florida Statutes, is
 605 repealed.

606 Section 33. Section 468.398, Florida Statutes, is
 607 repealed.

608 Section 34. Section 468.399, Florida Statutes, is
 609 repealed.

610 Section 35. Section 468.401, Florida Statutes, is amended
 611 to read:

612 468.401 ~~Regulation of~~ Talent agencies; definitions.—As
 613 used in this part, the term ~~or any rule adopted pursuant hereto:~~

614 (1)(8) "Artist" means a person performing on the
 615 professional stage or in the production of television, radio, or
 616 motion pictures; a musician or group of musicians; or a model.

617 (2)(7) "Buyer" or "employer" means a person, company,
 618 partnership, or corporation that uses the services of a talent
 619 agency to provide artists.

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

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

624 (b) Any money received by any person in excess of that

625 | which has been paid out by such person for transportation,
 626 | transfer of baggage, or board and lodging for any applicant for
 627 | employment; or

628 | (c) The difference between the amount of money received by
 629 | any person who furnishes employees, performers, or entertainers
 630 | for circus, vaudeville, theatrical, or other entertainments,
 631 | exhibitions, engagements, or performances and the amount paid by
 632 | him or her to such employee, performer, or entertainer.

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

642 | ~~(5) "Department" means the Department of Business and~~
 643 | ~~Professional Regulation.~~

644 | (5)~~(6)~~ "Operator" means the person who is or who will be
 645 | in actual charge of a talent agency.

646 | (6)~~(2)~~ "Owner" means any partner in a partnership, member
 647 | of a firm, or principal officer or officers of a corporation,
 648 | whose partnership, firm, or corporation owns a talent agency, or
 649 | any individual who is the sole owner of a talent agency.

650 ~~(7)-(9)~~ "Person" means any individual, company, society,
651 firm, partnership, association, corporation, manager, or any
652 agent or employee of any of the foregoing.

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

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

658 ~~(8)-(1)~~ "Talent agency" means any person who, for
659 compensation, engages in the occupation or business of procuring
660 or attempting to procure engagements for an artist.

661 Section 36. Section 468.402, Florida Statutes, is
662 repealed.

663 Section 37. Section 468.403, Florida Statutes, is
664 repealed.

665 Section 38. Section 468.404, Florida Statutes, is
666 repealed.

667 Section 39. Section 468.405, Florida Statutes, is
668 repealed.

669 Section 40. Subsection (1) of section 468.406, Florida
670 Statutes, is amended to read:

671 468.406 Fees to be charged by talent agencies; rates;
672 display.—

673 (1) Each owner or operator of a talent agency shall post
674 in a conspicuous place in each place of business of the agency

675 ~~applicant for a license shall file with the application an~~
676 ~~itemized schedule of maximum fees, charges, and commissions that~~
677 ~~which it intends to charge and collect for its services. The~~
678 ~~This schedule may thereafter be raised only by filing with the~~
679 ~~department an amended or supplemental schedule at least 30 days~~
680 ~~before the change is to become effective. The schedule shall be~~
681 ~~posted in a conspicuous place in each place of business of the~~
682 ~~agency and shall be printed in not less than a 30-point~~
683 ~~boldfaced type, except that an agency that uses written~~
684 ~~contracts containing maximum fee schedules need not post such~~
685 ~~schedules.~~

686 Section 41. Section 468.407, Florida Statutes, is
687 repealed.

688 Section 42. Subsection (1) of section 468.408, Florida
689 Statutes, is amended to read:

690 468.408 Bond required.—

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

700 may not be issued or renewed by the bonding agency unless each
701 owner or operator of a talent agency submits fingerprints to the
702 Department of Law Enforcement for a state criminal history
703 record check and to the Federal Bureau of Investigation for a
704 national criminal history record check, and the bonding agency
705 verifies by examination of the criminal history records checks
706 that each owner or operator has not been convicted of a crime
707 that would require registration as a sexual offender, as
708 required in s. 943.0435 or s. 944.607, or as a sexual predator,
709 as required under s. 775.21.

710 (a) If any person is aggrieved by the misconduct of any
711 talent agency, the person may maintain an action in his or her
712 own name upon the bond of the agency in any court having
713 jurisdiction of the amount claimed. All such claims shall be
714 assignable, and the assignee shall be entitled to the same
715 remedies, upon the bond of the agency or otherwise, as the
716 person aggrieved would have been entitled to if such claim had
717 not been assigned. Any claim or claims so assigned may be
718 enforced in the name of such assignee.

719 (b) The bonding company shall notify the talent agency
720 ~~department~~ of any claim against such bond, and a copy of such
721 notice shall be sent to the talent agency against which the
722 claim is made.

723 Section 43. Section 468.409, Florida Statutes, is amended
724 to read:

725 468.409 Records required to be kept.—Each talent agency
726 shall keep on file the application, registration, or contract of
727 each artist. In addition, such file must include the name and
728 address of each artist, the amount of the compensation received,
729 and all attempts to procure engagements for the artist. No such
730 agency or employee thereof shall knowingly make any false entry
731 in applicant files or receipt files. Each card or document in
732 such files shall be preserved for a period of 1 year after the
733 date of the last entry thereon. ~~Records required under this~~
734 ~~section shall be readily available for inspection by the~~
735 ~~department during reasonable business hours at the talent~~
736 ~~agency's principal office. A talent agency must provide the~~
737 ~~department with true copies of the records in the manner~~
738 ~~prescribed by the department.~~

739 Section 44. Subsection (3) of section 468.410, Florida
740 Statutes, is amended to read:

741 468.410 Prohibition against registration fees; referral.—

742 (3) A talent agency shall give each applicant a copy of a
743 contract, within 24 hours after the contract's execution, which
744 lists the services to be provided and the fees to be charged.
745 ~~The contract shall state that the talent agency is regulated by~~
746 ~~the department and shall list the address and telephone number~~
747 ~~of the department.~~

748 Section 45. Subsections (4) through (11) of section
749 468.412, Florida Statutes, are renumbered as subsections (3)

750 through (10), respectively, and present subsections (2), (3),
 751 (4), (6), and (11) are amended to read:

752 468.412 Talent agency regulations; prohibited acts.-

753 (2) Each talent agency shall keep records in which shall
 754 be entered:

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

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

758 (c) The employment in which each such artist is engaged at
 759 the time of employing such talent agency and the amount of
 760 compensation of the artist in such employment, if any, and the
 761 employments subsequently secured by such artist during the term
 762 of the contract between the artist and the talent agency and the
 763 amount of compensation received by the artist pursuant thereto.†
 764 and

765 ~~(d) Other information which the department may require~~
 766 ~~from time to time.~~

767 ~~(3) All books, records, and other papers kept pursuant to~~
 768 ~~this act by any talent agency shall be open at all reasonable~~
 769 ~~hours to the inspection of the department and its agents. Each~~
 770 ~~talent agency shall furnish to the department, upon request, a~~
 771 ~~true copy of such books, records, and papers, or any portion~~
 772 ~~thereof, and shall make such reports as the department may~~
 773 ~~prescribe from time to time.~~

774 (3)~~(4)~~ Each talent agency shall post in a conspicuous

775 | place in the office of such talent agency a printed copy of this
776 | part and ~~of the rules adopted under this part. Such copies shall~~
777 | ~~also contain the name and address of the officer charged with~~
778 | ~~enforcing this part. The department shall furnish to talent~~
779 | ~~agencies printed copies of any statute or rule required to be~~
780 | ~~posted under this subsection.~~

781 | (5)~~(6)~~ | A ~~No~~ talent agency may not publish or cause to be
782 | published any false, fraudulent, or misleading information,
783 | representation, notice, or advertisement. All advertisements of
784 | a talent agency by means of card, circulars, or signs, and in
785 | newspapers and other publications, and all letterheads,
786 | receipts, and blanks shall be printed and contain the licensed
787 | ~~name, department license number,~~ and address of the talent
788 | agency and the words "talent agency." A ~~No~~ talent agency may not
789 | give any false information or make any false promises or
790 | representations concerning an engagement or employment to any
791 | applicant who applies for an engagement or employment.

792 | (10)~~(11)~~ | A talent agency may assign an engagement contract
793 | to another talent agency licensed in this state only if the
794 | artist agrees in writing to the assignment. The assignment must
795 | occur, and written notice of the assignment must be given to the
796 | artist, within 30 days after the artist agrees in writing to the
797 | assignment.

798 | Section 46. Section 468.413, Florida Statutes, is amended
799 | to read:

800 468.413 Legal requirements; penalties.—

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

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

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

809 (1)(2) Each of the following acts constitutes a
 810 misdemeanor of the second degree, punishable as provided in s.
 811 775.082 or s. 775.083:

812 ~~(a) Relocating a business as a talent agency, or operating~~
 813 ~~under any name other than that designated on the license, unless~~
 814 ~~written notification is given to the department and to the~~
 815 ~~surety or sureties on the original bond, and unless the license~~
 816 ~~is returned to the department for the recording thereon of such~~
 817 ~~changes.~~

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

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

824 (a)(d) Failing to maintain the records required by s.

825 468.409 or knowingly making false entries in such records.

826 (b)~~(e)~~ Requiring as a condition to registering or
827 obtaining employment or placement for any applicant that the
828 applicant subscribe to, purchase, or attend any publication,
829 postcard service, advertisement, resume service, photography
830 service, school, acting school, workshop, or acting workshop.

831 (c)~~(f)~~ Failing to give each applicant a copy of a contract
832 which lists the services to be provided and the fees to be
833 charged by, ~~which states that the talent agency is regulated by~~
834 ~~the department, and which lists the address and telephone number~~
835 ~~of the department.~~

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

838 (e)~~(h)~~ Knowingly sending or causing to be sent any artist
839 to a prospective employer or place of business, the character or
840 operation of which employer or place of business the talent
841 agency knows to be in violation of the laws of the United States
842 or of this state.

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

847 (2)~~(4)~~ In the event that ~~the department or any state~~
848 attorney shall have probable cause to believe that a talent
849 agency or other person has violated any provision of subsection

850 (1), an action may be brought by ~~the department or~~ any state
851 attorney to enjoin such talent agency or any person from
852 continuing such violation, or engaging therein or doing any acts
853 in furtherance thereof, and for such other relief as to the
854 court seems appropriate. ~~In addition to this remedy, the~~
855 ~~department may assess a penalty against any talent agency or any~~
856 ~~person in an amount not to exceed \$5,000.~~

857 Section 47. Section 468.414, Florida Statutes, is
858 repealed.

859 Section 48. Section 468.415, Florida Statutes, is amended
860 to read:

861 468.415 Sexual misconduct in the operation of a talent
862 agency.—The talent agent-artist relationship is founded on
863 mutual trust. Sexual misconduct in the operation of a talent
864 agency means violation of the talent agent-artist relationship
865 through which the talent agent uses the relationship to induce
866 or attempt to induce the artist to engage or attempt to engage
867 in sexual activity. Sexual misconduct is prohibited in the
868 operation of a talent agency. ~~If~~ Any agent, owner, or operator
869 of a ~~licensed~~ talent agency who commits ~~is found to have~~
870 ~~committed~~ sexual misconduct in the operation of a talent agency,
871 ~~the agency license shall be permanently revoked. Such agent,~~
872 ~~owner, or operator~~ shall be permanently prohibited from acting
873 ~~disqualified from present and future licensure as~~ an agent,
874 owner, or operator of a Florida talent agency.

875 Section 49. Subsection (4) of section 468.524, Florida
 876 Statutes, is amended to read:

877 468.524 Application for license.—

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

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

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

887 ~~(c) The department is unable to complete the criminal~~
 888 ~~background investigation because of insufficient information~~
 889 ~~from the Florida Department of Law Enforcement, the Federal~~
 890 ~~Bureau of Investigation, or any other applicable law enforcement~~
 891 ~~agency;~~

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

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

899 Section 50. Paragraph (f) of subsection (5) of section

900 468.603, Florida Statutes, is amended to read:

901 468.603 Definitions.—As used in this part:

902 (5) "Categories of building code inspectors" include the
903 following:

904 (f) "Residential ~~One and two family dwelling~~ inspector"
905 means a person who is qualified to inspect and determine that
906 one-family, two-family, or three-family residences not exceeding
907 two habitable stories above no more than one uninhabitable story
908 and accessory use structures in connection therewith ~~one and two~~
909 ~~family dwellings and accessory structures~~ are constructed in
910 accordance with the provisions of the governing building,
911 plumbing, mechanical, accessibility, and electrical codes.

912 Section 51. Paragraph (c) of subsection (2) and paragraph
913 (a) of subsection (7) of section 468.609, Florida Statutes, are
914 amended to read:

915 468.609 Administration of this part; standards for
916 certification; additional categories of certification.—

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

920 (c) Meets eligibility requirements according to one of the
921 following criteria:

922 1. Demonstrates 4 ~~5~~ years' combined experience in the
923 field of construction or a related field, building code
924 inspection, or plans review corresponding to the certification

925 category sought;

926 2. Demonstrates a combination of postsecondary education
927 in the field of construction or a related field and experience
928 which totals 3 4 years, with at least 1 year of such total being
929 experience in construction, building code inspection, or plans
930 review;

931 3. Demonstrates a combination of technical education in
932 the field of construction or a related field and experience
933 which totals 3 4 years, with at least 1 year of such total being
934 experience in construction, building code inspection, or plans
935 review;

936 4. Currently holds a standard certificate issued by the
937 board or a firesafety inspector license issued pursuant to
938 chapter 633, has a minimum of 3 years' verifiable full-time
939 experience in inspection or plan review, and has satisfactorily
940 completed a building code inspector or plans examiner training
941 program that provides at least 100 hours but not more than 200
942 hours of cross-training in the certification category sought.
943 The board shall establish by rule criteria for the development
944 and implementation of the training programs. The board shall
945 accept all classroom training offered by an approved provider if
946 the content substantially meets the intent of the classroom
947 component of the training program;

948 5. Demonstrates a combination of the completion of an
949 approved training program in the field of building code

950 inspection or plan review and a minimum of 2 years' experience
951 in the field of building code inspection, plan review, fire code
952 inspections and fire plans review of new buildings as a
953 firesafety inspector certified under s. 633.216, or
954 construction. The approved training portion of this requirement
955 shall include proof of satisfactory completion of a training
956 program that provides at least 200 hours but not more than 300
957 hours of cross-training that is approved by the board in the
958 chosen category of building code inspection or plan review in
959 the certification category sought with at least 20 hours but not
960 more than 30 hours of instruction in state laws, rules, and
961 ethics relating to professional standards of practice, duties,
962 and responsibilities of a certificateholder. The board shall
963 coordinate with the Building Officials Association of Florida,
964 Inc., to establish by rule the development and implementation of
965 the training program. However, the board shall accept all
966 classroom training offered by an approved provider if the
967 content substantially meets the intent of the classroom
968 component of the training program;

969 6. Currently holds a standard certificate issued by the
970 board or a firesafety inspector license issued pursuant to
971 chapter 633 and:

972 a. Has at least 4 ~~5~~ years' verifiable full-time experience
973 as an inspector or plans examiner in a standard certification
974 category currently held or has a minimum of 4 ~~5~~ years'

975 verifiable full-time experience as a firesafety inspector
976 licensed pursuant to chapter 633.

977 b. Has satisfactorily completed a building code inspector
978 or plans examiner classroom training course or program that
979 provides at least 200 but not more than 300 hours in the
980 certification category sought, except for one-family and two-
981 family dwelling training programs, which must provide at least
982 500 but not more than 800 hours of training as prescribed by the
983 board. The board shall establish by rule criteria for the
984 development and implementation of classroom training courses and
985 programs in each certification category; or

986 7.a. Has completed a 4-year internship certification
987 program as a building code inspector or plans examiner while
988 employed full-time by a municipality, county, or other
989 governmental jurisdiction, under the direct supervision of a
990 certified building official. Proof of graduation with a related
991 vocational degree or college degree or of verifiable work
992 experience may be exchanged for the internship experience
993 requirement year-for-year, but may reduce the requirement to no
994 less than 1 year.

995 b. Has passed an examination administered by the
996 International Code Council in the certification category sought.
997 Such examination must be passed before beginning the internship
998 certification program.

999 c. Has passed the principles and practice examination

1000 before completing the internship certification program.

1001 d. Has passed a board-approved 40-hour code training
1002 course in the certification category sought before completing
1003 the internship certification program.

1004 e. Has obtained a favorable recommendation from the
1005 supervising building official after completion of the internship
1006 certification program.

1007 (7) (a) The board shall provide for the issuance of
1008 provisional certificates valid for 2 years ~~1 year~~, as specified
1009 by board rule, to any building code inspector or plans examiner
1010 who meets the eligibility requirements described in subsection
1011 (2) and any newly employed or promoted building code
1012 administrator who meets the eligibility requirements described
1013 in subsection (3). The provisional license may be renewed by the
1014 board for just cause; however, a provisional license is not
1015 valid for longer than 3 years.

1016 Section 52. Section 468.613, Florida Statutes, is amended
1017 to read:

1018 468.613 Certification by endorsement.—The board shall
1019 examine other certification or training programs, as applicable,
1020 upon submission to the board for its consideration of an
1021 application for certification by endorsement. The board shall
1022 waive its examination, qualification, education, or training
1023 requirements, to the extent that such examination,
1024 qualification, education, or training requirements of the

1025 applicant are determined by the board to be comparable with
1026 those established by the board. The board shall waive its
1027 examination, qualification, education, or training requirements
1028 if an applicant for certification by endorsement is at least 18
1029 years of age; is of good moral character; has held a valid
1030 building administrator, inspector, plans examiner, or the
1031 equivalent, certification issued by another state or territory
1032 of the United States for at least 10 years before the date of
1033 application; and has successfully passed an applicable
1034 examination administered by the International Codes Council.
1035 Such application must be submitted to the board while the
1036 applicant holds a valid license in another state or territory or
1037 within 2 years after the expiration of such license.

1038 Section 53. Subsection (3) of section 468.8314, Florida
1039 Statutes, is amended to read:

1040 468.8314 Licensure.—

1041 (3) The department shall certify as qualified for a
1042 license by endorsement an applicant who is of good moral
1043 character as determined in s. 468.8313, who maintains an
1044 insurance policy as required by s. 468.8322, and who:†

1045 (a) Holds a valid license to practice home inspection
1046 services in another state or territory of the United States,
1047 whose educational requirements are substantially equivalent to
1048 those required by this part; and has passed a national,
1049 regional, state, or territorial licensing examination that is

1050 substantially equivalent to the examination required by this
 1051 part; or

1052 (b) Has held a valid license to practice home inspection
 1053 services issued by another state or territory of the United
 1054 States for at least 10 years before the date of application.
 1055 Such application must be submitted to the department while the
 1056 applicant holds a valid license in another state or territory or
 1057 within 2 years after the expiration of such license.

1058 Section 54. Subsection (3) of section 468.8414, Florida
 1059 Statutes, is amended to read:

1060 468.8414 Licensure.—

1061 (3) The department shall certify as qualified for a
 1062 license by endorsement an applicant who is of good moral
 1063 character, who has the insurance coverage required under s.
 1064 468.8421, and who:

1065 (a) Is qualified to take the examination as set forth in
 1066 s. 468.8413 and has passed a certification examination offered
 1067 by a nationally recognized organization that certifies persons
 1068 in the specialty of mold assessment or mold remediation that has
 1069 been approved by the department as substantially equivalent to
 1070 the requirements of this part and s. 455.217; ~~or~~

1071 (b) Holds a valid license to practice mold assessment or
 1072 mold remediation issued by another state or territory of the
 1073 United States if the criteria for issuance of the license were
 1074 substantially the same as the licensure criteria that is

1075 established by this part as determined by the department; or
 1076 (c) Has held a valid license to practice as a mold
 1077 assessor or a mold remediator issued by another state or
 1078 territory of the United States for at least 10 years before the
 1079 date of application. Such application must be submitted to the
 1080 department while the applicant holds a valid license in another
 1081 state or territory or within 2 years after the expiration of
 1082 such license.

1083 Section 55. Paragraphs (a) and (e) of subsection (2),
 1084 subsection (3), paragraph (b) of subsection (4), and subsection
 1085 (6) of section 469.006, Florida Statutes, are amended to read:

1086 469.006 Licensure of business organizations; qualifying
 1087 agents.—

1088 (2) (a) If the applicant proposes to engage in consulting
 1089 or contracting as a partnership, corporation, business trust, or
 1090 other legal entity, or in any name other than the applicant's
 1091 legal name, ~~the legal entity must apply for licensure through a~~
 1092 ~~qualifying agent or the individual applicant must~~ qualify ~~apply~~
 1093 ~~for licensure under the~~ business organization ~~fictitious name.~~

1094 (e) ~~A~~ The ~~license, when issued upon application of a~~
 1095 ~~business organization,~~ must be in the name of the qualifying
 1096 agent ~~business organization,~~ and the name of the business
 1097 organization ~~qualifying agent~~ must be noted on the license
 1098 ~~thereon.~~ If there is a change in any information that is
 1099 required to be stated on the application, the qualifying agent

1100 ~~business organization~~ shall, within 45 days after such change
1101 occurs, mail the correct information to the department.

1102 (3) The qualifying agent must ~~shall~~ be licensed under this
1103 chapter in order for the business organization to be qualified
1104 ~~licensed~~ in the category of the business conducted for which the
1105 qualifying agent is licensed. If any qualifying agent ceases to
1106 be affiliated with such business organization, the agent shall
1107 so inform the department. In addition, if such qualifying agent
1108 is the only licensed individual affiliated with the business
1109 organization, the business organization shall notify the
1110 department of the termination of the qualifying agent and has
1111 ~~shall have~~ 60 days after ~~from~~ the date of termination of the
1112 qualifying agent's affiliation with the business organization ~~in~~
1113 ~~which~~ to employ another qualifying agent. The business
1114 organization may not engage in consulting or contracting until a
1115 qualifying agent is employed, unless the department has granted
1116 a temporary nonrenewable license to the financially responsible
1117 officer, the president, the sole proprietor, a partner, or, in
1118 the case of a limited partnership, the general partner, who
1119 assumes all responsibilities of a primary qualifying agent for
1120 the entity. This temporary license only allows ~~shall only allow~~
1121 the entity to proceed with incomplete contracts.

1122 (4)

1123 (b) Upon a favorable determination by the department,
1124 after investigation of the financial responsibility, credit, and

1125 business reputation of the qualifying agent and the new business
1126 organization, the department shall issue, without any
1127 examination, a new license in the qualifying agent's ~~business~~
1128 ~~organization's~~ name, and the name of the business organization
1129 ~~qualifying agent~~ shall be noted thereon.

1130 (6) Each qualifying agent shall pay the department an
1131 amount equal to the original fee for licensure ~~of a new business~~
1132 ~~organization~~. if the qualifying agent for a business
1133 organization desires to qualify additional business
1134 organizations. 7 The department shall require the agent to
1135 present evidence of supervisory ability and financial
1136 responsibility of each such organization. Allowing a licensee to
1137 qualify more than one business organization must ~~shall~~ be
1138 conditioned upon the licensee showing that the licensee has both
1139 the capacity and intent to adequately supervise each business
1140 organization. The department may ~~shall~~ not limit the number of
1141 business organizations that ~~which~~ the licensee may qualify
1142 except upon the licensee's failure to provide such information
1143 as is required under this subsection or upon a finding that the
1144 ~~such~~ information or evidence ~~as is~~ supplied is incomplete or
1145 unpersuasive in showing the licensee's capacity and intent to
1146 comply with the requirements of this subsection. A qualification
1147 for an additional business organization may be revoked or
1148 suspended upon a finding by the department that the licensee has
1149 failed in the licensee's responsibility to adequately supervise

1150 the operations of the business organization. Failure to
1151 adequately supervise the operations of a business organization
1152 is ~~shall be~~ grounds for denial to qualify additional business
1153 organizations.

1154 Section 56. Subsection (1) of section 469.009, Florida
1155 Statutes, is amended to read:

1156 469.009 License revocation, suspension, and denial of
1157 issuance or renewal.—

1158 (1) The department may revoke, suspend, or deny the
1159 issuance or renewal of a license; reprimand, censure, or place
1160 on probation any contractor, consultant, or financially
1161 responsible officer, ~~or business organization~~; require financial
1162 restitution to a consumer; impose an administrative fine not to
1163 exceed \$5,000 per violation; require continuing education; or
1164 assess costs associated with any investigation and prosecution
1165 if the contractor or consultant, or business organization or
1166 officer or agent thereof, is found guilty of any of the
1167 following acts:

1168 (a) Willfully or deliberately disregarding or violating
1169 the health and safety standards of the Occupational Safety and
1170 Health Act of 1970, the Construction Safety Act, the National
1171 Emission Standards for Asbestos, the Environmental Protection
1172 Agency Asbestos Abatement Projects Worker Protection Rule, the
1173 Florida Statutes or rules promulgated thereunder, or any
1174 ordinance enacted by a political subdivision of this state.

- 1175 (b) Violating any provision of chapter 455.
- 1176 (c) Failing in any material respect to comply with the
- 1177 provisions of this chapter or any rule promulgated hereunder.
- 1178 (d) Acting in the capacity of an asbestos contractor or
- 1179 asbestos consultant under any license issued under this chapter
- 1180 except in the name of the licensee as set forth on the issued
- 1181 license.
- 1182 (e) Proceeding on any job without obtaining all applicable
- 1183 approvals, authorizations, permits, and inspections.
- 1184 (f) Obtaining a license by fraud or misrepresentation.
- 1185 (g) Being convicted or found guilty of, or entering a plea
- 1186 of nolo contendere to, regardless of adjudication, a crime in
- 1187 any jurisdiction which directly relates to the practice of
- 1188 asbestos consulting or contracting or the ability to practice
- 1189 asbestos consulting or contracting.
- 1190 (h) Knowingly violating any building code, lifesafety
- 1191 code, or county or municipal ordinance relating to the practice
- 1192 of asbestos consulting or contracting.
- 1193 (i) Performing any act which assists a person or entity in
- 1194 engaging in the prohibited unlicensed practice of asbestos
- 1195 consulting or contracting, if the licensee knows or has
- 1196 reasonable grounds to know that the person or entity was
- 1197 unlicensed.
- 1198 (j) Committing mismanagement or misconduct in the practice
- 1199 of contracting that causes financial harm to a customer.

1200 Financial mismanagement or misconduct occurs when:

1201 1. Valid liens have been recorded against the property of
 1202 a contractor's customer for supplies or services ordered by the
 1203 contractor for the customer's job; the contractor has received
 1204 funds from the customer to pay for the supplies or services; and
 1205 the contractor has not had the liens removed from the property,
 1206 by payment or by bond, within 75 days after the date of such
 1207 liens;

1208 2. The contractor has abandoned a customer's job and the
 1209 percentage of completion is less than the percentage of the
 1210 total contract price paid to the contractor as of the time of
 1211 abandonment, unless the contractor is entitled to retain such
 1212 funds under the terms of the contract or refunds the excess
 1213 funds within 30 days after the date the job is abandoned; or

1214 3. The contractor's job has been completed, and it is
 1215 shown that the customer has had to pay more for the contracted
 1216 job than the original contract price, as adjusted for subsequent
 1217 change orders, unless such increase in cost was the result of
 1218 circumstances beyond the control of the contractor, was the
 1219 result of circumstances caused by the customer, or was otherwise
 1220 permitted by the terms of the contract between the contractor
 1221 and the customer.

1222 (k) Being disciplined by any municipality or county for an
 1223 act or violation of this chapter.

1224 (l) Failing in any material respect to comply with the

1225 provisions of this chapter, or violating a rule or lawful order
1226 of the department.

1227 (m) Abandoning an asbestos abatement project in which the
1228 asbestos contractor is engaged or under contract as a
1229 contractor. A project may be presumed abandoned after 20 days if
1230 the contractor terminates the project without just cause and
1231 without proper notification to the owner, including the reason
1232 for termination; if the contractor fails to reasonably secure
1233 the project to safeguard the public while work is stopped; or if
1234 the contractor fails to perform work without just cause for 20
1235 days.

1236 (n) Signing a statement with respect to a project or
1237 contract falsely indicating that the work is bonded; falsely
1238 indicating that payment has been made for all subcontracted
1239 work, labor, and materials which results in a financial loss to
1240 the owner, purchaser, or contractor; or falsely indicating that
1241 workers' compensation and public liability insurance are
1242 provided.

1243 (o) Committing fraud or deceit in the practice of asbestos
1244 consulting or contracting.

1245 (p) Committing incompetency or misconduct in the practice
1246 of asbestos consulting or contracting.

1247 (q) Committing gross negligence, repeated negligence, or
1248 negligence resulting in a significant danger to life or property
1249 in the practice of asbestos consulting or contracting.

1250 (r) Intimidating, threatening, coercing, or otherwise
 1251 discouraging the service of a notice to owner under part I of
 1252 chapter 713 or a notice to contractor under chapter 255 or part
 1253 I of chapter 713.

1254 (s) Failing to satisfy, within a reasonable time, the
 1255 terms of a civil judgment obtained against the licensee, or the
 1256 business organization qualified by the licensee, relating to the
 1257 practice of the licensee's profession.

1258
 1259 For the purposes of this subsection, construction is considered
 1260 to be commenced when the contract is executed and the contractor
 1261 has accepted funds from the customer or lender.

1262 Section 57. Subsection (13) of section 471.005, Florida
 1263 Statutes, is renumbered as subsection (3), and present
 1264 subsection (3) and subsection (8) of that section are amended to
 1265 read:

1266 471.005 Definitions.—As used in this chapter, the term:

1267 ~~(3) "Certificate of authorization" means a license to~~
 1268 ~~practice engineering issued by the management corporation to a~~
 1269 ~~corporation or partnership.~~

1270 (8) "License" means the licensing of engineers ~~or~~
 1271 ~~certification of businesses~~ to practice engineering in this
 1272 state.

1273 Section 58. Subsection (4) of section 471.011, Florida
 1274 Statutes, is amended to read:

1275 471.011 Fees.—

1276 ~~(4) The fee for a certificate of authorization shall not~~
 1277 ~~exceed \$125.~~

1278 Section 59. Subsection (5) of section 471.015, Florida
 1279 Statutes, is amended to read:

1280 471.015 Licensure.—

1281 (5) (a) The board shall deem that an applicant who seeks
 1282 licensure by endorsement has passed an examination substantially
 1283 equivalent to the fundamentals examination when such applicant
 1284 has held a valid professional engineer's license in another
 1285 state for 10 ~~15~~ years and ~~has had 20 years of continuous~~
 1286 ~~professional-level engineering experience.~~

1287 (b) The board shall deem that an applicant who seeks
 1288 licensure by endorsement has passed an examination substantially
 1289 equivalent to the fundamentals examination and the principles
 1290 and practices examination when such applicant has held a valid
 1291 professional engineer's license in another state for 15 ~~25~~ years
 1292 and ~~has had 30 years of continuous professional-level~~
 1293 ~~engineering experience.~~

1294 Section 60. Section 471.023, Florida Statutes, is amended
 1295 to read:

1296 471.023 Qualification Certification ~~Certification~~ of business
 1297 organizations.—

1298 (1) The practice of, or the offer to practice, engineering
 1299 by licensees or offering engineering services to the public

1300 through a business organization, including a partnership,
1301 corporation, business trust, or other legal entity or by a
1302 business organization, including a corporation, partnership,
1303 business trust, or other legal entity offering such services to
1304 the public through licensees under this chapter as agents,
1305 employees, officers, or partners is permitted only if the
1306 business organization is qualified by an engineer licensed under
1307 this chapter ~~possesses a certification issued by the management~~
1308 ~~corporation pursuant to qualification by the board~~, subject to
1309 the provisions of this chapter. One or more of the principal
1310 officers of the business organization or one or more partners of
1311 the partnership and all personnel of the business organization
1312 who act in its behalf as engineers in this state shall be
1313 licensed as provided by this chapter. All final drawings,
1314 specifications, plans, reports, or documents involving practices
1315 licensed under this chapter which are prepared or approved for
1316 the use of the business organization or for public record within
1317 the state shall be dated and shall bear the signature and seal
1318 of the licensee who prepared or approved them. Nothing in this
1319 section shall be construed to mean that a license to practice
1320 engineering shall be held by a business organization. Nothing
1321 herein prohibits business organizations from joining together to
1322 offer engineering services to the public, if each business
1323 organization otherwise meets the requirements of this section.
1324 No business organization shall be relieved of responsibility for

1325 | the conduct or acts of its agents, employees, or officers by
1326 | reason of its compliance with this section, nor shall any
1327 | individual practicing engineering be relieved of responsibility
1328 | for professional services performed by reason of his or her
1329 | employment or relationship with a business organization.

1330 | (2) For the purposes of this section, a ~~certificate of~~
1331 | ~~authorization shall be required for any~~ business organization or
1332 | other person practicing under a fictitious name, offering
1333 | engineering services to the public must be qualified by an
1334 | engineer licensed under this chapter. ~~However, when an~~
1335 | ~~individual is practicing engineering in his or her own given~~
1336 | ~~name, he or she shall not be required to be licensed under this~~
1337 | ~~section.~~

1338 | (3) Except as provided in s. 558.0035, the fact that a
1339 | licensed engineer practices through a business organization does
1340 | not relieve the licensee from personal liability for negligence,
1341 | misconduct, or wrongful acts committed by him or her.
1342 | Partnerships and all partners shall be jointly and severally
1343 | liable for the negligence, misconduct, or wrongful acts
1344 | committed by their agents, employees, or partners while acting
1345 | in a professional capacity. Any officer, agent, or employee of a
1346 | business organization other than a partnership shall be
1347 | personally liable and accountable only for negligent acts,
1348 | wrongful acts, or misconduct committed by him or her or
1349 | committed by any person under his or her direct supervision and

1350 control, while rendering professional services on behalf of the
1351 business organization. The personal liability of a shareholder
1352 or owner of a business organization, in his or her capacity as
1353 shareholder or owner, shall be no greater than that of a
1354 shareholder-employee of a corporation incorporated under chapter
1355 607. The business organization shall be liable up to the full
1356 value of its property for any negligent acts, wrongful acts, or
1357 misconduct committed by any of its officers, agents, or
1358 employees while they are engaged on its behalf in the rendering
1359 of professional services.

1360 (4) ~~Each certification of authorization shall be renewed~~
1361 ~~every 2 years.~~ Each qualifying agent of a business organization
1362 qualified ~~certified~~ under this section must notify the board
1363 within 30 days ~~1 month~~ after any change in the information
1364 contained in the application upon which the certification is
1365 based.

1366 (a) A qualifying agent who terminates an affiliation with
1367 a qualified business organization shall notify the management
1368 corporation of such termination within 24 hours. If such
1369 qualifying agent is the only qualifying agent for that business
1370 organization, the business organization must be qualified by
1371 another qualifying agent within 60 days after the termination.
1372 Except as provided in paragraph (b), the business organization
1373 may not engage in the practice of engineering until it is
1374 qualified by another qualifying agent.

1375 (b) In the event a qualifying agent ceases employment with
1376 a qualified business organization and such qualifying agent is
1377 the only licensed individual affiliated with the business
1378 organization, the executive director of the management
1379 corporation or the chair of the board may authorize another
1380 licensee employed by the business organization to temporarily
1381 serve as its qualifying agent for a period of no more than 60
1382 days to proceed with incomplete contracts. The business
1383 organization is not authorized to operate beyond such period
1384 under this chapter absent replacement of the qualifying agent.

1385 (c) A qualifying agent shall notify the department in
1386 writing before engaging in the practice of engineering in the
1387 licensee's name or in affiliation with a different business
1388 organization.

1389 ~~(5) Disciplinary action against a business organization~~
1390 ~~shall be administered in the same manner and on the same grounds~~
1391 ~~as disciplinary action against a licensed engineer.~~

1392 Section 61. Subsection (7) of section 473.308, Florida
1393 Statutes, is amended to read:

1394 473.308 Licensure.—

1395 (7) The board shall certify as qualified for a license by
1396 endorsement an applicant who:

1397 (a) ~~+~~ Is not licensed and has not been licensed in another
1398 state or territory and who has met the requirements of this
1399 section for education, work experience, and good moral character

1400 and has passed a national, regional, state, or territorial
 1401 licensing examination that is substantially equivalent to the
 1402 examination required by s. 473.306; or ~~and~~

1403 ~~2. Has completed such continuing education courses as the~~
 1404 ~~board deems appropriate, within the limits for each applicable~~
 1405 ~~2-year period as set forth in s. 473.312, but at least such~~
 1406 ~~courses as are equivalent to the continuing education~~
 1407 ~~requirements for a Florida certified public accountant licensed~~
 1408 ~~in this state during the 2 years immediately preceding her or~~
 1409 ~~his application for licensure by endorsement; or~~

1410 (b)1.a. Holds a valid license to practice public
 1411 accounting issued by another state or territory of the United
 1412 States, if the criteria for issuance of such license were
 1413 substantially equivalent to the licensure criteria that existed
 1414 in this state at the time the license was issued;

1415 ~~2.b.~~ Holds a valid license to practice public accounting
 1416 issued by another state or territory of the United States but
 1417 the criteria for issuance of such license did not meet the
 1418 requirements of subparagraph 1. ~~sub-subparagraph a.~~; has met the
 1419 requirements of this section for education, work experience, and
 1420 good moral character; and has passed a national, regional,
 1421 state, or territorial licensing examination that is
 1422 substantially equivalent to the examination required by s.
 1423 473.306; or

1424 3.e. Holds a valid license to practice public accounting

1425 | issued by another state or territory of the United States for at
 1426 | least 10 years before the date of application; has passed a
 1427 | national, regional, state, or territorial licensing examination
 1428 | that is substantially equivalent to the examination required by
 1429 | s. 473.306; and has met the requirements of this section for
 1430 | good moral character. ~~;~~ ~~and~~

1431 | ~~2. Has completed continuing education courses that are~~
 1432 | ~~equivalent to the continuing education requirements for a~~
 1433 | ~~Florida certified public accountant licensed in this state~~
 1434 | ~~during the 2 years immediately preceding her or his application~~
 1435 | ~~for licensure by endorsement.~~

1436 | Section 62. Subsection (6) of section 474.202, Florida
 1437 | Statutes, is amended to read:

1438 | 474.202 Definitions.—As used in this chapter:

1439 | (6) "Limited-service veterinary medical practice" means
 1440 | offering or providing veterinary services at any location that
 1441 | has a primary purpose other than that of providing veterinary
 1442 | medical service at a permanent or mobile establishment permitted
 1443 | by the board; provides veterinary medical services for privately
 1444 | owned animals that do not reside at that location; operates for
 1445 | a limited time; and provides limited types of veterinary medical
 1446 | services, including vaccinations or immunizations against
 1447 | disease, preventative procedures for parasitic control, and
 1448 | microchipping.

1449 | Section 63. Paragraph (b) of subsection (2) of section

1450 474.207, Florida Statutes, is amended to read:

1451 474.207 Licensure by examination.—

1452 (2) The department shall license each applicant who the
1453 board certifies has:

1454 (b)1. Graduated from a college of veterinary medicine
1455 accredited by the American Veterinary Medical Association
1456 Council on Education; or

1457 2. Graduated from a college of veterinary medicine listed
1458 in the American Veterinary Medical Association Roster of
1459 Veterinary Colleges of the World and obtained a certificate from
1460 the Education Commission for Foreign Veterinary Graduates or the
1461 Program for the Assessment of Veterinary Education Equivalence.
1462

1463 The department shall not issue a license to any applicant who is
1464 under investigation in any state or territory of the United
1465 States or in the District of Columbia for an act which would
1466 constitute a violation of this chapter until the investigation
1467 is complete and disciplinary proceedings have been terminated,
1468 at which time the provisions of s. 474.214 shall apply.

1469 Section 64. Subsection (1) of section 474.217, Florida
1470 Statutes, is amended to read:

1471 474.217 Licensure by endorsement.—

1472 (1) The department shall issue a license by endorsement to
1473 any applicant who, upon applying to the department and remitting
1474 a fee set by the board, demonstrates to the board that she or

1475 he:

1476 (a) Has demonstrated, in a manner designated by rule of
 1477 the board, knowledge of the laws and rules governing the
 1478 practice of veterinary medicine in this state; and

1479 (b)1. ~~Either~~ Holds, and has held for the 3 years
 1480 immediately preceding the application for licensure, a valid,
 1481 active license to practice veterinary medicine in another state
 1482 of the United States, the District of Columbia, or a territory
 1483 of the United States, provided that the applicant has
 1484 successfully completed a state, regional, national, or other
 1485 examination that is equivalent to or more stringent than the
 1486 examination required by the board ~~requirements for licensure in~~
 1487 ~~the issuing state, district, or territory are equivalent to or~~
 1488 ~~more stringent than the requirements of this chapter; or~~

1489 2. Meets the qualifications of s. 474.207(2) (b) and has
 1490 successfully completed a state, regional, national, or other
 1491 examination which is equivalent to or more stringent than the
 1492 examination given by the department and has passed the board's
 1493 clinical competency examination or another clinical competency
 1494 examination specified by rule of the board.

1495 Section 65. Subsection (2) of section 476.114, Florida
 1496 Statutes, is amended to read:

1497 476.114 Examination; prerequisites.—

1498 (2) An applicant shall be eligible for licensure by
 1499 examination to practice barbering if the applicant:

- 1500 (a) Is at least 16 years of age;
- 1501 (b) Pays the required application fee; and
- 1502 (c)1. Holds an active valid license to practice barbering
- 1503 in another state, has held the license for at least 1 year, and
- 1504 does not qualify for licensure by endorsement as provided for in
- 1505 s. 476.144(5); or
- 1506 2. Has received a minimum of 600 ~~1,200~~ hours of training
- 1507 in sanitation, safety, and laws and rules, as established by the
- 1508 board, which shall include, but shall not be limited to, the
- 1509 equivalent of completion of services directly related to the
- 1510 practice of barbering at one of the following:
- 1511 a. A school of barbering licensed pursuant to chapter
- 1512 1005;
- 1513 b. A barbering program within the public school system; or
- 1514 c. A government-operated barbering program in this state.

1515

1516 The board shall establish by rule procedures whereby the school

1517 or program may certify that a person is qualified to take the

1518 required examination after the completion of a minimum of 325

1519 ~~1,000~~ actual school hours. If the person passes the examination,

1520 she or he shall have satisfied this requirement; but if the

1521 person fails the examination, she or he shall not be qualified

1522 to take the examination again until the completion of the full

1523 requirements provided by this section.

1524 Section 66. Subsection (5) of section 476.144, Florida

1525 Statutes, is amended to read:

1526 476.144 Licensure.—

1527 (5) The board shall certify as qualified for licensure by
 1528 endorsement as a barber in this state an applicant who holds a
 1529 current active license to practice barbering in another state.

1530 The board shall adopt rules specifying procedures for the
 1531 licensure by endorsement of practitioners desiring to be
 1532 licensed in this state who hold a current active license in
 1533 another ~~state or~~ country and who have met qualifications
 1534 substantially similar to, equivalent to, or greater than the
 1535 qualifications required of applicants from this state.

1536 Section 67. Subsection (9) of section 477.013, Florida
 1537 Statutes, is amended to read:

1538 477.013 Definitions.—As used in this chapter:

1539 (9) "Hair braiding" means the weaving or interweaving of
 1540 natural human hair or commercial hair, including the use of hair
 1541 extensions or wefts, for compensation without cutting, coloring,
 1542 permanent waving, relaxing, removing, or chemical treatment ~~and~~
 1543 ~~does not include the use of hair extensions or wefts.~~

1544 Section 68. Section 477.0132, Florida Statutes, is
 1545 repealed.

1546 Section 69. Subsections (7) through (11) are added to
 1547 section 477.0135, Florida Statutes, to read:

1548 477.0135 Exemptions.—

1549 (7) A license or registration is not required for a person

1550 whose occupation or practice is confined solely to hair braiding
 1551 as defined in s. 477.013(9).

1552 (8) A license or registration is not required for a person
 1553 whose occupation or practice is confined solely to hair wrapping
 1554 as defined in s. 477.013(10).

1555 (9) A license or registration is not required for a person
 1556 whose occupation or practice is confined solely to body wrapping
 1557 as defined in s. 477.013(12).

1558 (10) A license or registration is not required for a
 1559 person whose occupation or practice is confined solely to
 1560 applying polish to fingernails and toenails.

1561 (11) A license or registration is not required for a
 1562 person whose occupation or practice is confined solely to makeup
 1563 application.

1564 Section 70. Subsections (6) and (7) of section 477.019,
 1565 Florida Statutes, are amended to read:

1566 477.019 Cosmetologists; qualifications; licensure;
 1567 supervised practice; license renewal; endorsement; continuing
 1568 education.—

1569 (6) The board shall certify as qualified for licensure by
 1570 endorsement as a cosmetologist in this state an applicant who
 1571 holds a current active license to practice cosmetology in
 1572 another state. ~~The board may not require proof of educational~~
 1573 ~~hours if the license was issued in a state that requires 1,200~~
 1574 ~~or more hours of prelicensure education and passage of a written~~

1575 ~~examination. This subsection does not apply to applicants who~~
1576 ~~received their license in another state through an~~
1577 ~~apprenticeship program.~~

1578 (7) (a) The board shall prescribe by rule continuing
1579 education requirements intended to ensure protection of the
1580 public through updated training of licensees and registered
1581 specialists, not to exceed 10 ~~16~~ hours biennially, as a
1582 condition for renewal of a license or registration as a
1583 specialist under this chapter. Continuing education courses
1584 shall include, but not be limited to, the following subjects as
1585 they relate to the practice of cosmetology: human
1586 immunodeficiency virus and acquired immune deficiency syndrome;
1587 Occupational Safety and Health Administration regulations;
1588 workers' compensation issues; state and federal laws and rules
1589 as they pertain to cosmetologists, cosmetology, salons,
1590 specialists, specialty salons, and booth renters; chemical
1591 makeup as it pertains to hair, skin, and nails; and
1592 environmental issues. Courses given at cosmetology conferences
1593 may be counted toward the number of continuing education hours
1594 required if approved by the board.

1595 ~~(b) Any person whose occupation or practice is confined~~
1596 ~~solely to hair braiding, hair wrapping, or body wrapping is~~
1597 ~~exempt from the continuing education requirements of this~~
1598 ~~subsection.~~

1599 (b)(e) The board may, by rule, require any licensee in

1600 violation of a continuing education requirement to take a
 1601 refresher course or refresher course and examination in addition
 1602 to any other penalty. The number of hours for the refresher
 1603 course may not exceed 48 hours.

1604 Section 71. Subsection (1) of section 477.0201, Florida
 1605 Statutes, is amended to read:

1606 477.0201 Specialty registration; qualifications;
 1607 registration renewal; endorsement.—

1608 (1) Any person is qualified for registration as a
 1609 specialist in any ~~one or more of the specialty practice~~
 1610 ~~practices~~ within the practice of cosmetology under this chapter
 1611 who:

1612 (a) Is at least 16 years of age or has received a high
 1613 school diploma.

1614 (b) Has received a certificate of completion ~~for: in a~~

1615 1. 150 hours of training, as established by the board,
 1616 which shall focus primarily on sanitation and safety, to
 1617 practice specialties as defined in s. 477.013(6) (a) and (b);
 1618 ~~specialty pursuant to s. 477.013(6)~~

1619 2. 165 hours of training, as established by the board,
 1620 which shall focus primarily on sanitation and safety, to
 1621 practice the specialty as defined in s. 477.013(6) (c); or

1622 3. 300 hours of training, as established by the board,
 1623 which shall focus primarily on sanitation and safety, to
 1624 practice the specialties as defined in s. 477.013(6) (a)-(c).

1625 (c) The certificate of completion specified in paragraph
 1626 (b) must be from one of the following:

- 1627 1. A school licensed pursuant to s. 477.023.
- 1628 2. A school licensed pursuant to chapter 1005 or the
- 1629 equivalent licensing authority of another state.
- 1630 3. A specialty program within the public school system.
- 1631 4. A specialty division within the Cosmetology Division of
- 1632 the Florida School for the Deaf and the Blind, provided the
- 1633 training programs comply with minimum curriculum requirements
- 1634 established by the board.

1635 Section 72. Paragraph (f) of subsection (1) of section
 1636 477.026, Florida Statutes, is amended to read:

1637 477.026 Fees; disposition.—

1638 (1) The board shall set fees according to the following
 1639 schedule:

1640 ~~(f) For hair braiders, hair wrappers, and body wrappers,~~
 1641 ~~fees for registration shall not exceed \$25.~~

1642 Section 73. Subsection (4) of section 477.0263, Florida
 1643 Statutes, is amended, and subsection (5) is added to that
 1644 section, to read:

1645 477.0263 Cosmetology services to be performed in licensed
 1646 salon; exceptions.—

1647 (4) Pursuant to rules adopted by the board, any
 1648 cosmetology or specialty service may be performed in a location
 1649 other than a licensed salon when the service is performed in

1650 connection with a special event and is performed by a person ~~who~~
 1651 ~~is employed by a licensed salon and~~ who holds the proper license
 1652 or specialty registration. ~~An appointment for the performance of~~
 1653 ~~any such service in a location other than a licensed salon must~~
 1654 ~~be made through a licensed salon.~~

1655 (5) Any person who holds the proper license may perform
 1656 hair shampooing, hair cutting, hair arranging, nail polish
 1657 removal, nail filing, nail buffing, and nail cleansing services
 1658 in a location other than a licensed salon.

1659 Section 74. Paragraph (f) of subsection (1) of section
 1660 477.0265, Florida Statutes, is amended to read:

1661 477.0265 Prohibited acts.—

1662 (1) It is unlawful for any person to:

1663 (f) Advertise or imply that skin care services ~~or body~~
 1664 ~~wrapping~~, as performed under this chapter, have any relationship
 1665 to the practice of massage therapy as defined in s. 480.033(3),
 1666 except those practices or activities defined in s. 477.013.

1667 Section 75. Paragraph (a) of subsection (1) of section
 1668 477.029, Florida Statutes, is amended to read:

1669 477.029 Penalty.—

1670 (1) It is unlawful for any person to:

1671 (a) Hold himself or herself out as a cosmetologist or
 1672 ~~specialist, hair wrapper, hair braider, or body wrapper~~ unless
 1673 duly licensed or registered, or otherwise authorized, as
 1674 provided in this chapter.

1675 Section 76. Section 481.201, Florida Statutes, is amended
 1676 to read:

1677 481.201 Purpose.—The primary legislative purpose for
 1678 enacting this part is to ensure that every architect practicing
 1679 in this state meets minimum requirements for safe practice. It
 1680 is the legislative intent that architects who fall below minimum
 1681 competency or who otherwise present a danger to the public shall
 1682 be prohibited from practicing in this state. ~~The Legislature~~
 1683 ~~further finds that it is in the interest of the public to limit~~
 1684 ~~the practice of interior design to interior designers or~~
 1685 ~~architects who have the design education and training required~~
 1686 ~~by this part or to persons who are exempted from the provisions~~
 1687 ~~of this part.~~

1688 Section 77. Section 481.203, Florida Statutes, is amended
 1689 to read:

1690 481.203 Definitions.—As used in this part, the term:
 1691 (1)~~(3)~~ "Architect" or "registered architect" means a
 1692 natural person who is licensed under this part to engage in the
 1693 practice of architecture.
 1694 (2)~~(6)~~ "Architecture" means the rendering or offering to
 1695 render services in connection with the design and construction
 1696 of a structure or group of structures which have as their
 1697 principal purpose human habitation or use, and the utilization
 1698 of space within and surrounding such structures. These services
 1699 include planning, providing preliminary study designs, drawings

1700 and specifications, job-site inspection, and administration of
1701 construction contracts.

1702 (3)~~(1)~~ "Board" means the Board of Architecture ~~and~~
1703 ~~Interior Design.~~

1704 (4)~~(5)~~ "Business organization" means a partnership, a
1705 limited liability company, a corporation, or an individual
1706 operating under a fictitious name "~~Certificate of authorization~~"
1707 ~~means a certificate issued by the department to a corporation or~~
1708 ~~partnership to practice architecture or interior design.~~

1709 (5)~~(4)~~ "Certificate of registration" means a license
1710 issued by the department to a natural person to engage in the
1711 practice of architecture or interior design.

1712 (6)~~(13)~~ "Common area" means an area that is held out for
1713 use by all tenants or owners in a multiple-unit dwelling,
1714 including, but not limited to, a lobby, elevator, hallway,
1715 laundry room, clubhouse, or swimming pool.

1716 (7)~~(2)~~ "Department" means the Department of Business and
1717 Professional Regulation.

1718 (8)~~(14)~~ "Diversified interior design experience" means
1719 experience which substantially encompasses the various elements
1720 of interior design services set forth under the definition of
1721 "interior design" in subsection (10)~~(8)~~.

1722 (9)~~(15)~~ "Interior decorator services" includes the
1723 selection or assistance in selection of surface materials,
1724 window treatments, wallcoverings, paint, floor coverings,

1725 surface-mounted lighting, surface-mounted fixtures, and loose
1726 furnishings not subject to regulation under applicable building
1727 codes.

1728 (10)~~(8)~~ "Interior design" means designs, consultations,
1729 studies, drawings, specifications, and administration of design
1730 construction contracts relating to nonstructural interior
1731 elements of a building or structure. "Interior design" includes,
1732 but is not limited to, reflected ceiling plans, space planning,
1733 furnishings, and the fabrication of nonstructural elements
1734 within and surrounding interior spaces of buildings. "Interior
1735 design" specifically excludes the design of or the
1736 responsibility for architectural and engineering work, except
1737 for specification of fixtures and their location within interior
1738 spaces. As used in this subsection, "architectural and
1739 engineering interior construction relating to the building
1740 systems" includes, but is not limited to, construction of
1741 structural, mechanical, plumbing, heating, air-conditioning,
1742 ventilating, electrical, or vertical transportation systems, or
1743 construction which materially affects lifesafety systems
1744 pertaining to firesafety protection such as fire-rated
1745 separations between interior spaces, fire-rated vertical shafts
1746 in multistory structures, fire-rated protection of structural
1747 elements, smoke evacuation and compartmentalization, emergency
1748 ingress or egress systems, and emergency alarm systems.

1749 ~~(9) "Registered interior designer" or "interior designer"~~
1750 means a natural person who is licensed under this part.

1751 (11)~~(10)~~ "Nonstructural element" means an element which
1752 does not require structural bracing and which is something other
1753 than a load-bearing wall, load-bearing column, or other load-
1754 bearing element of a building or structure which is essential to
1755 the structural integrity of the building.

1756 (12)~~(11)~~ "Reflected ceiling plan" means a ceiling design
1757 plan which is laid out as if it were projected downward and
1758 which may include lighting and other elements.

1759 (13)~~(16)~~ "Responsible supervising control" means the
1760 exercise of direct personal supervision and control throughout
1761 the preparation of documents, instruments of service, or any
1762 other work requiring the seal and signature of a licensee under
1763 this part.

1764 (14)~~(12)~~ "Space planning" means the analysis, programming,
1765 or design of spatial requirements, including preliminary space
1766 layouts and final planning.

1767 (15)~~(7)~~ "Townhouse" is a single-family dwelling unit not
1768 exceeding three stories in height which is constructed in a
1769 series or group of attached units with property lines separating
1770 such units. Each townhouse shall be considered a separate
1771 building and shall be separated from adjoining townhouses by the
1772 use of separate exterior walls meeting the requirements for zero
1773 clearance from property lines as required by the type of

1774 construction and fire protection requirements; or shall be
1775 separated by a party wall; or may be separated by a single wall
1776 meeting the following requirements:

1777 (a) Such wall shall provide not less than 2 hours of fire
1778 resistance. Plumbing, piping, ducts, or electrical or other
1779 building services shall not be installed within or through the
1780 2-hour wall unless such materials and methods of penetration
1781 have been tested in accordance with the Standard Building Code.

1782 (b) Such wall shall extend from the foundation to the
1783 underside of the roof sheathing, and the underside of the roof
1784 shall have at least 1 hour of fire resistance for a width not
1785 less than 4 feet on each side of the wall.

1786 (c) Each dwelling unit sharing such wall shall be designed
1787 and constructed to maintain its structural integrity independent
1788 of the unit on the opposite side of the wall.

1789 Section 78. Subsection (1) and paragraph (a) of subsection
1790 (3) of section 481.205, Florida Statutes, are amended to read:

1791 481.205 Board of Architecture ~~and Interior Design~~.—

1792 (1) The Board of Architecture ~~and Interior Design~~ is
1793 created within the Department of Business and Professional
1794 Regulation. The board shall consist of seven ~~11~~ members. Five
1795 members must be registered architects who have been engaged in
1796 the practice of architecture for at least 5 years; ~~three members~~
1797 ~~must be registered interior designers who have been offering~~
1798 ~~interior design services for at least 5 years and who are not~~

1799 ~~also registered architects;~~ and two ~~three~~ members must be
1800 laypersons who are not, and have never been, architects,
1801 ~~interior designers,~~ or members of any closely related profession
1802 or occupation. At least one member of the board must be 60 years
1803 of age or older.

1804 (3) (a) Notwithstanding the provisions of ss. 455.225,
1805 455.228, and 455.32, the duties and authority of the department
1806 to receive complaints and investigate and discipline persons
1807 licensed under this part, including the ability to determine
1808 legal sufficiency and probable cause; to initiate proceedings
1809 and issue final orders for summary suspension or restriction of
1810 a license pursuant to s. 120.60(6); to issue notices of
1811 noncompliance, notices to cease and desist, subpoenas, and
1812 citations; to retain legal counsel, investigators, or
1813 prosecutorial staff in connection with the licensed practice of
1814 architecture ~~and interior design;~~ and to investigate and deter
1815 the unlicensed practice of architecture ~~and interior design~~ as
1816 provided in s. 455.228 are delegated to the board. All
1817 complaints and any information obtained pursuant to an
1818 investigation authorized by the board are confidential and
1819 exempt from s. 119.07(1) as provided in s. 455.225(2) and (10).

1820 Section 79. Section 481.207, Florida Statutes, is amended
1821 to read:

1822 481.207 Fees.—The board, by rule, may establish separate
1823 fees for architects ~~and interior designers,~~ to be paid for

1824 applications, examination, reexamination, licensing and renewal,
1825 delinquency, reinstatement, and recordmaking and recordkeeping.
1826 The examination fee shall be in an amount that covers the cost
1827 of obtaining and administering the examination and shall be
1828 refunded if the applicant is found ineligible to sit for the
1829 examination. The application fee is nonrefundable. The fee for
1830 initial application and examination for architects ~~and interior~~
1831 ~~designers~~ may not exceed \$775 plus the actual per applicant cost
1832 to the department for purchase of the examination from the
1833 National Council of Architectural Registration Boards ~~or the~~
1834 ~~National Council of Interior Design Qualifications,~~
1835 ~~respectively,~~ or similar national organizations. The biennial
1836 renewal fee for architects may not exceed \$200. ~~The biennial~~
1837 ~~renewal fee for interior designers may not exceed \$500.~~ The
1838 delinquency fee may not exceed the biennial renewal fee
1839 established by the board for an active license. The board shall
1840 establish fees that are adequate to ensure the continued
1841 operation of the board and to fund the proportionate expenses
1842 incurred by the department which are allocated to the regulation
1843 of architects ~~and interior designers~~. Fees shall be based on
1844 department estimates of the revenue required to implement this
1845 part and the provisions of law with respect to the regulation of
1846 architects ~~and interior designers~~.

1847 Section 80. Section 481.209, Florida Statutes, is amended
1848 to read:

1849 481.209 Examinations.—

1850 ~~(1)~~ A person desiring to be licensed as a registered
1851 architect by initial examination shall apply to the department,
1852 complete the application form, and remit a nonrefundable
1853 application fee. The department shall license any applicant who
1854 the board certifies:

1855 ~~(a)~~ has passed the licensure examination prescribed by
1856 board rule; and

1857 ~~(b)~~ is a graduate of a school or college of architecture
1858 with a program accredited by the National Architectural
1859 Accreditation Board.

1860 ~~(2)~~ ~~A person desiring to be licensed as a registered~~
1861 ~~interior designer shall apply to the department for licensure.~~
1862 ~~The department shall administer the licensure examination for~~
1863 ~~interior designers to each applicant who has completed the~~
1864 ~~application form and remitted the application and examination~~
1865 ~~fees specified in s. 481.207 and who the board certifies:~~

1866 ~~(a)~~ ~~Is a graduate from an interior design program of 5~~
1867 ~~years or more and has completed 1 year of diversified interior~~
1868 ~~design experience;~~

1869 ~~(b)~~ ~~Is a graduate from an interior design program of 4~~
1870 ~~years or more and has completed 2 years of diversified interior~~
1871 ~~design experience;~~

1872 ~~(c)~~ ~~Has completed at least 3 years in an interior design~~
1873 ~~curriculum and has completed 3 years of diversified interior~~

1874 ~~design experience; or~~

1875 ~~(d) Is a graduate from an interior design program of at~~
1876 ~~least 2 years and has completed 4 years of diversified interior~~
1877 ~~design experience.~~

1878 ~~Subsequent to October 1, 2000, for the purpose of having the~~
1879 ~~educational qualification required under this subsection~~
1880 ~~accepted by the board, the applicant must complete his or her~~
1881 ~~education at a program, school, or college of interior design~~
1882 ~~whose curriculum has been approved by the board as of the time~~
1883 ~~of completion. Subsequent to October 1, 2003, all of the~~
1884 ~~required amount of educational credits shall have been obtained~~
1885 ~~in a program, school, or college of interior design whose~~
1886 ~~curriculum has been approved by the board, as of the time each~~
1887 ~~educational credit is gained. The board shall adopt rules~~
1888 ~~providing for the review and approval of programs, schools, and~~
1889 ~~colleges of interior design and courses of interior design study~~
1890 ~~based on a review and inspection by the board of the curriculum~~
1891 ~~of programs, schools, and colleges of interior design in the~~
1892 ~~United States, including those programs, schools, and colleges~~
1893 ~~accredited by the Foundation for Interior Design Education~~
1894 ~~Research. The board shall adopt rules providing for the review~~
1895 ~~and approval of diversified interior design experience required~~
1896 ~~by this subsection.~~

1897 Section 81. Subsections (1) through (4) of section
1898 481.213, Florida Statutes, are amended to read:

1899 481.213 Licensure.—

1900 (1) The department shall license any applicant who the
 1901 board certifies is qualified for licensure and who has paid the
 1902 initial licensure fee. ~~Licensure as an architect under this~~
 1903 ~~section shall be deemed to include all the rights and privileges~~
 1904 ~~of licensure as an interior designer under this section.~~

1905 (2) The board shall certify for licensure by examination
 1906 any applicant who passes the prescribed licensure examination
 1907 and satisfies the requirements of ss. 481.209 and 481.211, ~~for~~
 1908 ~~architects, or the requirements of s. 481.209, for interior~~
 1909 ~~designers.~~

1910 (3) The board shall certify as qualified for a license by
 1911 endorsement as an architect ~~or as an interior designer~~ an
 1912 applicant who:

1913 (a) Qualifies to take the prescribed licensure
 1914 examination, and has passed the prescribed licensure examination
 1915 or a substantially equivalent examination in another
 1916 jurisdiction, as set forth in s. 481.209 for architects ~~or~~
 1917 ~~interior designers, as applicable,~~ and has satisfied the
 1918 internship requirements set forth in s. 481.211 for architects;

1919 (b) Holds a valid license to practice architecture ~~or~~
 1920 ~~interior design~~ issued by another jurisdiction of the United
 1921 States, if the criteria for issuance of such license were
 1922 substantially equivalent to the licensure criteria that existed
 1923 in this state at the time the license was issued; ~~provided,~~

1924 ~~however, that an applicant who has been licensed for use of the~~
1925 ~~title "interior design" rather than licensed to practice~~
1926 ~~interior design shall not qualify hereunder; or~~

1927 (c) Has passed the prescribed licensure examination and
1928 holds a valid certificate issued by the National Council of
1929 Architectural Registration Boards, and holds a valid license to
1930 practice architecture issued by another state or jurisdiction of
1931 the United States.

1932 (4) The board may refuse to certify any applicant who has
1933 violated any of the provisions of s. 481.223, or s. 481.225, ~~or~~
1934 ~~s. 481.2251,~~ as applicable.

1935 Section 82. Section 481.2131, Florida Statutes, is amended
1936 to read:

1937 481.2131 Interior design; practice requirements;
1938 ~~disclosure of compensation for professional services.-~~

1939 (1) ~~A registered interior designer is authorized to~~
1940 ~~perform "interior design" as defined in s. 481.203. Interior~~
1941 ~~design documents prepared by a registered interior designer~~
1942 ~~shall contain a statement that the document is not an~~
1943 ~~architectural or engineering study, drawing, specification, or~~
1944 ~~design and is not to be used for construction of any load-~~
1945 ~~bearing columns, load-bearing framing or walls of structures, or~~
1946 ~~issuance of any building permit, except as otherwise provided by~~
1947 ~~law. Interior design documents that are prepared and sealed by~~
1948 ~~an a registered interior designer must may, if required by a~~

1949 | permitting body, be accepted by the permitting body ~~be submitted~~
1950 | for the issuance of a building permit for interior construction
1951 | excluding design of any structural, mechanical, plumbing,
1952 | heating, air-conditioning, ventilating, electrical, or vertical
1953 | transportation systems or that materially affect lifesafety
1954 | systems pertaining to firesafety protection such as fire-rated
1955 | separations between interior spaces, fire-rated vertical shafts
1956 | in multistory structures, fire-rated protection of structural
1957 | elements, smoke evacuation and compartmentalization, emergency
1958 | ingress or egress systems, and emergency alarm systems. Interior
1959 | design documents submitted for the issuance of a building permit
1960 | by an individual performing interior design services who is not
1961 | a licensed architect must include written proof that such
1962 | individual has successfully passed the qualification examination
1963 | prescribed by either the National Council for Interior Design
1964 | Qualifications or the California Council for Interior Design
1965 | Certification. All drawings, plans, specifications, or reports
1966 | prepared or issued by the interior designer and filed for public
1967 | record shall bear the signature of the interior designer who
1968 | prepared or approved the document and the date on which they
1969 | were signed. The signature and date shall be evidence of the
1970 | authenticity of that to which they are affixed. Final plans,
1971 | specifications, or reports prepared or issued by an interior
1972 | designer may be transmitted electronically and may be
1973 | electronically signed by the interior designer.

1974 (2) A license or registration is not required for a person
 1975 whose occupation or practice is confined to interior design or
 1976 interior decorator services ~~An interior designer shall, before~~
 1977 ~~entering into a contract, verbal or written, clearly determine~~
 1978 ~~the scope and nature of the project and the method or methods of~~
 1979 ~~compensation. The interior designer may offer professional~~
 1980 ~~services to the client as a consultant, specifier, or supplier~~
 1981 ~~on the basis of a fee, percentage, or markup. The interior~~
 1982 ~~designer shall have the responsibility of fully disclosing to~~
 1983 ~~the client the manner in which all compensation is to be paid.~~
 1984 ~~Unless the client knows and agrees, the interior designer shall~~
 1985 ~~not accept any form of compensation from a supplier of goods and~~
 1986 ~~services in cash or in kind.~~

1987 Section 83. Subsections (3) and (5) of section 481.215,
 1988 Florida Statutes, are amended to read:

1989 481.215 Renewal of license.—

1990 (3) A ~~No~~ license renewal may not ~~shall~~ be issued to an
 1991 architect ~~or an interior designer~~ by the department until the
 1992 licensee submits proof satisfactory to the department that,
 1993 during the 2 years before ~~prior to~~ application for renewal, the
 1994 licensee participated per biennium in not less than 20 hours of
 1995 at least 50 minutes each per biennium of continuing education
 1996 approved by the board. The board shall approve only continuing
 1997 education that builds upon the basic knowledge of architecture
 1998 ~~or interior design~~. The board may make exception from the

1999 requirements of continuing education in emergency or hardship
 2000 cases.

2001 ~~(5) The board shall require, by rule adopted pursuant to~~
 2002 ~~ss. 120.536(1) and 120.54, a specified number of hours in~~
 2003 ~~specialized or advanced courses, approved by the Florida~~
 2004 ~~Building Commission, on any portion of the Florida Building~~
 2005 ~~Code, adopted pursuant to part IV of chapter 553, relating to~~
 2006 ~~the licensee's respective area of practice.~~

2007 Section 84. Subsection (1) of section 481.217, Florida
 2008 Statutes, is amended to read:

2009 481.217 Inactive status.—

2010 (1) The board may prescribe by rule continuing education
 2011 requirements as a condition of reactivating a license. The rules
 2012 may not require more than one renewal cycle of continuing
 2013 education to reactivate a license for a registered architect ~~or~~
 2014 ~~interior designer. For interior design, the board may approve~~
 2015 ~~only continuing education that builds upon the basic knowledge~~
 2016 ~~of interior design.~~

2017 Section 85. Section 481.219, Florida Statutes, is amended
 2018 to read:

2019 481.219 Qualification of business organizations
 2020 ~~certification of partnerships, limited liability companies, and~~
 2021 ~~corporations.—~~

2022 (1) A licensee may ~~The practice of or the offer to~~
 2023 ~~practice architecture or interior design by licensees through a~~

2024 qualified business organization that offers ~~corporation, limited~~
2025 ~~liability company, or partnership offering architectural or~~
2026 ~~interior design services to the public, or by a corporation,~~
2027 ~~limited liability company, or partnership offering architectural~~
2028 ~~or interior design services to the public through licensees~~
2029 ~~under this part as agents, employees, officers, or partners, is~~
2030 ~~permitted, subject to the provisions of this section.~~

2031 (2) If a licensee or an applicant proposes to engage in
2032 the practice of architecture as a business organization, the
2033 licensee or applicant shall qualify the business organization
2034 upon approval of the board ~~For the purposes of this section, a~~
2035 ~~certificate of authorization shall be required for a~~
2036 ~~corporation, limited liability company, partnership, or person~~
2037 ~~practicing under a fictitious name, offering architectural~~
2038 ~~services to the public jointly or separately. However, when an~~
2039 ~~individual is practicing architecture in her or his own name,~~
2040 ~~she or he shall not be required to be certified under this~~
2041 ~~section. Certification under this subsection to offer~~
2042 ~~architectural services shall include all the rights and~~
2043 ~~privileges of certification under subsection (3) to offer~~
2044 ~~interior design services.~~

2045 (3) (a) A business organization may not engage in the
2046 practice of architecture unless its qualifying agent is a
2047 registered architect under this part. A qualifying agent who
2048 terminates an affiliation with a qualified business organization

2049 shall immediately notify the department of such termination. If
2050 such qualifying agent is the only qualifying agent for that
2051 business organization, the business organization must be
2052 qualified by another qualifying agent within 60 days after the
2053 termination. Except as provided in paragraph (b), the business
2054 organization may not engage in the practice of architecture
2055 until it is qualified by another qualifying agent.

2056 (b) In the event a qualifying agent ceases employment with
2057 a qualified business organization, the executive director or the
2058 chair of the board may authorize another registered architect
2059 employed by the business organization to temporarily serve as
2060 its qualifying agent for a period of no more than 60 days. The
2061 business organization is not authorized to operate beyond such
2062 period under this chapter absent replacement of the qualifying
2063 agent who has ceased employment.

2064 (c) A qualifying agent shall notify the department in
2065 writing before engaging in the practice of architecture in her
2066 or his own name or in affiliation with a different business
2067 organization, and she or he or such business organization shall
2068 supply the same information to the department as required of
2069 applicants under this part.

2070 ~~(3) For the purposes of this section, a certificate of~~
2071 ~~authorization shall be required for a corporation, limited~~
2072 ~~liability company, partnership, or person operating under a~~
2073 ~~fictitious name, offering interior design services to the public~~

2074 ~~jointly or separately. However, when an individual is practicing~~
 2075 ~~interior design in her or his own name, she or he shall not be~~
 2076 ~~required to be certified under this section.~~

2077 (4) All final construction documents and instruments of
 2078 service which include drawings, specifications, plans, reports,
 2079 or other papers or documents that involve ~~involving~~ the practice
 2080 of architecture which are prepared or approved for the use of
 2081 the business organization ~~corporation, limited liability~~
 2082 ~~company, or partnership~~ and filed for public record within the
 2083 state must ~~shall~~ bear the signature and seal of the licensee who
 2084 prepared or approved them and the date on which they were
 2085 sealed.

2086 ~~(5) All drawings, specifications, plans, reports, or other~~
 2087 ~~papers or documents prepared or approved for the use of the~~
 2088 ~~corporation, limited liability company, or partnership by an~~
 2089 ~~interior designer in her or his professional capacity and filed~~
 2090 ~~for public record within the state shall bear the signature and~~
 2091 ~~seal of the licensee who prepared or approved them and the date~~
 2092 ~~on which they were sealed.~~

2093 ~~(6) The department shall issue a certificate of~~
 2094 ~~authorization to any applicant who the board certifies as~~
 2095 ~~qualified for a certificate of authorization and who has paid~~
 2096 ~~the fee set in s. 481.207.~~

2097 (5)~~(7)~~ The board shall allow a licensee or certify an
 2098 applicant to qualify one or more business organizations as

2099 ~~qualified for a certificate of authorization to offer~~
 2100 ~~architectural or interior design services, or to use a~~
 2101 ~~fictitious name to offer such services, if provided that:~~

2102 ~~(a) one or more of the principal officers of the~~
 2103 ~~corporation or limited liability company, or one or more~~
 2104 ~~partners of the partnership, and all personnel of the~~
 2105 ~~corporation, limited liability company, or partnership who act~~
 2106 ~~in its behalf in this state as architects, are registered as~~
 2107 ~~provided by this part.~~~~;~~ ~~or~~

2108 ~~(b) One or more of the principal officers of the~~
 2109 ~~corporation or one or more partners of the partnership, and all~~
 2110 ~~personnel of the corporation, limited liability company, or~~
 2111 ~~partnership who act in its behalf in this state as interior~~
 2112 ~~designers, are registered as provided by this part.~~

2113 ~~(8) The department shall adopt rules establishing a~~
 2114 ~~procedure for the biennial renewal of certificates of~~
 2115 ~~authorization.~~

2116 ~~(9) The department shall renew a certificate of~~
 2117 ~~authorization upon receipt of the renewal application and~~
 2118 ~~biennial renewal fee.~~

2119 ~~(6)~~~~(10)~~ Each qualifying agent who qualifies a business
 2120 organization ~~partnership, limited liability company, and~~
 2121 ~~corporation certified under this section shall notify the~~
 2122 ~~department within 30 days after of any change in the information~~
 2123 ~~contained in the application upon which the qualification~~

2124 ~~certification~~ is based. Any registered architect ~~or interior~~
2125 ~~designer~~ who qualifies the business organization shall ensure
2126 ~~corporation, limited liability company, or partnership as~~
2127 ~~provided in subsection (7) shall be responsible for ensuring~~
2128 responsible supervising control of projects of the business
2129 organization entity and shall notify the department of the ~~upon~~
2130 termination of her or his employment with a business
2131 organization qualified partnership, limited liability company,
2132 ~~or corporation certified~~ under this section shall notify the
2133 ~~department of the termination~~ within 30 days after such
2134 termination.

2135 ~~(7)(11)~~ A business organization is not ~~No corporation,~~
2136 ~~limited liability company, or partnership shall be relieved of~~
2137 responsibility for the conduct or acts of its agents, employees,
2138 or officers by reason of its compliance with this section.
2139 However, except as provided in s. 558.0035, the architect who
2140 signs and seals the construction documents and instruments of
2141 service is ~~shall be~~ liable for the professional services
2142 performed, ~~and the interior designer who signs and seals the~~
2143 ~~interior design drawings, plans, or specifications shall be~~
2144 ~~liable for the professional services performed.~~

2145 ~~(12)~~ ~~Disciplinary action against a corporation, limited~~
2146 ~~liability company, or partnership shall be administered in the~~
2147 ~~same manner and on the same grounds as disciplinary action~~
2148 ~~against a registered architect or interior designer,~~

2149 ~~respectively.~~

2150 (8) ~~(13)~~ ~~Nothing in This section may not shall~~ be construed
 2151 to mean that a certificate of registration to practice
 2152 architecture ~~or interior design~~ must shall be held by a business
 2153 organization ~~corporation, limited liability company, or~~
 2154 ~~partnership~~. ~~Nothing in This section does not prohibit a~~
 2155 business organization from offering ~~prohibits corporations,~~
 2156 ~~limited liability companies, and partnerships from joining~~
 2157 ~~together to offer~~ architectural or, engineering, ~~interior~~
 2158 ~~design, surveying and mapping, and landscape architectural~~
 2159 services, or any combination of such services, to the public if
 2160 the business organization, ~~provided that each corporation,~~
 2161 ~~limited liability company, or partnership~~ otherwise meets the
 2162 requirements of law.

2163 ~~(14)~~ ~~Corporations, limited liability companies, or~~
 2164 ~~partnerships holding a valid certificate of authorization to~~
 2165 ~~practice architecture shall be permitted to use in their title~~
 2166 ~~the term "interior designer" or "registered interior designer."~~

2167 Section 86. Subsections (4), (6), (8), (10), (11), and
 2168 (12) of section 481.221, Florida Statutes, are renumbered as
 2169 subsections (3), (4), (5), (6), (7), and (8), respectively, and
 2170 present subsections (3), (5), (7), (9), (10), (11), and (12) of
 2171 that section are amended to read:

2172 481.221 Seals; display of certificate number; permitting
 2173 requirements.-

2174 ~~(3) The board shall adopt a rule prescribing the~~
2175 ~~distinctly different seals to be used by registered interior~~
2176 ~~designers holding valid certificates of registration. Each~~
2177 ~~registered interior designer shall obtain a seal as prescribed~~
2178 ~~by the board, and all drawings, plans, specifications, or~~
2179 ~~reports prepared or issued by the registered interior designer~~
2180 ~~and being filed for public record shall bear the signature and~~
2181 ~~seal of the registered interior designer who prepared or~~
2182 ~~approved the document and the date on which they were sealed.~~
2183 ~~The signature, date, and seal shall be evidence of the~~
2184 ~~authenticity of that to which they are affixed. Final plans,~~
2185 ~~specifications, or reports prepared or issued by a registered~~
2186 ~~interior designer may be transmitted electronically and may be~~
2187 ~~signed by the registered interior designer, dated, and sealed~~
2188 ~~electronically with the seal in accordance with ss. 668.001-~~
2189 ~~668.006.~~

2190 ~~(5) No registered interior designer shall affix, or permit~~
2191 ~~to be affixed, her or his seal or signature to any plan,~~
2192 ~~specification, drawing, or other document which depicts work~~
2193 ~~which she or he is not competent or licensed to perform.~~

2194 ~~(7) No registered interior designer shall affix her or his~~
2195 ~~signature or seal to any plans, specifications, or other~~
2196 ~~documents which were not prepared by her or him or under her or~~
2197 ~~his responsible supervising control or by another registered~~
2198 ~~interior designer and reviewed, approved, or modified and~~

2199 | ~~adopted by her or him as her or his own work according to rules~~
2200 | ~~adopted by the board.~~

2201 | ~~(9) Studies, drawings, specifications, and other related~~
2202 | ~~documents prepared by a registered interior designer in~~
2203 | ~~providing interior design services shall be of a sufficiently~~
2204 | ~~high standard to clearly and accurately indicate all essential~~
2205 | ~~parts of the work to which they refer.~~

2206 | ~~(6)(10) Each registered architect must or interior~~
2207 | ~~designer, and each corporation, limited liability company, or~~
2208 | ~~partnership holding a certificate of authorization, shall~~
2209 | ~~include her or his license its certificate number in any~~
2210 | ~~newspaper, telephone directory, or other advertising medium used~~
2211 | ~~by the registered licensee architect, interior designer,~~
2212 | ~~corporation, limited liability company, or partnership. Each~~
2213 | ~~business organization must include the license number of the~~
2214 | ~~registered architect who serves as the qualifying agent for that~~
2215 | ~~business organization in any newspaper, telephone directory, or~~
2216 | ~~other advertising medium used by the business organization. A~~
2217 | ~~business organization is not required to display the license~~
2218 | ~~numbers of other registered architects employed by the business~~
2219 | ~~organization A corporation, limited liability company, or~~
2220 | ~~partnership is not required to display the certificate number of~~
2221 | ~~individual registered architects or interior designers employed~~
2222 | ~~by or working within the corporation, limited liability company,~~
2223 | ~~or partnership.~~

2224 (7) ~~(11)~~ When the certificate of registration of a
2225 registered architect ~~or interior designer~~ has been revoked or
2226 suspended by the board, the registered architect ~~or interior~~
2227 ~~designer~~ shall surrender her or his seal to the secretary of the
2228 board within a period of 30 days after the revocation or
2229 suspension has become effective. If the certificate of the
2230 registered architect ~~or interior designer~~ has been suspended for
2231 a period of time, her or his seal shall be returned to her or
2232 him upon expiration of the suspension period.

2233 (8) ~~(12)~~ A person may not sign and seal by any means any
2234 final plan, specification, or report after her or his
2235 certificate of registration has expired or is suspended or
2236 revoked. A registered architect ~~or interior designer~~ whose
2237 certificate of registration is suspended or revoked shall,
2238 within 30 days after the effective date of the suspension or
2239 revocation, surrender her or his seal to the executive director
2240 of the board and confirm in writing to the executive director
2241 the cancellation of the registered architect's ~~or interior~~
2242 ~~designer's~~ electronic signature in accordance with ss. 668.001-
2243 668.006. When a registered architect's ~~or interior designer's~~
2244 certificate of registration is suspended for a period of time,
2245 her or his seal shall be returned upon expiration of the period
2246 of suspension.

2247 Section 87. Section 481.222, Florida Statutes, is amended
2248 to read:

2249 481.222 Architects performing building code inspection
 2250 services.—Notwithstanding any other provision of law, a person
 2251 who is currently licensed to practice as an architect under this
 2252 part may provide building code inspection services described in
 2253 s. 468.603(5) and (8) to a local government or state agency upon
 2254 its request, without being certified by the Florida Building
 2255 Code Administrators and Inspectors Board under part XII of
 2256 chapter 468. With respect to the performance of such building
 2257 code inspection services, the architect is subject to the
 2258 disciplinary guidelines of this part and s. 468.621(1)(c)-(h).
 2259 Any complaint processing, investigation, and discipline that
 2260 arise out of an architect's performance of building code
 2261 inspection services shall be conducted by the Board of
 2262 Architecture ~~and Interior Design~~ rather than the Florida
 2263 Building Code Administrators and Inspectors Board. An architect
 2264 may not perform plans review as an employee of a local
 2265 government upon any job that the architect or the architect's
 2266 company designed.

2267 Section 88. Section 481.223, Florida Statutes, is amended
 2268 to read:

2269 481.223 Prohibitions; penalties; injunctive relief.—

2270 (1) A person may not knowingly:

2271 (a) Practice architecture unless the person is an
 2272 architect or a registered architect; however, a licensed
 2273 architect who has been licensed by the board and who chooses to

2274 | relinquish or not to renew his or her license may use the title
2275 | "Architect, Retired" but may not otherwise render any
2276 | architectural services.

2277 | ~~(b) Practice interior design unless the person is a~~
2278 | ~~registered interior designer unless otherwise exempted herein;~~
2279 | ~~however, an interior designer who has been licensed by the board~~
2280 | ~~and who chooses to relinquish or not to renew his or her license~~
2281 | ~~may use the title "Interior Designer, Retired" but may not~~
2282 | ~~otherwise render any interior design services.~~

2283 | (b)(e) Use the name or title "architect," ~~or~~ "registered
2284 | architect," ~~or "interior designer" or "registered interior~~
2285 | ~~designer,"~~ or words to that effect, when the person is not then
2286 | the holder of a valid license issued pursuant to this part.

2287 | (c)(d) Present as his or her own the license of another.

2288 | (d)(e) Give false or forged evidence to the board or a
2289 | member thereof.

2290 | (e)(f) Use or attempt to use an architect ~~or interior~~
2291 | ~~designer~~ license that has been suspended, revoked, or placed on
2292 | inactive or delinquent status.

2293 | (f)(g) Employ unlicensed persons to practice architecture
2294 | ~~or interior design.~~

2295 | (g)(h) Conceal information relative to violations of this
2296 | part.

2297 | (2) Any person who violates any provision of subsection
2298 | (1) commits a misdemeanor of the first degree, punishable as

2299 provided in s. 775.082 or s. 775.083.

2300 (3) (a) Notwithstanding chapter 455 or any other law to the
 2301 contrary, an affected person may maintain an action for
 2302 injunctive relief to restrain or prevent a person from violating
 2303 paragraph (1) (a) or, paragraph (1) (b), ~~or paragraph (1) (c)~~. The
 2304 prevailing party is entitled to actual costs and attorney's
 2305 fees.

2306 (b) For purposes of this subsection, the term "affected
 2307 person" means a person directly affected by the actions of a
 2308 person suspected of violating paragraph (1) (a) or, paragraph
 2309 (1) (b), ~~or paragraph (1) (c)~~ and includes, but is not limited to,
 2310 the department, any person who received services from the
 2311 alleged violator, or any private association composed primarily
 2312 of members of the profession the alleged violator is practicing
 2313 or offering to practice or holding himself or herself out as
 2314 qualified to practice.

2315 Section 89. Section 481.2251, Florida Statutes, is
 2316 repealed.

2317 Section 90. Subsections (5) through (8) of section
 2318 481.229, Florida Statutes, are amended to read:

2319 481.229 Exceptions; exemptions from licensure.-

2320 ~~(5) (a) Nothing contained in this part shall prevent a~~
 2321 ~~registered architect or a partnership, limited liability~~
 2322 ~~company, or corporation holding a valid certificate of~~
 2323 ~~authorization to provide architectural services from performing~~

2324 ~~any interior design service or from using the title "interior~~
2325 ~~designer" or "registered interior designer."~~

2326 ~~(b) Notwithstanding any other provision of this part, all~~
2327 ~~persons licensed as architects under this part shall be~~
2328 ~~qualified for interior design licensure upon submission of a~~
2329 ~~completed application for such license and a fee not to exceed~~
2330 ~~\$30. Such persons shall be exempt from the requirements of s.~~
2331 ~~481.209(2). For architects licensed as interior designers,~~
2332 ~~satisfaction of the requirements for renewal of licensure as an~~
2333 ~~architect under s. 481.215 shall be deemed to satisfy the~~
2334 ~~requirements for renewal of licensure as an interior designer~~
2335 ~~under that section. Complaint processing, investigation, or~~
2336 ~~other discipline-related legal costs related to persons licensed~~
2337 ~~as interior designers under this paragraph shall be assessed~~
2338 ~~against the architects' account of the Regulatory Trust Fund.~~

2339 ~~(c) Notwithstanding any other provision of this part, any~~
2340 ~~corporation, partnership, or person operating under a fictitious~~
2341 ~~name which holds a certificate of authorization to provide~~
2342 ~~architectural services shall be qualified, without fee, for a~~
2343 ~~certificate of authorization to provide interior design services~~
2344 ~~upon submission of a completed application therefor. For~~
2345 ~~corporations, partnerships, and persons operating under a~~
2346 ~~fictitious name which hold a certificate of authorization to~~
2347 ~~provide interior design services, satisfaction of the~~
2348 ~~requirements for renewal of the certificate of authorization to~~

2349 ~~provide architectural services under s. 481.219 shall be deemed~~
2350 ~~to satisfy the requirements for renewal of the certificate of~~
2351 ~~authorization to provide interior design services under that~~
2352 ~~section.~~

2353 ~~(6) This part shall not apply to:~~

2354 ~~(a) A person who performs interior design services or~~
2355 ~~interior decorator services for any residential application,~~
2356 ~~provided that such person does not advertise as, or represent~~
2357 ~~himself or herself as, an interior designer. For purposes of~~
2358 ~~this paragraph, "residential applications" includes all types of~~
2359 ~~residences, including, but not limited to, residence buildings,~~
2360 ~~single-family homes, multifamily homes, townhouses, apartments,~~
2361 ~~condominiums, and domestic outbuildings appurtenant to one-~~
2362 ~~family or two-family residences. However, "residential~~
2363 ~~applications" does not include common areas associated with~~
2364 ~~instances of multiple-unit dwelling applications.~~

2365 ~~(b) An employee of a retail establishment providing~~
2366 ~~"interior decorator services" on the premises of the retail~~
2367 ~~establishment or in the furtherance of a retail sale or~~
2368 ~~prospective retail sale, provided that such employee does not~~
2369 ~~advertise as, or represent himself or herself as, an interior~~
2370 ~~designer.~~

2371 ~~(7) Nothing in this part shall be construed as authorizing~~
2372 ~~or permitting an interior designer to engage in the business of,~~
2373 ~~or to act as, a contractor within the meaning of chapter 489,~~

2374 ~~unless registered or certified as a contractor pursuant to~~
2375 ~~chapter 489.~~

2376 (5)~~(8)~~ A manufacturer of commercial food service equipment
2377 or the manufacturer's representative, distributor, or dealer or
2378 an employee thereof, who prepares designs, specifications, or
2379 layouts for the sale or installation of such equipment is exempt
2380 from licensure as an architect ~~or interior designer~~, if:

2381 (a) The designs, specifications, or layouts are not used
2382 for construction or installation that may affect structural,
2383 mechanical, plumbing, heating, air conditioning, ventilating,
2384 electrical, or vertical transportation systems.

2385 (b) The designs, specifications, or layouts do not
2386 materially affect lifesafety systems pertaining to firesafety
2387 protection, smoke evacuation and compartmentalization, and
2388 emergency ingress or egress systems.

2389 (c) Each design, specification, or layout document
2390 prepared by a person or entity exempt under this subsection
2391 contains a statement on each page of the document that the
2392 designs, specifications, or layouts are not architectural,
2393 ~~interior design~~, or engineering designs, specifications, or
2394 layouts and not used for construction unless reviewed and
2395 approved by a licensed architect or engineer.

2396 Section 91. Subsection (1) of section 481.231, Florida
2397 Statutes, is amended to read:

2398 481.231 Effect of part locally.—

2399 (1) ~~Nothing in~~ This part does not ~~shall be construed to~~
 2400 repeal, amend, limit, or otherwise affect any specific provision
 2401 of any local building code or zoning law or ordinance that has
 2402 been duly adopted, now or hereafter enacted, which is more
 2403 restrictive, with respect to the services of registered
 2404 architects ~~or registered interior designers,~~ than the provisions
 2405 of this part; ~~provided, however, that a licensed architect shall~~
 2406 ~~be deemed licensed as an interior designer for purposes of~~
 2407 ~~offering or rendering interior design services to a county,~~
 2408 ~~municipality, or other local government or political~~
 2409 ~~subdivision.~~

2410 Section 92. Section 481.303, Florida Statutes, is amended
 2411 to read:

2412 481.303 Definitions.—As used in this chapter, the term:

2413 (1) "Board" means the Board of Landscape Architecture.

2414 (2) ~~(4)~~ "Certificate of registration" means a license
 2415 issued by the department to a natural person to engage in the
 2416 practice of landscape architecture.

2417 (3) ~~(2)~~ "Department" means the Department of Business and
 2418 Professional Regulation.

2419 ~~(5) "Certificate of authorization" means a license issued~~
 2420 ~~by the department to a corporation or partnership to engage in~~
 2421 ~~the practice of landscape architecture.~~

2422 (4) ~~(6)~~ "Landscape architecture" means professional
 2423 services, including, but not limited to, the following:

2424 (a) Consultation, investigation, research, planning,
2425 design, preparation of drawings, specifications, contract
2426 documents and reports, responsible construction supervision, or
2427 landscape management in connection with the planning and
2428 development of land and incidental water areas, including the
2429 use of Florida-friendly landscaping as defined in s. 373.185,
2430 where, and to the extent that, the dominant purpose of such
2431 services or creative works is the preservation, conservation,
2432 enhancement, or determination of proper land uses, natural land
2433 features, ground cover and plantings, or naturalistic and
2434 aesthetic values;

2435 (b) The determination of settings, grounds, and approaches
2436 for and the siting of buildings and structures, outdoor areas,
2437 or other improvements;

2438 (c) The setting of grades, shaping and contouring of land
2439 and water forms, determination of drainage, and provision for
2440 storm drainage and irrigation systems where such systems are
2441 necessary to the purposes outlined herein; and

2442 (d) The design of such tangible objects and features as
2443 are necessary to the purpose outlined herein.

2444 (5)~~(7)~~ "Landscape design" means consultation for and
2445 preparation of planting plans drawn for compensation, including
2446 specifications and installation details for plant materials,
2447 soil amendments, mulches, edging, gravel, and other similar
2448 materials. Such plans may include only recommendations for the

2449 conceptual placement of tangible objects for landscape design
2450 projects. Construction documents, details, and specifications
2451 for tangible objects and irrigation systems shall be designed or
2452 approved by licensed professionals as required by law.

2453 ~~(6)~~⁽³⁾ "Registered landscape architect" means a person who
2454 holds a license to practice landscape architecture in this state
2455 under the authority of this act.

2456 Section 93. Section 481.310, Florida Statutes, is amended
2457 to read:

2458 481.310 Practical experience requirement.—Beginning
2459 October 1, 1990, every applicant for licensure as a registered
2460 landscape architect shall demonstrate, prior to licensure, 1
2461 year of practical experience in landscape architectural work. An
2462 applicant who holds both a bachelor's degree and a master's
2463 degree in landscape architecture is not required to demonstrate
2464 1 year of practical experience in landscape architectural work
2465 to obtain licensure. The board shall adopt rules providing
2466 standards for the required experience. An applicant who
2467 qualifies for examination pursuant to s. 481.309(1)(b)1. may
2468 obtain the practical experience after completing the required
2469 professional degree. Experience used to qualify for examination
2470 pursuant to s. 481.309(1)(b)2. may not be used to satisfy the
2471 practical experience requirement under this section.

2472 Section 94. Subsections (5) and (6) of section 481.311,
2473 Florida Statutes, are renumbered as subsections (4) and (5),

2474 respectively, and subsection (3) and present subsection (4) of
 2475 that section are amended, to read:

2476 481.311 Licensure.—

2477 (3) The board shall certify as qualified for a license by
 2478 endorsement an applicant who:

2479 (a) Qualifies to take the examination as set forth in s.
 2480 481.309; and has passed a national, regional, state, or
 2481 territorial licensing examination which is substantially
 2482 equivalent to the examination required by s. 481.309; ~~or~~

2483 (b) Holds a valid license to practice landscape
 2484 architecture issued by another state or territory of the United
 2485 States, if the criteria for issuance of such license were
 2486 substantially identical to the licensure criteria which existed
 2487 in this state at the time the license was issued; or-

2488 (c) Has held a valid license to practice landscape
 2489 architecture in another state or territory of the United States
 2490 for at least 10 years before the date of application and has
 2491 successfully completed a state, regional, national, or other
 2492 examination that is equivalent to or more stringent than the
 2493 examination required by the board, subject to subsection (5). An
 2494 applicant who has met the requirements to be qualified for a
 2495 license by endorsement except for successful completion of an
 2496 examination that is equivalent to or more stringent than the
 2497 examination required by the board may take the examination
 2498 required by the board without completing additional education

2499 requirements. Such application must be submitted to the board
2500 while the applicant holds a valid license in another state or
2501 territory or within 2 years after the expiration of such
2502 license.

2503 ~~(4) The board shall certify as qualified for a certificate~~
2504 ~~of authorization any applicant corporation or partnership who~~
2505 ~~satisfies the requirements of s. 481.319.~~

2506 Section 95. Subsection (2) of section 481.317, Florida
2507 Statutes, is amended to read:

2508 481.317 Temporary certificates.—

2509 ~~(2) Upon approval by the board and payment of the fee set~~
2510 ~~in s. 481.307, the department shall grant a temporary~~
2511 ~~certificate of authorization for work on one specified project~~
2512 ~~in this state for a period not to exceed 1 year to an out-of-~~
2513 ~~state corporation, partnership, or firm, provided one of the~~
2514 ~~principal officers of the corporation, one of the partners of~~
2515 ~~the partnership, or one of the principals in the fictitiously~~
2516 ~~named firm has obtained a temporary certificate of registration~~
2517 ~~in accordance with subsection (1).~~

2518 Section 96. Section 481.319, Florida Statutes, is amended
2519 to read:

2520 481.319 Corporate and partnership practice of landscape
2521 architecture; ~~certificate of authorization.~~—

2522 (1) The practice of or offer to practice landscape
2523 architecture by registered landscape architects registered under

2524 this part through a corporation or partnership offering
2525 landscape architectural services to the public, or through a
2526 corporation or partnership offering landscape architectural
2527 services to the public through individual registered landscape
2528 architects as agents, employees, officers, or partners, is
2529 permitted, subject to the provisions of this section, if:

2530 (a) One or more of the principal officers of the
2531 corporation, or partners of the partnership, and all personnel
2532 of the corporation or partnership who act in its behalf as
2533 landscape architects in this state are registered landscape
2534 architects; and

2535 (b) One or more of the officers, one or more of the
2536 directors, one or more of the owners of the corporation, or one
2537 or more of the partners of the partnership is a registered
2538 landscape architect; ~~and~~

2539 ~~(c) The corporation or partnership has been issued a
2540 certificate of authorization by the board as provided herein.~~

2541 (2) All documents involving the practice of landscape
2542 architecture which are prepared for the use of the corporation
2543 or partnership shall bear the signature and seal of a registered
2544 landscape architect.

2545 (3) A landscape architect applying to practice in the name
2546 of a ~~An applicant~~ corporation must ~~shall~~ file with the
2547 department the names and addresses of all officers and board
2548 members of the corporation, including the principal officer or

2549 officers, duly registered to practice landscape architecture in
2550 this state and, also, of all individuals duly registered to
2551 practice landscape architecture in this state who shall be in
2552 responsible charge of the practice of landscape architecture by
2553 the corporation in this state. A landscape architect applying to
2554 practice in the name of a ~~An applicant~~ partnership must ~~shall~~
2555 file with the department the names and addresses of all partners
2556 of the partnership, including the partner or partners duly
2557 registered to practice landscape architecture in this state and,
2558 also, of an individual or individuals duly registered to
2559 practice landscape architecture in this state who shall be in
2560 responsible charge of the practice of landscape architecture by
2561 said partnership in this state.

2562 (4) Each landscape architect qualifying a partnership or
2563 ~~and corporation licensed~~ under this part must ~~shall~~ notify the
2564 department within 1 month after ~~of~~ any change in the information
2565 contained in the application upon which the license is based.
2566 Any landscape architect who terminates her or his ~~or her~~
2567 employment with a partnership or corporation licensed under this
2568 part shall notify the department of the termination within 1
2569 month after such termination.

2570 ~~(5) Disciplinary action against a corporation or~~
2571 ~~partnership shall be administered in the same manner and on the~~
2572 ~~same grounds as disciplinary action against a registered~~
2573 ~~landscape architect.~~

2574 ~~(5)(6)~~ Except as provided in s. 558.0035, the fact that a
 2575 registered landscape architect practices landscape architecture
 2576 through a corporation or partnership as provided in this section
 2577 does not relieve the landscape architect from personal liability
 2578 for her or his ~~or her~~ professional acts.

2579 Section 97. Subsection (5) of section 481.321, Florida
 2580 Statutes, is amended to read:

2581 481.321 Seals; display of certificate number.—

2582 (5) Each registered landscape architect must ~~and each~~
 2583 ~~corporation or partnership holding a certificate of~~
 2584 ~~authorization shall~~ include her or his ~~its~~ certificate number in
 2585 any newspaper, telephone directory, or other advertising medium
 2586 used by the registered landscape architect, corporation, or
 2587 partnership. A corporation or partnership must ~~is not required~~
 2588 ~~to~~ display the certificate number ~~numbers~~ of at least one
 2589 officer, director, owner, or partner who is a individual
 2590 registered landscape architect ~~architects~~ employed by or
 2591 practicing with the corporation or partnership.

2592 Section 98. Subsection (5) of section 481.329, Florida
 2593 Statutes, is amended to read:

2594 481.329 Exceptions; exemptions from licensure.—

2595 (5) This part does not prohibit any person from engaging
 2596 in the practice of landscape design, as defined in s. 481.303
 2597 ~~481.303(7)~~, or from submitting for approval to a governmental
 2598 agency planting plans that are independent of, or a component

2599 of, construction documents that are prepared by a Florida-
2600 registered professional. Persons providing landscape design
2601 services shall not use the title, term, or designation
2602 "landscape architect," "landscape architectural," "landscape
2603 architecture," "L.A.," "landscape engineering," or any
2604 description tending to convey the impression that she or he is a
2605 landscape architect unless she or he is registered as provided
2606 in this part.

2607 Section 99. Subsection (9) of section 489.103, Florida
2608 Statutes, is amended to read:

2609 489.103 Exemptions.—This part does not apply to:

2610 (9) Any work or operation of a casual, minor, or
2611 inconsequential nature in which the aggregate contract price for
2612 labor, materials, and all other items is less than \$2,500
2613 ~~\$1,000~~, but this exemption does not apply:

2614 (a) If the construction, repair, remodeling, or
2615 improvement is a part of a larger or major operation, whether
2616 undertaken by the same or a different contractor, or in which a
2617 division of the operation is made in contracts of amounts less
2618 than \$2,500 ~~\$1,000~~ for the purpose of evading this part or
2619 otherwise.

2620 (b) To a person who advertises that he or she is a
2621 contractor or otherwise represents that he or she is qualified
2622 to engage in contracting.

2623 Section 100. Subsection (2) of section 489.111, Florida

2624 Statutes, is amended to read:

2625 489.111 Licensure by examination.—

2626 (2) A person shall be eligible for licensure by
2627 examination if the person:

2628 (a) Is 18 years of age;

2629 (b) Is of good moral character; and

2630 (c) Meets eligibility requirements according to one of the
2631 following criteria:

2632 1. Has received a baccalaureate degree from an accredited
2633 4-year college in the appropriate field of engineering,
2634 architecture, or building construction and has 1 year of proven
2635 experience in the category in which the person seeks to qualify.
2636 For the purpose of this part, a minimum of 2,000 person-hours
2637 shall be used in determining full-time equivalency. An applicant
2638 who is exempt from passing an examination as provided in s.
2639 489.113(1) is eligible for a license under this section.

2640 2. Has a total of at least 4 years of active experience as
2641 a worker who has learned the trade by serving an apprenticeship
2642 as a skilled worker who is able to command the rate of a
2643 mechanic in the particular trade or as a foreman who is in
2644 charge of a group of workers and usually is responsible to a
2645 superintendent or a contractor or his or her equivalent,
2646 provided, however, that at least 1 year of active experience
2647 shall be as a foreman.

2648 3. Has a combination of not less than 1 year of experience

2649 as a foreman and not less than 3 years of credits for any
2650 accredited college-level courses; has a combination of not less
2651 than 1 year of experience as a skilled worker, 1 year of
2652 experience as a foreman, and not less than 2 years of credits
2653 for any accredited college-level courses; or has a combination
2654 of not less than 2 years of experience as a skilled worker, 1
2655 year of experience as a foreman, and not less than 1 year of
2656 credits for any accredited college-level courses. All junior
2657 college or community college-level courses shall be considered
2658 accredited college-level courses.

2659 4.a. An active certified residential contractor is
2660 eligible to receive a certified building contractor license
2661 after passing or having previously passed ~~take~~ the building
2662 contractors' examination if he or she possesses a minimum of 3
2663 years of proven experience in the classification in which he or
2664 she is certified.

2665 b. An active certified residential contractor is eligible
2666 to receive a certified general contractor license after passing
2667 or having previously passed ~~take~~ the general contractors'
2668 examination if he or she possesses a minimum of 4 years of
2669 proven experience in the classification in which he or she is
2670 certified.

2671 c. An active certified building contractor is eligible to
2672 receive a certified general contractor license after passing or
2673 having previously passed ~~take~~ the general contractors'

2674 examination if he or she possesses a minimum of 4 years of
2675 proven experience in the classification in which he or she is
2676 certified.

2677 5.a. An active certified air-conditioning Class C
2678 contractor is eligible to receive a certified air conditioning
2679 Class B contractor license after passing or having previously
2680 passed ~~take~~ the air-conditioning Class B contractors'
2681 examination if he or she possesses a minimum of 3 years of
2682 proven experience in the classification in which he or she is
2683 certified.

2684 b. An active certified air-conditioning Class C contractor
2685 is eligible to receive a certified air conditioning Class A
2686 contractor license after passing or having previously passed
2687 ~~take~~ the air-conditioning Class A contractors' examination if he
2688 or she possesses a minimum of 4 years of proven experience in
2689 the classification in which he or she is certified.

2690 c. An active certified air-conditioning Class B contractor
2691 is eligible to receive a certified air conditioning Class A
2692 contractor license after passing or having previously passed
2693 ~~take~~ the air-conditioning Class A contractors' examination if he
2694 or she possesses a minimum of 1 year of proven experience in the
2695 classification in which he or she is certified.

2696 6.a. An active certified swimming pool servicing
2697 contractor is eligible to receive a certified residential
2698 swimming pool contractor license after passing or having

2699 | previously passed ~~take~~ the residential swimming pool
2700 | contractors' examination if he or she possesses a minimum of 3
2701 | years of proven experience in the classification in which he or
2702 | she is certified.

2703 | b. An active certified swimming pool servicing contractor
2704 | is eligible to receive a certified commercial swimming pool
2705 | contractor license after passing or having previously passed
2706 | ~~take~~ the swimming pool commercial contractors' examination if he
2707 | or she possesses a minimum of 4 years of proven experience in
2708 | the classification in which he or she is certified.

2709 | c. An active certified residential swimming pool
2710 | contractor is eligible to receive a certified commercial
2711 | swimming pool contractor license after passing or having
2712 | previously passed ~~take~~ the commercial swimming pool contractors'
2713 | examination if he or she possesses a minimum of 1 year of proven
2714 | experience in the classification in which he or she is
2715 | certified.

2716 | d. An applicant is eligible to receive a certified
2717 | swimming pool/spa servicing contractor license after passing or
2718 | having previously passed ~~take~~ the swimming pool/spa servicing
2719 | contractors' examination if he or she has satisfactorily
2720 | completed 60 hours of instruction in courses related to the
2721 | scope of work covered by that license and approved by the
2722 | Construction Industry Licensing Board by rule and has at least 1
2723 | year of proven experience related to the scope of work of such a

2724 contractor.

2725 Section 101. Subsection (1) of section 489.113, Florida
2726 Statutes, is amended to read:

2727 489.113 Qualifications for practice; restrictions.—

2728 (1) Any person who desires to engage in contracting on a
2729 statewide basis shall, as a prerequisite thereto, establish his
2730 or her competency and qualifications to be certified pursuant to
2731 this part. To establish competency, a person shall pass the
2732 appropriate examination approved by the board and certified by
2733 the department. If an applicant has received a baccalaureate
2734 degree from an accredited 4-year college in building
2735 construction, or a related degree as approved by the board by
2736 rule, such applicant is not required to pass such examination.

2737 Any person who desires to engage in contracting on other than a
2738 statewide basis shall, as a prerequisite thereto, be registered
2739 pursuant to this part, unless exempted by this part.

2740 Section 102. Subsection (3) of section 489.115, Florida
2741 Statutes, is amended to read:

2742 489.115 Certification and registration; endorsement;
2743 reciprocity; renewals; continuing education.—

2744 (3) The board shall certify as qualified for certification
2745 by endorsement any applicant who:

2746 (a) Meets the requirements for certification as set forth
2747 in this section; has passed a national, regional, state, or
2748 United States territorial licensing examination that is

2749 substantially equivalent to the examination required by this
2750 part; and has satisfied the requirements set forth in s.
2751 489.111;

2752 (b) Holds a valid license to practice contracting issued
2753 by another state or territory of the United States, if the
2754 criteria for issuance of such license were substantially
2755 equivalent to Florida's current certification criteria; ~~or~~

2756 (c) Holds a valid, current license to practice contracting
2757 issued by another state or territory of the United States, if
2758 the state or territory has entered into a reciprocal agreement
2759 with the board for the recognition of contractor licenses issued
2760 in that state, based on criteria for the issuance of such
2761 licenses that are substantially equivalent to the criteria for
2762 certification in this state; or

2763 (d) Has held a valid license to practice contracting
2764 issued by another state or territory for at least 10 years
2765 before the date of application and is applying for the same or
2766 similar license in this state, subject to subsections (5)-(9).
2767 The board may consider whether such applicant has had a license
2768 to practice contracting revoked, suspended, or otherwise acted
2769 against by the licensing authority of another state, territory,
2770 or country. Such application must be submitted to the board
2771 while the applicant holds a valid license in another state or
2772 territory or within 2 years after the expiration of such
2773 license.

2774 Section 103. Subsection (5) of section 489.511, Florida
 2775 Statutes, is amended to read:

2776 489.511 Certification; application; examinations;
 2777 endorsement.—

2778 (5) The board shall certify as qualified for certification
 2779 by endorsement any individual applying for certification who:

2780 (a) Meets the requirements for certification as set forth
 2781 in this section; has passed a national, regional, state, or
 2782 United States territorial licensing examination that is
 2783 substantially equivalent to the examination required by this
 2784 part; and has satisfied the requirements set forth in s.

2785 489.521; ~~or~~

2786 (b) Holds a valid license to practice electrical or alarm
 2787 system contracting issued by another state or territory of the
 2788 United States, if the criteria for issuance of such license was
 2789 substantially equivalent to the certification criteria that
 2790 existed in this state at the time the certificate was issued; or

2791 (c) Has held a valid license to practice electrical or
 2792 alarm system contracting issued by another state or territory
 2793 for at least 10 years before the date of application and is
 2794 applying for the same or similar license in this state, subject
 2795 to ss. 489.510 and 489.521(3)(a), and subparagraph (1)(b)1. Such
 2796 application must be submitted to the board while the applicant
 2797 holds a valid license in another state or territory or within 2
 2798 years after the expiration of such license.

2799 Section 104. Subsection (3) and paragraph (b) of
 2800 subsection (4) of section 489.517, Florida Statutes, are amended
 2801 to read:

2802 489.517 Renewal of certificate or registration; continuing
 2803 education.—

2804 (3) Each certificateholder or registrant shall provide
 2805 proof, in a form established by rule of the board, that the
 2806 certificateholder or registrant has completed at least 7 ~~14~~
 2807 classroom hours of at least 50 minutes each of continuing
 2808 education courses during each biennium since the issuance or
 2809 renewal of the certificate or registration. The board shall by
 2810 rule establish criteria for the approval of continuing education
 2811 courses and providers and may by rule establish criteria for
 2812 accepting alternative nonclassroom continuing education on an
 2813 hour-for-hour basis.

2814 (4)

2815 (b) Of the 7 ~~14~~ classroom hours of continuing education
 2816 required, at least 1 hour ~~7 hours~~ must be on technical subjects,
 2817 1 hour on workers' compensation, 1 hour on workplace safety, 1
 2818 hour on business practices, and for alarm system contractors and
 2819 electrical contractors engaged in alarm system contracting, 2
 2820 hours on false alarm prevention.

2821 Section 105. Paragraph (b) of subsection (1) of section
 2822 489.518, Florida Statutes, is amended to read:

2823 489.518 Alarm system agents.—

2824 (1) A licensed electrical or alarm system contractor may
2825 not employ a person to perform the duties of a burglar alarm
2826 system agent unless the person:

2827 (b) Has successfully completed a minimum of 14 hours of
2828 training within 90 days after employment, to include basic alarm
2829 system electronics in addition to related training including
2830 CCTV and access control training, with at least 2 hours of
2831 training in the prevention of false alarms. Such training shall
2832 be from a board-approved provider, and the employee or applicant
2833 for employment shall provide proof of successful completion to
2834 the licensed employer. The board shall by rule establish
2835 criteria for the approval of training courses and providers and
2836 may by rule establish criteria for accepting alternative
2837 nonclassroom education on an hour-for-hour basis. The board
2838 shall approve providers that conduct training in other than the
2839 English language. The board shall establish a fee for the
2840 approval of training providers or courses, not to exceed \$60.
2841 Qualified employers may conduct training classes for their
2842 employees, with board approval.

2843 Section 106. Section 492.104, Florida Statutes, is
2844 amended, to read:

2845 492.104 Rulemaking authority.—The Board of Professional
2846 Geologists has authority to adopt rules pursuant to ss.
2847 120.536(1) and 120.54 to implement this chapter. Every licensee
2848 shall be governed and controlled by this chapter and the rules

2849 adopted by the board. The board is authorized to set, by rule,
 2850 fees for application, examination, ~~certificate of authorization,~~
 2851 late renewal, initial licensure, and license renewal. These fees
 2852 may ~~should~~ not exceed the cost of implementing the application,
 2853 examination, initial licensure, and license renewal or other
 2854 administrative process and shall be established as follows:

2855 (1) The application fee shall not exceed \$150 and shall be
 2856 nonrefundable.

2857 (2) The examination fee shall not exceed \$250, and the fee
 2858 may be apportioned to each part of a multipart examination. The
 2859 examination fee shall be refundable in whole or part if the
 2860 applicant is found to be ineligible to take any portion of the
 2861 licensure examination.

2862 (3) The initial license fee shall not exceed \$100.

2863 (4) The biennial renewal fee shall not exceed \$150.

2864 ~~(5) The fee for a certificate of authorization shall not~~
 2865 ~~exceed \$350 and the fee for renewal of the certificate shall not~~
 2866 ~~exceed \$350.~~

2867 (5) ~~(6)~~ The fee for reactivation of an inactive license may
 2868 ~~shall~~ not exceed \$50.

2869 (6) ~~(7)~~ The fee for a provisional license may ~~shall~~ not
 2870 exceed \$400.

2871 (7) ~~(8)~~ The fee for application, examination, and licensure
 2872 for a license by endorsement is ~~shall be~~ as provided in this
 2873 section for licenses in general.

2874 Section 107. Subsection (1) of section 492.108, Florida
 2875 Statutes, is amended to read:

2876 492.108 Licensure by endorsement; requirements; fees.—

2877 (1) The department shall issue a license by endorsement to
 2878 any applicant who, upon applying to the department and remitting
 2879 an application fee, has been certified by the board that he or
 2880 she:

2881 (a) Has met the qualifications for licensure in s.
 2882 492.105(1)(b)-(e) and:-

2883 1.~~(b)~~ Is the holder of an active license in good standing
 2884 in a state, trust, territory, or possession of the United
 2885 States.

2886 2.~~(e)~~ Was licensed through written examination in at least
 2887 one state, trust, territory, or possession of the United States,
 2888 the examination requirements of which have been approved by the
 2889 board as substantially equivalent to or more stringent than
 2890 those of this state, and has received a score on such
 2891 examination which is equal to or greater than the score required
 2892 by this state for licensure by examination.

2893 3.~~(d)~~ Has taken and successfully passed the laws and rules
 2894 portion of the examination required for licensure as a
 2895 professional geologist in this state.

2896 (b) Has held a valid license to practice geology in
 2897 another state, trust, territory, or possession of the United
 2898 States for at least 10 years before the date of application and

2899 has successfully completed a state, regional, national, or other
 2900 examination that is equivalent to or more stringent than the
 2901 examination required by the department. If such applicant has
 2902 met the requirements for a license by endorsement except
 2903 successful completion of an examination that is equivalent to or
 2904 more stringent than the examination required by the board, such
 2905 applicant may take the examination required by the board. Such
 2906 application must be submitted to the board while the applicant
 2907 holds a valid license in another state or territory or within 2
 2908 years after the expiration of such license.

2909 Section 108. Section 492.111, Florida Statutes, is amended
 2910 to read:

2911 492.111 Practice of professional geology by a firm,
 2912 corporation, or partnership; ~~certificate of authorization.~~—The
 2913 practice of, or offer to practice, professional geology by
 2914 individual professional geologists licensed under the provisions
 2915 of this chapter through a firm, corporation, or partnership
 2916 offering geological services to the public through individually
 2917 licensed professional geologists as agents, employees, officers,
 2918 or partners thereof is permitted subject to the provisions of
 2919 this chapter, if provided that:

2920 (1) At all times that it offers geological services to the
 2921 public, the firm, corporation, or partnership is qualified by
 2922 ~~has on file with the department the name and license number of~~
 2923 one or more individuals who hold a current, active license as a

2924 professional geologist in the state and are serving as a
2925 geologist of record for the firm, corporation, or partnership. A
2926 geologist of record may be any principal officer or employee of
2927 such firm or corporation, or any partner or employee of such
2928 partnership, who holds a current, active license as a
2929 professional geologist in this state, or any other Florida-
2930 licensed professional geologist with whom the firm, corporation,
2931 or partnership has entered into a long-term, ongoing
2932 relationship, as defined by rule of the board, to serve as one
2933 of its geologists of record. ~~It shall be the responsibility of~~
2934 ~~the firm, corporation, or partnership and~~ The geologist of
2935 record shall ~~to~~ notify the department of any changes in the
2936 relationship or identity of that geologist of record within 30
2937 days after such change.

2938 ~~(2) The firm, corporation, or partnership has been issued~~
2939 ~~a certificate of authorization by the department as provided in~~
2940 ~~this chapter. For purposes of this section, a certificate of~~
2941 ~~authorization shall be required of any firm, corporation,~~
2942 ~~partnership, association, or person practicing under a~~
2943 ~~fictitious name and offering geological services to the public;~~
2944 ~~except that, when an individual is practicing professional~~
2945 ~~geology in her or his own name, she or he shall not be required~~
2946 ~~to obtain a certificate of authorization under this section.~~
2947 ~~Such certificate of authorization shall be renewed every 2~~
2948 ~~years.~~

2949 (2)~~(3)~~ All final geological papers or documents involving
2950 the practice of the profession of geology which have been
2951 prepared or approved for the use of such firm, corporation, or
2952 partnership, for delivery to any person for public record with
2953 the state, shall be dated and bear the signature and seal of the
2954 professional geologist or professional geologists who prepared
2955 or approved them.

2956 (3)~~(4)~~ Except as provided in s. 558.0035, the fact that a
2957 licensed professional geologist practices through a corporation
2958 or partnership does not relieve the registrant from personal
2959 liability for negligence, misconduct, or wrongful acts committed
2960 by her or him. The partnership and all partners are jointly and
2961 severally liable for the negligence, misconduct, or wrongful
2962 acts committed by their agents, employees, or partners while
2963 acting in a professional capacity. Any officer, agent, or
2964 employee of a corporation is personally liable and accountable
2965 only for negligent acts, wrongful acts, or misconduct committed
2966 by her or him or committed by any person under her or his direct
2967 supervision and control, while rendering professional services
2968 on behalf of the corporation. The personal liability of a
2969 shareholder of a corporation, in her or his capacity as
2970 shareholder, may be no greater than that of a shareholder-
2971 employee of a corporation incorporated under chapter 607. The
2972 corporation is liable up to the full value of its property for
2973 any negligent acts, wrongful acts, or misconduct committed by

2974 any of its officers, agents, or employees while they are engaged
 2975 on behalf of the corporation in the rendering of professional
 2976 services.

2977 ~~(5) The firm, corporation, or partnership desiring a~~
 2978 ~~certificate of authorization shall file with the department an~~
 2979 ~~application therefor, upon a form to be prescribed by the~~
 2980 ~~department, accompanied by the required application fee.~~

2981 ~~(6) The department may refuse to issue a certificate of~~
 2982 ~~authorization if any facts exist which would entitle the~~
 2983 ~~department to suspend or revoke an existing certificate of~~
 2984 ~~authorization or if the department, after giving persons~~
 2985 ~~involved a full and fair hearing, determines that any of the~~
 2986 ~~officers or directors of said firm or corporation, or partners~~
 2987 ~~of said partnership, have violated the provisions of s. 492.113.~~

2988 Section 109. Subsection (4) of section 492.113, Florida
 2989 Statutes, is amended to read:

2990 492.113 Disciplinary proceedings.—

2991 (4) The department shall reissue the license of a
 2992 disciplined professional geologist ~~or business~~ upon
 2993 certification by the board that the disciplined person has
 2994 complied with ~~all of~~ the terms and conditions set forth in the
 2995 final order.

2996 Section 110. Section 492.115, Florida Statutes, is amended
 2997 to read:

2998 492.115 Roster of licensed professional geologists.—A

2999 | roster showing the names and places of business or residence of
 3000 | all licensed professional geologists and all properly qualified
 3001 | firms, corporations, or partnerships practicing holding
 3002 | ~~certificates of authorization to practice~~ professional geology
 3003 | in the state shall be prepared annually by the department. A
 3004 | copy of this roster must be made available to ~~shall be~~
 3005 | ~~obtainable by~~ each licensed professional geologist and each
 3006 | firm, corporation, or partnership qualified by a professional
 3007 | geologist holding a certificate of authorization, and copies
 3008 | thereof shall be placed on file with the department.

3009 | Section 111. Paragraph (i) of subsection (2) of section
 3010 | 548.003, Florida Statutes, is amended to read:

3011 | 548.003 Florida State Boxing Commission.—

3012 | (2) The Florida State Boxing Commission, as created by
 3013 | subsection (1), shall administer the provisions of this chapter.
 3014 | The commission has authority to adopt rules pursuant to ss.
 3015 | 120.536(1) and 120.54 to implement the provisions of this
 3016 | chapter and to implement each of the duties and responsibilities
 3017 | conferred upon the commission, including, but not limited to:

3018 | ~~(i) Designation and duties of a knockdown timekeeper.~~

3019 | Section 112. Subsection (1) of section 548.017, Florida
 3020 | Statutes, is amended to read:

3021 | 548.017 Participants, managers, and other persons required
 3022 | to have licenses.—

3023 | (1) A participant, manager, trainer, second, ~~timekeeper,~~

3024 referee, judge, ~~announcer~~, physician, matchmaker, or promoter
 3025 must be licensed before directly or indirectly acting in such
 3026 capacity in connection with any match involving a participant. A
 3027 physician approved by the commission must be licensed pursuant
 3028 to chapter 458 or chapter 459, must maintain an unencumbered
 3029 license in good standing, and must demonstrate satisfactory
 3030 medical training or experience in boxing, or a combination of
 3031 both, to the executive director before working as the ringside
 3032 physician.

3033 Section 113. Paragraph (d) of subsection (1) of section
 3034 553.5141, Florida Statutes, is amended to read:

3035 553.5141 Certifications of conformity and remediation
 3036 plans.—

3037 (1) For purposes of this section:

3038 (d) "Qualified expert" means:

- 3039 1. An engineer licensed pursuant to chapter 471.
- 3040 2. A certified general contractor licensed pursuant to
 3041 chapter 489.
- 3042 3. A certified building contractor licensed pursuant to
 3043 chapter 489.
- 3044 4. A building code administrator licensed pursuant to
 3045 chapter 468.
- 3046 5. A building inspector licensed pursuant to chapter 468.
- 3047 6. A plans examiner licensed pursuant to chapter 468.
- 3048 7. An interior designer who has passed the qualification

3049 examination prescribed by either the National Council for
 3050 Interior Design Qualifications or the California Council for
 3051 Interior Design Certification ~~licensed pursuant to chapter 481.~~

3052 8. An architect licensed pursuant to chapter 481.

3053 9. A landscape architect licensed pursuant to chapter 481.

3054 10. Any person who has prepared a remediation plan related
 3055 to a claim under Title III of the Americans with Disabilities
 3056 Act, 42 U.S.C. s. 12182, that has been accepted by a federal
 3057 court in a settlement agreement or court proceeding, or who has
 3058 been qualified as an expert in Title III of the Americans with
 3059 Disabilities Act, 42 U.S.C. s. 12182, by a federal court.

3060 Section 114. Subsection (1) of section 553.74, Florida
 3061 Statutes, is amended to read:

3062 553.74 Florida Building Commission.—

3063 (1) The Florida Building Commission is created and located
 3064 within the Department of Business and Professional Regulation
 3065 for administrative purposes. Members are appointed by the
 3066 Governor subject to confirmation by the Senate. The commission
 3067 is composed of 17 ~~27~~ members, consisting of the following
 3068 members:

3069 (a) One architect licensed under chapter 481 with at least
 3070 5 years of experience in the design and construction of
 3071 buildings designated for Group E or Group I occupancies by the
 3072 Florida Building Code ~~registered to practice in this state and~~
 3073 ~~actively engaged in the profession.~~ The American Institute of

3074 Architects, Florida Section, is encouraged to recommend a list
3075 of candidates for consideration.

3076 (b) One structural engineer registered to practice in this
3077 state and actively engaged in the profession. The Florida
3078 Engineering Society is encouraged to recommend a list of
3079 candidates for consideration.

3080 (c) One air-conditioning contractor, ~~or~~ mechanical
3081 contractor, or mechanical engineer certified to do business in
3082 this state and actively engaged in the profession. The Florida
3083 Air Conditioning Contractors Association, the Florida
3084 Refrigeration and Air Conditioning Contractors Association, ~~and~~
3085 the Mechanical Contractors Association of Florida, and the
3086 Florida Engineering Society are encouraged to recommend a list
3087 of candidates for consideration.

3088 (d) One electrical contractor or electrical engineer
3089 certified to do business in this state and actively engaged in
3090 the profession. The Florida Association of Electrical
3091 Contractors, ~~and~~ the National Electrical Contractors
3092 Association, Florida Chapter, and the Florida Engineering
3093 Society are encouraged to recommend a list of candidates for
3094 consideration.

3095 ~~(e) One member from fire protection engineering or~~
3096 ~~technology who is actively engaged in the profession. The~~
3097 ~~Florida Chapter of the Society of Fire Protection Engineers and~~
3098 ~~the Florida Fire Marshals and Inspectors Association are~~

3099 | ~~encouraged to recommend a list of candidates for consideration.~~

3100 | ~~(e)-(f)~~ One certified general contractor or one certified
3101 | building contractor certified to do business in this state and
3102 | actively engaged in the profession. The Associated Builders and
3103 | Contractors of Florida, the Florida Associated General
3104 | Contractors Council, the Florida Home Builders Association, and
3105 | the Union Contractors Association are encouraged to recommend a
3106 | list of candidates for consideration.

3107 | ~~(f)-(g)~~ One plumbing contractor licensed to do business in
3108 | this state and actively engaged in the profession. The Florida
3109 | Association of Plumbing, Heating, and Cooling Contractors is
3110 | encouraged to recommend a list of candidates for consideration.

3111 | ~~(g)-(h)~~ One roofing or sheet metal contractor certified to
3112 | do business in this state and actively engaged in the
3113 | profession. The Florida Roofing, Sheet Metal, and Air
3114 | Conditioning Contractors Association and the Sheet Metal and Air
3115 | Conditioning Contractors' National Association are encouraged to
3116 | recommend a list of candidates for consideration.

3117 | ~~(h)-(i)~~ One certified residential contractor licensed to do
3118 | business in this state and actively engaged in the profession.
3119 | The Florida Home Builders Association is encouraged to recommend
3120 | a list of candidates for consideration.

3121 | ~~(i)-(j)~~ Three members who are municipal, county, or
3122 | district codes enforcement officials, one of whom is also a fire
3123 | official. The Building Officials Association of Florida and the

3124 Florida Fire Marshals and Inspectors Association are encouraged
3125 to recommend a list of candidates for consideration.

3126 ~~(k) One member who represents the Department of Financial~~
3127 ~~Services.~~

3128 ~~(l) One member who is a county codes enforcement official.~~
3129 ~~The Building Officials Association of Florida is encouraged to~~
3130 ~~recommend a list of candidates for consideration.~~

3131 (j) ~~(m)~~ One member of a Florida-based organization of
3132 persons with disabilities or a nationally chartered organization
3133 of persons with disabilities with chapters in this state which
3134 complies with or is certified to be compliant with the
3135 requirements of the Americans with Disability Act of 1990, as
3136 amended.

3137 (k) ~~(n)~~ One member of the manufactured buildings industry
3138 who is licensed to do business in this state and is actively
3139 engaged in the industry. The Florida Manufactured Housing
3140 Association is encouraged to recommend a list of candidates for
3141 consideration.

3142 ~~(o) One mechanical or electrical engineer registered to~~
3143 ~~practice in this state and actively engaged in the profession.~~
3144 ~~The Florida Engineering Society is encouraged to recommend a~~
3145 ~~list of candidates for consideration.~~

3146 ~~(p) One member who is a representative of a municipality~~
3147 ~~or a charter county. The Florida League of Cities and the~~
3148 ~~Florida Association of Counties are encouraged to recommend a~~

3149 ~~list of candidates for consideration.~~

3150 (l)~~(q)~~ One member of the building products manufacturing
3151 industry who is authorized to do business in this state and is
3152 actively engaged in the industry. The Florida Building Material
3153 Association, the Florida Concrete and Products Association, and
3154 the Fenestration Manufacturers Association are encouraged to
3155 recommend a list of candidates for consideration.

3156 ~~(r) One member who is a representative of the building~~
3157 ~~owners and managers industry who is actively engaged in~~
3158 ~~commercial building ownership or management. The Building Owners~~
3159 ~~and Managers Association is encouraged to recommend a list of~~
3160 ~~candidates for consideration.~~

3161 (m)~~(s)~~ One member who is a representative of the insurance
3162 industry. The Florida Insurance Council is encouraged to
3163 recommend a list of candidates for consideration.

3164 ~~(t) One member who is a representative of public~~
3165 ~~education.~~

3166 (n)~~(u)~~ One member who is a swimming pool contractor
3167 licensed to do business in this state and actively engaged in
3168 the profession. The Florida Swimming Pool Association and the
3169 United Pool and Spa Association are encouraged to recommend a
3170 list of candidates for consideration.

3171 ~~(v) One member who is a representative of the green~~
3172 ~~building industry and who is a third-party commission agent, a~~
3173 ~~Florida board member of the United States Green Building Council~~

3174 ~~or Green Building Initiative, a professional who is accredited~~
3175 ~~under the International Green Construction Code (IGCC), or a~~
3176 ~~professional who is accredited under Leadership in Energy and~~
3177 ~~Environmental Design (LEED).~~

3178 (o)~~(w)~~ One member who is a representative of a natural gas
3179 distribution system and who is actively engaged in the
3180 distribution of natural gas in this state. The Florida Natural
3181 Gas Association is encouraged to recommend a list of candidates
3182 for consideration.

3183 ~~(x) One member who is a representative of the Department~~
3184 ~~of Agriculture and Consumer Services' Office of Energy. The~~
3185 ~~Commissioner of Agriculture is encouraged to recommend a list of~~
3186 ~~candidates for consideration.~~

3187 ~~(y) One member who shall be the chair.~~

3188 Section 115. Paragraph (c) of subsection (5) of section
3189 553.79, Florida Statutes, is amended to read:

3190 553.79 Permits; applications; issuance; inspections.—

3191 (5)

3192 (c) The architect or engineer of record may act as the
3193 special inspector provided she or he is on the Board of
3194 Professional Engineers' or the Board of Architecture's
3195 ~~Architecture and Interior Design's~~ list of persons qualified to
3196 be special inspectors. School boards may utilize employees as
3197 special inspectors provided such employees are on one of the

3198 professional licensing board's list of persons qualified to be
 3199 special inspectors.

3200 Section 116. Subsection (7) of section 558.002, Florida
 3201 Statutes, is amended to read:

3202 558.002 Definitions.—As used in this chapter, the term:

3203 (7) "Design professional" means a person, as defined in s.
 3204 1.01, who is licensed in this state as an architect, interior
 3205 ~~designer, a~~ landscape architect, an engineer, a surveyor, or a
 3206 geologist.

3207 Section 117. Subsection (3) of section 559.25, Florida
 3208 Statutes, is amended to read:

3209 559.25 Exemptions.—The provisions of this part shall not
 3210 apply to or affect the following persons:

3211 ~~(3) Duly licensed auctioneers, selling at auction.~~

3212 Section 118. Paragraphs (h) and (k) of subsection (2) of
 3213 section 287.055, Florida Statutes, are amended to read:

3214 287.055 Acquisition of professional architectural,
 3215 engineering, landscape architectural, or surveying and mapping
 3216 services; definitions; procedures; contingent fees prohibited;
 3217 penalties.—

3218 (2) DEFINITIONS.—For purposes of this section:

3219 (h) A "design-build firm" means a partnership,
 3220 corporation, or other legal entity that:

3221 1. Is certified under s. 489.119 to engage in contracting
 3222 through a certified or registered general contractor or a

3223 certified or registered building contractor as the qualifying
3224 agent; or

3225 2. Is qualified ~~certified~~ under s. 471.023 to practice or
3226 to offer to practice engineering; qualified ~~certified~~ under s.
3227 481.219 to practice or to offer to practice architecture; or
3228 qualified ~~certified~~ under s. 481.319 to practice or to offer to
3229 practice landscape architecture.

3230 (k) A "design criteria professional" means a firm that is
3231 qualified ~~who holds a current certificate of registration~~ under
3232 chapter 481 to practice architecture or landscape architecture
3233 or a firm who holds a current certificate as a registered
3234 engineer under chapter 471 to practice engineering and who is
3235 employed by or under contract to the agency for the providing of
3236 professional architect services, landscape architect services,
3237 or engineering services in connection with the preparation of
3238 the design criteria package.

3239 Section 119. This act shall take effect July 1, 2019.