

1 A bill to be entitled
2 An act relating to the deregulation of professions and
3 occupations; providing a short title; amending s.
4 287.055, F.S.; conforming provisions to changes made
5 by the act; amending s. 322.57, F.S.; defining the
6 term "servicemember"; requiring the Department of
7 Highway Safety and Motor Vehicles to waive certain
8 commercial driver license requirements for
9 servicemembers and veterans under certain
10 circumstances; requiring rulemaking; amending s.
11 326.004, F.S.; deleting the requirement for a yacht
12 broker to maintain a separate license for each branch
13 office; deleting the requirement for the division to
14 establish a fee; amending s. 447.02, F.S.; conforming
15 provisions to changes made by the act; repealing ss.
16 447.04, 447.041, 447.045, and 447.046, F.S., relating
17 to licensure and permit requirements for business
18 agents, hearings for persons or labor organizations
19 denied licensure as a business agent, confidential
20 information obtained during the application process,
21 and required registration of labor organizations,
22 respectively; amending s. 447.09, F.S.; deleting
23 certain prohibited actions relating to the right of
24 franchise of a member of a labor organization;
25 repealing ss. 447.12 and 447.16, F.S., relating to

26 registration fees and applicability; amending s.
27 447.305, F.S.; deleting a provision that requires
28 notification of registrations and renewals to the
29 department; amending s. 455.213, F.S.; requiring the
30 Department of Business and Professional Regulation or
31 a board to seek reciprocal licensing agreements with
32 other states under certain circumstances; providing
33 requirements; creating s. 455.2278, F.S.; providing
34 definitions; prohibiting the department or a board
35 from suspending or revoking a person's license solely
36 on the basis of a delinquency or default in the
37 payment of his or her student loan; prohibiting the
38 department or a board from suspending or revoking a
39 person's license solely on the basis of a default in
40 satisfying the requirements of his or her work-
41 conditional scholarship; amending s. 456.072, F.S.;
42 providing that failing to repay a student loan issued
43 or guaranteed by the state or the Federal Government
44 in accordance with the terms of the loan is not
45 considered a failure to perform a statutory or legal
46 obligation; repealing s. 456.0721, F.S., relating to
47 practitioners in default on student loan or
48 scholarship obligations; amending s. 456.074; removing
49 the requirements for immediate suspension of a health
50 care practitioner for default on a specified student

51 loan; amending s. 468.401, F.S.; revising definitions;
52 repealing ss. 468.402, 468.403, 468.404, and 468.405,
53 F.S., relating to duties and authority of the
54 Department of Business and Professional Regulation
55 with regard to licensure of talent agencies, licensure
56 requirements, license fees and renewals, and
57 qualification for a talent agency license,
58 respectively; amending s. 468.406, F.S.; requiring an
59 owner or operator of a talent agency to post an
60 itemized schedule of fees, charges, and commissions in
61 a specified place; repealing s. 468.407, F.S.,
62 relating to the form and posting requirements for a
63 license; amending s. 468.408, F.S.; conforming
64 provisions to changes made by the act; prohibiting
65 certain bonds from being issued or renewed by a
66 bonding agency to an owner or operator of a talent
67 agency unless the bonding agency verifies that each
68 owner or operator has not been convicted of specified
69 crimes; amending s. 468.409, F.S.; deleting a
70 requirement for record inspection; amending s.
71 468.410, F.S.; deleting a requirement to include
72 specified information in a contract between a talent
73 agency and applicant; amending s. 468.412, F.S.;
74 deleting recordkeeping and posting requirements;
75 amending s. 468.413, F.S.; revising criminal

76 penalties; conforming provisions to changes made by
77 the act; repealing s. 468.414, F.S., relating to the
78 deposit of certain funds in the Professional
79 Regulation Trust Fund; amending s. 468.415, F.S.;
80 prohibiting any agent, owner, or operator who commits
81 sexual misconduct in the operation of a talent agency
82 from acting as an agent, owner, or operator of a
83 Florida talent agency; amending s. 468.505, F.S.;
84 providing that certain unlicensed persons are not
85 prohibited or restricted from his or her practice,
86 services, or activities in dietetics and nutrition
87 under certain circumstances; amending 468.524, F.S.;
88 deleting specified exemptions from the time
89 restriction for an employee leasing company to reapply
90 for licensure; amending s. 468.603, F.S.; revising a
91 definition; amending s. 468.609, F.S.; revising
92 certain experience requirements for a person to take
93 the examination for certification; revising the time
94 period a provisional certificate is valid; amending s.
95 468.613, F.S.; providing for waiver of specified
96 requirements for certification under certain
97 circumstances; amending s. 468.8314, F.S.; requiring
98 an applicant for a license by endorsement to maintain
99 a specified insurance policy; requiring the department
100 to certify an applicant who holds a specified license

101 issued by another state or territory of the United
102 States under certain circumstances; amending s.
103 471.015, F.S.; revising licensure requirements for
104 engineers who hold specified licenses in another
105 state; amending s. 473.308, F.S.; deleting continuing
106 education requirements for license by endorsement for
107 certified public accountants; amending s. 474.202,
108 F.S.; revising the definition of the term "limited-
109 service veterinary medical practice" to include
110 certain vaccinations or immunizations; amending s.
111 474.203, F.S.; providing an exemption for a person
112 whose work is solely confined to microchip
113 implantation in dogs and cats; amending s. 474.207,
114 F.S.; revising education requirements for licensure by
115 examination; amending s. 474.217, F.S.; requiring the
116 Department of Business and Professional Regulation to
117 issue a license by endorsement to certain applicants
118 who successfully complete a specified examination;
119 amending s. 476.114, F.S.; revising training
120 requirements for licensure as a barber; amending s.
121 476.144, F.S.; requiring the department to license an
122 applicant who is licensed to practice barbering in
123 another state; amending s. 477.013, F.S.; revising the
124 definition of the term "hair braiding"; repealing s.
125 477.0132, F.S., relating to registration for hair

126 braiding, hair wrapping, and body wrapping; amending
127 s. 477.0135, F.S.; providing additional exemptions
128 from license or registration requirements for
129 specified occupations or practices; amending s.
130 477.019, F.S.; conforming provisions to changes made
131 by the act; amending s. 477.0201, F.S.; providing
132 requirements for registration as a specialist;
133 amending s. 477.026, F.S.; conforming provisions to
134 changes made by the act; amending s. 477.0263, F.S.;
135 authorizing certain persons to perform specified
136 cosmetology services in a location other than a
137 licensed salon under certain circumstances; amending
138 ss. 477.0265 and 477.029, F.S.; conforming provisions
139 to changes made by the act; amending s. 481.201, F.S.;
140 deleting legislative findings relating to the practice
141 of interior design; amending s. 481.203, F.S.;
142 revising definitions; amending s. 481.205, F.S.;
143 conforming provisions to changes made by the act;
144 amending s. 481.207, F.S.; revising certain fees for
145 interior designers; amending s. 481.209, F.S.;
146 providing requirements for a certificate of
147 registration and a seal for interior designers;
148 conforming provisions to changes made by the act;
149 amending s. 481.213, F.S.; revising requirements for
150 certification of licensure by endorsement for certain

151 licensees to engage in the practice of architecture;
152 providing that registration is not required for
153 specified persons to practice; amending s. 481.2131,
154 F.S.; requiring certain interior designers to include
155 a specified seal when submitting documents for the
156 issuance of a building permit; amending s. 481.215,
157 F.S.; revising the number of hours of specified
158 courses the board must require for the renewal of a
159 license or certificate of registration; authoring
160 licensees to complete certain courses online; amending
161 s. 481.217, F.S.; conforming provisions to changes
162 made by the act; amending s. 481.219, F.S.; deleting
163 provisions permitting the practice of or offer to
164 practice interior design through certain business
165 organizations; deleting provisions requiring
166 certificates of authorization for certain business
167 organizations offering interior design services to the
168 public; requiring a licensee or applicant in the
169 practice of architecture to qualify a business
170 organization; providing requirements; amending
171 481.221, F.S.; requiring registered architects and
172 certain business organizations to display their
173 license number in specified advertisements; amending
174 s. 481.223, F.S.; providing construction; amending s.
175 481.2251, F.S.; revising acts that constitute grounds

176 for disciplinary actions relating to interior
177 designers; amending ss. 481.229 and 481.231, F.S.;
178 conforming provisions to changes made by the act;
179 amending s. 481.303, F.S.; deleting the definition of
180 the term "certificate of authorization"; amending s.
181 481.310, F.S.; providing that an applicant who holds a
182 specified degree is not required to demonstrate 1 year
183 of practical experience for licensure; amending s.
184 481.311, F.S.; requiring the Board of Landscape
185 Architecture to certify an applicant who holds a
186 specified license issued by another state or territory
187 of the United States under certain circumstances;
188 conforming provisions; amending s. 481.313, F.S.;
189 authorizing a landscape architect to receive hour-for-
190 hour credit for certain approved continuing education
191 courses under certain circumstances; 481.317, F.S.;
192 conforming provisions; amending s. 481.319, F.S.;
193 deleting the requirement for a certificate of
194 authorization; authorizing landscape architects to
195 practice through a corporation or partnership;
196 amending s. 481.321, F.S.; requiring a landscape
197 architect to display their certificate number in
198 specified advertisements; amending s. 481.329, F.S.;
199 conforming a cross-reference; amending s. 489.103,
200 F.S.; revising certain contract prices for exemption;

201 amending s. 489.111, F.S.; providing that an applicant
202 who is exempt from a specified examination is eligible
203 for licensure; amending s. 489.113, F.S.; providing
204 that an applicant holding a specified degree does not
205 have to pass a certain examination; amending s.
206 489.115, F.S.; requiring the Construction Industry
207 Licensing Board to certify any applicant who holds a
208 specified license to practice contracting issued by
209 another state or territory of the United States under
210 or certain persons licensed by endorsement or
211 reciprocity under certain circumstances; amending s.
212 489.511, F.S.; requiring the board to certify as
213 qualified for certification by endorsement any
214 applicant who holds a specified license to practice
215 electrical or alarm system contracting issued by
216 another state or territory of the United States under
217 certain circumstances; amending s. 489.517, F.S.;
218 providing a reduction in certain continuing education
219 hours required for certain contractors; amending s.
220 489.518, F.S.; requiring a person to have completed a
221 specified amount of training within a certain time
222 period to perform the duties of an alarm system agent;
223 amending s. 492.104, F.S.; conforming provisions to
224 changes made by the act; amending 492.108, F.S.;
225 requiring the department to issue a license by

226 | endorsement to any applicant who has held a specified
227 | license to practice geology in another state,
228 | territory, or possession of the United States for a
229 | certain period of time; providing that an applicant
230 | may take the examination required by the board if they
231 | have not met the specified examination requirement;
232 | amending s. 492.111, F.S.; deleting the requirements
233 | for a certificate of authorization for a professional
234 | geologist; amending ss. 492.113 and 492.115, F.S.;
235 | conforming provisions; creating s. 509.102, F.S.;
236 | providing a definition for the term "mobile food
237 | dispensing vehicles"; prohibiting a municipality,
238 | county, or other local government entity from
239 | requiring a separate license, registration, or permit
240 | or fee or from operating within the jurisdiction;
241 | providing applicability; amending s. 548.003, F.S.;
242 | deleting the requirement that the Florida State Boxing
243 | Commission adopt rules relating to a knockdown
244 | timekeeper; amending s. 548.017, F.S.; deleting the
245 | licensure requirement for a timekeeper or announcer;
246 | amending s. 553.5141, F.S.; conforming provisions to
247 | changes made by the act; amending s. 553.74, F.S.;
248 | revising the membership and qualifications of the
249 | Florida Building Commission; amending s. 558.002,
250 | F.S.; conforming provisions to changes made by the

251 act; amending s. 823.15, F.S.; authorizing certain
 252 persons to implant dogs and cats with specified radio
 253 frequency identification devices under certain
 254 circumstances; authorizing such persons to contact the
 255 owner of record listed on such devices; providing
 256 effective dates.

257

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

259

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

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

264 287.055 Acquisition of professional architectural,
 265 engineering, landscape architectural, or surveying and mapping
 266 services; definitions; procedures; contingent fees prohibited;
 267 penalties.—

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

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

271 1. Is certified under s. 489.119 to engage in contracting
 272 through a certified or registered general contractor or a
 273 certified or registered building contractor as the qualifying
 274 agent; or

275 2. Is qualified ~~certified~~ under s. 471.023 to practice or

276 to offer to practice engineering; qualified ~~certified~~ under s.
277 481.219 to practice or to offer to practice architecture; or
278 qualified ~~certified~~ under s. 481.319 to practice or to offer to
279 practice landscape architecture.

280 (k) A "design criteria professional" means a firm that is
281 qualified ~~who holds a current certificate of registration~~ under
282 chapter 481 to practice architecture or landscape architecture
283 or a firm who holds a current certificate as a registered
284 engineer under chapter 471 to practice engineering and who is
285 employed by or under contract to the agency for the providing of
286 professional architect services, landscape architect services,
287 or engineering services in connection with the preparation of
288 the design criteria package.

289 Section 3. Subsection (4) of section 322.57, Florida
290 Statutes, is renumbered as subsection (5), and a new subsection
291 (4) is added to that section, to read:

292 322.57 Tests of knowledge concerning specified vehicles;
293 endorsement; nonresidents; violations.—

294 (4) (a) As used in this subsection, the term
295 "servicemember" means a member of any branch of the United
296 States military or military reserves, the United States Coast
297 Guard or its reserves, the Florida National Guard, or the
298 Florida Air National Guard.

299 (b) The department shall waive the requirement to pass the
300 examination for a commercial driver license for servicemembers

301 and veterans if:

302 1. The applicant is a veteran who has been honorably
303 discharged from military service within 1 year before the
304 application.

305 2. The applicant is trained as an Army Motor Transport
306 Operator (MOS 88M) or a similar military specialty.

307 3. The applicant has received training to operate large
308 trucks in compliance with the Federal Motor Carrier Safety
309 Administration.

310 4. The applicant has at least 2 years of experience in the
311 military driving vehicles that would require a commercial driver
312 license to operate.

313 (c) An applicant must complete all other requirements for
314 a commercial driver license within 1 year after receiving a
315 waiver under paragraph (b) or the waiver is invalid.

316 (d) The department shall adopt rules to administer this
317 subsection.

318 Section 4. Subsection (13) of section 326.004, Florida
319 Statutes, is amended to read:

320 326.004 Licensing.—

321 (13) Each broker must maintain a principal place of
322 business in this state and may establish branch offices in the
323 state. ~~A separate license must be maintained for each branch~~
324 ~~office. The division shall establish by rule a fee not to exceed~~
325 ~~\$100 for each branch office license.~~

326 Section 5. Subsection (3) of section 447.02, Florida
 327 Statutes, is amended to read:

328 447.02 Definitions.—The following terms, when used in this
 329 chapter, shall have the meanings ascribed to them in this
 330 section:

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

333 Section 6. Section 447.04, Florida Statutes, is repealed.

334 Section 7. Section 447.041, Florida Statutes, is repealed.

335 Section 8. Section 447.045, Florida Statutes, is repealed.

336 Section 9. Section 447.06, Florida Statutes, is repealed.

337 Section 10. Subsections (6) and (8) of section 447.09,
 338 Florida Statutes, are amended to read:

339 447.09 Right of franchise preserved; penalties.—It shall
 340 be unlawful for any person:

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

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

345 Section 11. Section 447.12, Florida Statutes, is repealed.

346 Section 12. Section 447.16, Florida Statutes, is repealed.

347 Section 13. Subsection (4) of section 447.305, Florida
 348 Statutes, is amended to read:

349 447.305 Registration of employee organization.—

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

351 ~~registration shall be furnished at regular intervals by the~~
352 ~~commission to the Department of Business and Professional~~
353 ~~Regulation.~~

354 Section 14. Subsection (14) is added to section 455.213,
355 Florida Statutes, to read:

356 455.213 General licensing provisions.—

357 (14) The department or a board must enter into a
358 reciprocal licensing agreement with other states if the practice
359 act within the purview of this chapter permits such agreement.
360 If a reciprocal licensing agreement exists or if the department
361 or board has determined another state's licensing requirements
362 or examinations to be substantially similar to those under the
363 practice act, the department or board must post on its website
364 which jurisdictions have such reciprocal licensing agreements or
365 substantially similar licenses.

366 Section 15. Section 455.2278, Florida Statutes, is created
367 to read:

368 455.2278 Restriction on disciplinary action for student
369 loan default.—

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

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

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

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

376 | guaranteed loan for the purposes of postsecondary education.

377 | (d) "Work-conditional scholarship" means an award of
 378 | financial aid for a student to further his or her education
 379 | which imposes an obligation on the student to complete certain
 380 | work-related requirements to receive or to continue receiving
 381 | the scholarship.

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

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

392 | Section 16. Paragraph (k) of subsection (1) of section
 393 | 456.072, Florida Statutes, is amended to read:

394 | 456.072 Grounds for discipline; penalties; enforcement.—

395 | (1) The following acts shall constitute grounds for which
 396 | the disciplinary actions specified in subsection (2) may be
 397 | taken:

398 | (k) Failing to perform any statutory or legal obligation
 399 | placed upon a licensee. For purposes of this section, failing to
 400 | repay a student loan issued or guaranteed by the state or the

401 Federal Government in accordance with the terms of the loan is
402 not ~~or failing to comply with service scholarship obligations~~
403 ~~shall be~~ considered a failure to perform a statutory or legal
404 obligation, ~~and the minimum disciplinary action imposed shall be~~
405 ~~a suspension of the license until new payment terms are agreed~~
406 ~~upon or the scholarship obligation is resumed, followed by~~
407 ~~probation for the duration of the student loan or remaining~~
408 ~~scholarship obligation period, and a fine equal to 10 percent of~~
409 ~~the defaulted loan amount.~~ Fines collected shall be deposited
410 into the Medical Quality Assurance Trust Fund.

411 Section 17. Section 456.0721, Florida Statutes, is
412 repealed.

413 Section 18. Subsection (4) of section 456.074, Florida
414 Statutes, is amended to read:

415 456.074 Certain health care practitioners; immediate
416 suspension of license.—

417 ~~(4) Upon receipt of information that a Florida-licensed~~
418 ~~health care practitioner has defaulted on a student loan issued~~
419 ~~or guaranteed by the state or the Federal Government, the~~
420 ~~department shall notify the licensee by certified mail that he~~
421 ~~or she shall be subject to immediate suspension of license~~
422 ~~unless, within 45 days after the date of mailing, the licensee~~
423 ~~provides proof that new payment terms have been agreed upon by~~
424 ~~all parties to the loan. The department shall issue an emergency~~
425 ~~order suspending the license of any licensee who, after 45 days~~

426 ~~following the date of mailing from the department, has failed to~~
 427 ~~provide such proof. Production of such proof shall not prohibit~~
 428 ~~the department from proceeding with disciplinary action against~~
 429 ~~the licensee pursuant to s. 456.073.~~

430 Section 19. Section 468.401, Florida Statutes, is amended
 431 to read:

432 468.401 ~~Regulation of~~ Talent agencies; definitions.—As
 433 used in this part, the term ~~or any rule adopted pursuant hereto:~~

434 (1)~~(8)~~ "Artist" means a person performing on the
 435 professional stage or in the production of television, radio, or
 436 motion pictures; a musician or group of musicians; or a model.

437 (2)~~(7)~~ "Buyer" or "employer" means a person, company,
 438 partnership, or corporation that uses the services of a talent
 439 agency to provide artists.

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

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

444 (b) Any money received by any person in excess of that
 445 which has been paid out by such person for transportation,
 446 transfer of baggage, or board and lodging for any applicant for
 447 employment; or

448 (c) The difference between the amount of money received by
 449 any person who furnishes employees, performers, or entertainers
 450 for circus, vaudeville, theatrical, or other entertainments,

451 exhibitions, engagements, or performances and the amount paid by
452 him or her to such employee, performer, or entertainer.

453 (4) "Engagement" means any employment or placement of an
454 artist, where the artist performs in his or her artistic
455 capacity. However, the term "engagement" shall not apply to
456 procuring opera, music, theater, or dance engagements for any
457 organization defined in s. 501(c)(3) of the Internal Revenue
458 Code or any nonprofit Florida arts organization that has
459 received a grant from the Division of Cultural Affairs of the
460 Department of State or has participated in the state touring
461 program of the Division of Cultural Affairs.

462 ~~(5) "Department" means the Department of Business and~~
463 ~~Professional Regulation.~~

464 (5)~~(6)~~ "Operator" means the person who is or who will be
465 in actual charge of a talent agency.

466 (6)~~(2)~~ "Owner" means any partner in a partnership, member
467 of a firm, or principal officer or officers of a corporation,
468 whose partnership, firm, or corporation owns a talent agency, or
469 any individual who is the sole owner of a talent agency.

470 (7)~~(9)~~ "Person" means any individual, company, society,
471 firm, partnership, association, corporation, manager, or any
472 agent or employee of any of the foregoing.

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

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

478 (8)~~(1)~~ "Talent agency" means any person who, for
479 compensation, engages in the occupation or business of procuring
480 or attempting to procure engagements for an artist.

481 Section 20. Section 468.402, Florida Statutes, is
482 repealed.

483 Section 21. Section 468.403, Florida Statutes, is
484 repealed.

485 Section 22. Section 468.404, Florida Statutes, is
486 repealed.

487 Section 23. Section 468.405, Florida Statutes, is
488 repealed.

489 Section 24. Subsection (1) of section 468.406, Florida
490 Statutes, is amended to read:

491 468.406 Fees to be charged by talent agencies; rates;
492 display.—

493 (1) Each owner or operator of a talent agency shall post
494 in a conspicuous place in each place of business of the agency
495 ~~applicant for a license shall file with the application an~~
496 ~~itemized schedule of maximum fees, charges, and commissions that~~
497 ~~which it intends to charge and collect for its services. The~~
498 ~~This schedule may thereafter be raised only by filing with the~~
499 ~~department an amended or supplemental schedule at least 30 days~~
500 ~~before the change is to become effective. The schedule shall be~~

501 ~~posted in a conspicuous place in each place of business of the~~
502 ~~agency and shall be printed in not less than a 30-point~~
503 ~~boldfaced type, except that an agency that uses written~~
504 ~~contracts containing maximum fee schedules need not post such~~
505 ~~schedules.~~

506 Section 25. Section 468.407, Florida Statutes, is
507 repealed.

508 Section 26. Subsection (1) of section 468.408, Florida
509 Statutes, is amended to read:

510 468.408 Bond required.—

511 (1) An owner or operator of a ~~There shall be filed with~~
512 ~~the department for each talent agency shall obtain~~ license a
513 bond in the form of a surety by a reputable company engaged in
514 the bonding business and authorized to do business in this
515 state. The bond shall be for the penal sum of \$5,000, with one
516 or more sureties ~~to be approved by the department,~~ and be
517 conditioned that the owner or operator of the talent agency
518 applicant conform to and not violate any of the duties, terms,
519 conditions, provisions, or requirements of this part. Such bond
520 may not be issued or renewed by the bonding agency unless each
521 owner or operator of a talent agency submits fingerprints to the
522 Department of Law Enforcement for a state criminal history
523 record check and to the Federal Bureau of Investigation for a
524 national criminal history record check, and the bonding agency
525 verifies by examination of the criminal history records checks

526 that each owner or operator has not been convicted of a crime
527 that would require registration as a sexual offender, as
528 required in s. 943.0435 or s. 944.607, or as a sexual predator,
529 as required under s. 775.21.

530 (a) If any person is aggrieved by the misconduct of any
531 talent agency, the person may maintain an action in his or her
532 own name upon the bond of the agency in any court having
533 jurisdiction of the amount claimed. All such claims shall be
534 assignable, and the assignee shall be entitled to the same
535 remedies, upon the bond of the agency or otherwise, as the
536 person aggrieved would have been entitled to if such claim had
537 not been assigned. Any claim or claims so assigned may be
538 enforced in the name of such assignee.

539 (b) The bonding company shall notify the talent agency
540 ~~department~~ of any claim against such bond, and a copy of such
541 notice shall be sent to the talent agency against which the
542 claim is made.

543 Section 27. Section 468.409, Florida Statutes, is amended
544 to read:

545 468.409 Records required to be kept.—Each talent agency
546 shall keep on file the application, registration, or contract of
547 each artist. In addition, such file must include the name and
548 address of each artist, the amount of the compensation received,
549 and all attempts to procure engagements for the artist. No such
550 agency or employee thereof shall knowingly make any false entry

551 in applicant files or receipt files. Each card or document in
552 such files shall be preserved for a period of 1 year after the
553 date of the last entry thereon. ~~Records required under this~~
554 ~~section shall be readily available for inspection by the~~
555 ~~department during reasonable business hours at the talent~~
556 ~~agency's principal office. A talent agency must provide the~~
557 ~~department with true copies of the records in the manner~~
558 ~~prescribed by the department.~~

559 Section 28. Subsection (3) of section 468.410, Florida
560 Statutes, is amended to read:

561 468.410 Prohibition against registration fees; referral.-

562 (3) A talent agency shall give each applicant a copy of a
563 contract, within 24 hours after the contract's execution, which
564 lists the services to be provided and the fees to be charged.
565 ~~The contract shall state that the talent agency is regulated by~~
566 ~~the department and shall list the address and telephone number~~
567 ~~of the department.~~

568 Section 29. Subsections (4) through (11) of section
569 468.412, Florida Statutes, are renumbered as subsections (3)
570 through (10), respectively, and present subsections (2), (3),
571 (4), (6), and (11) of that section are amended, to read:

572 468.412 Talent agency regulations; prohibited acts.-

573 (2) Each talent agency shall keep records in which shall
574 be entered:

575 (a) The name and address of each artist employing such

576 talent agency.†

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

578 (c) The employment in which each such artist is engaged at
579 the time of employing such talent agency and the amount of
580 compensation of the artist in such employment, if any, and the
581 employments subsequently secured by such artist during the term
582 of the contract between the artist and the talent agency and the
583 amount of compensation received by the artist pursuant thereto.†
584 and

585 ~~(d) Other information which the department may require~~
586 ~~from time to time.~~

587 ~~(3) All books, records, and other papers kept pursuant to~~
588 ~~this act by any talent agency shall be open at all reasonable~~
589 ~~hours to the inspection of the department and its agents. Each~~
590 ~~talent agency shall furnish to the department, upon request, a~~
591 ~~true copy of such books, records, and papers, or any portion~~
592 ~~thereof, and shall make such reports as the department may~~
593 ~~prescribe from time to time.~~

594 (3)~~(4)~~ Each talent agency shall post in a conspicuous
595 place in the office of such talent agency a printed copy of this
596 part ~~and of the rules adopted under this part. Such copies shall~~
597 ~~also contain the name and address of the officer charged with~~
598 ~~enforcing this part. The department shall furnish to talent~~
599 ~~agencies printed copies of any statute or rule required to be~~
600 ~~posted under this subsection.~~

601 (5)~~(6)~~ A ~~Ne~~ talent agency may not publish or cause to be
602 published any false, fraudulent, or misleading information,
603 representation, notice, or advertisement. All advertisements of
604 a talent agency by means of card, circulars, or signs, and in
605 newspapers and other publications, and all letterheads,
606 receipts, and blanks shall be printed and contain the ~~licensed~~
607 name, ~~department license number,~~ and address of the talent
608 agency and the words "talent agency." A ~~Ne~~ talent agency may not
609 give any false information or make any false promises or
610 representations concerning an engagement or employment to any
611 applicant who applies for an engagement or employment.

612 (10)~~(11)~~ A talent agency may assign an engagement contract
613 to another talent agency ~~licensed~~ in this state only if the
614 artist agrees in writing to the assignment. The assignment must
615 occur, and written notice of the assignment must be given to the
616 artist, within 30 days after the artist agrees in writing to the
617 assignment.

618 Section 30. Section 468.413, Florida Statutes, is amended
619 to read:

620 468.413 Legal requirements; penalties.—

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

624 ~~(a) Owning or operating, or soliciting business as, a~~
625 ~~talent agency in this state without first procuring a license~~

626 ~~from the department.~~

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

629 (1)~~(2)~~ Each of the following acts constitutes a
630 misdemeanor of the second degree, punishable as provided in s.
631 775.082 or s. 775.083:

632 ~~(a) Relocating a business as a talent agency, or operating~~
633 ~~under any name other than that designated on the license, unless~~
634 ~~written notification is given to the department and to the~~
635 ~~surety or sureties on the original bond, and unless the license~~
636 ~~is returned to the department for the recording thereon of such~~
637 ~~changes.~~

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

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

644 (a)~~(d)~~ Failing to maintain the records required by s.
645 468.409 or knowingly making false entries in such records.

646 (b)~~(e)~~ Requiring as a condition to registering or
647 obtaining employment or placement for any applicant that the
648 applicant subscribe to, purchase, or attend any publication,
649 postcard service, advertisement, resume service, photography
650 service, school, acting school, workshop, or acting workshop.

651 (c)~~(f)~~ Failing to give each applicant a copy of a contract
652 which lists the services to be provided and the fees to be
653 charged by, ~~which states that the talent agency is regulated by~~
654 ~~the department, and which lists the address and telephone number~~
655 ~~of the department.~~

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

658 (e)~~(h)~~ Knowingly sending or causing to be sent any artist
659 to a prospective employer or place of business, the character or
660 operation of which employer or place of business the talent
661 agency knows to be in violation of the laws of the United States
662 or of this state.

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

667 (2)~~(4)~~ In the event that ~~the department or any state~~
668 attorney shall have probable cause to believe that a talent
669 agency or other person has violated any provision of subsection
670 (1), an action may be brought by ~~the department or any state~~
671 attorney to enjoin such talent agency or any person from
672 continuing such violation, or engaging therein or doing any acts
673 in furtherance thereof, and for such other relief as to the
674 court seems appropriate. ~~In addition to this remedy, the~~
675 ~~department may assess a penalty against any talent agency or any~~

676 ~~person in an amount not to exceed \$5,000.~~

677 Section 31. Section 468.414, Florida Statutes, is
678 repealed.

679 Section 32. Section 468.415, Florida Statutes, is amended
680 to read:

681 468.415 Sexual misconduct in the operation of a talent
682 agency.—The talent agent-artist relationship is founded on
683 mutual trust. Sexual misconduct in the operation of a talent
684 agency means violation of the talent agent-artist relationship
685 through which the talent agent uses the relationship to induce
686 or attempt to induce the artist to engage or attempt to engage
687 in sexual activity. Sexual misconduct is prohibited in the
688 operation of a talent agency. ~~If~~ Any agent, owner, or operator
689 of a ~~licensed~~ talent agency who commits ~~is found to have~~
690 ~~committed~~ sexual misconduct in the operation of a talent agency,
691 ~~the agency license shall be permanently revoked. Such agent,~~
692 ~~owner, or operator~~ shall be permanently prohibited from acting
693 ~~disqualified from present and future licensure as~~ an agent,
694 ~~owner,~~ or operator of a Florida talent agency.

695 Section 33. Paragraph (n) is added to subsection (1) of
696 section 468.505, Florida Statutes, to read:

697 468.505 Exemptions; exceptions.—

698 (1) ~~Nothing in~~ This part may not be construed as
699 prohibiting or restricting the practice, services, or activities
700 of:

701 (n) A person who provides information, recommendations, or
 702 advice concerning nutrition, or who markets food, food
 703 materials, or dietary supplements for remuneration, if that
 704 person does not represent himself or herself as a dietitian,
 705 licensed dietitian, registered dietitian, licensed nutritionist,
 706 nutrition counselor, or licensed nutrition counselor, or use any
 707 word, letter, symbol, or insignia indicating or implying that he
 708 or she is a dietitian, nutritionist, or nutrition counselor.

709 Section 34. Subsection (4) of section 468.524, Florida
 710 Statutes, is amended to read:

711 468.524 Application for license.—

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

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

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

721 ~~(c) The department is unable to complete the criminal~~
 722 ~~background investigation because of insufficient information~~
 723 ~~from the Florida Department of Law Enforcement, the Federal~~
 724 ~~Bureau of Investigation, or any other applicable law enforcement~~
 725 ~~agency;~~

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

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

733 Section 35. Paragraph (f) of subsection (5) of section
 734 468.603, Florida Statutes, is amended to read:

735 468.603 Definitions.—As used in this part:

736 (5) "Categories of building code inspectors" include the
 737 following:

738 (f) "Residential ~~One and two family dwelling~~ inspector"
 739 means a person who is qualified to inspect and determine that
 740 one-family, two-family, or three-family residences not exceeding
 741 two habitable stories above no more than one uninhabitable story
 742 and accessory use structures in connection therewith ~~one and two~~
 743 ~~family dwellings and accessory structures~~ are constructed in
 744 accordance with the provisions of the governing building,
 745 plumbing, mechanical, accessibility, and electrical codes.

746 Section 36. Paragraph (c) of subsection (2) and paragraph
 747 (a) of subsection (7) of section 468.609, Florida Statutes, are
 748 amended to read:

749 468.609 Administration of this part; standards for
 750 certification; additional categories of certification.—

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

754 (c) Meets eligibility requirements according to one of the
755 following criteria:

756 1. Demonstrates 4 ~~5~~ years' combined experience in the
757 field of construction or a related field, building code
758 inspection, or plans review corresponding to the certification
759 category sought;

760 2. Demonstrates a combination of postsecondary education
761 in the field of construction or a related field and experience
762 which totals 3 4 years, with at least 1 year of such total being
763 experience in construction, building code inspection, or plans
764 review;

765 3. Demonstrates a combination of technical education in
766 the field of construction or a related field and experience
767 which totals 3 4 years, with at least 1 year of such total being
768 experience in construction, building code inspection, or plans
769 review;

770 4. Currently holds a standard certificate issued by the
771 board or a firesafety inspector license issued pursuant to
772 chapter 633, with ~~has~~ a minimum of 3 years' verifiable full-time
773 experience in firesafety inspection or firesafety plan review,
774 and has satisfactorily completed a building code inspector or
775 plans examiner training program that provides at least 100 hours

776 | but not more than 200 hours of cross-training in the
777 | certification category sought. The board shall establish by rule
778 | criteria for the development and implementation of the training
779 | programs. The board shall accept all classroom training offered
780 | by an approved provider if the content substantially meets the
781 | intent of the classroom component of the training program;

782 | 5. Demonstrates a combination of the completion of an
783 | approved training program in the field of building code
784 | inspection or plan review and a minimum of 2 years' experience
785 | in the field of building code inspection, plan review, fire code
786 | inspections and fire plans review of new buildings as a
787 | firesafety inspector certified under s. 633.216, or
788 | construction. The approved training portion of this requirement
789 | shall include proof of satisfactory completion of a training
790 | program that provides at least 200 hours but not more than 300
791 | hours of cross-training that is approved by the board in the
792 | chosen category of building code inspection or plan review in
793 | the certification category sought with at least 20 hours but not
794 | more than 30 hours of instruction in state laws, rules, and
795 | ethics relating to professional standards of practice, duties,
796 | and responsibilities of a certificateholder. The board shall
797 | coordinate with the Building Officials Association of Florida,
798 | Inc., to establish by rule the development and implementation of
799 | the training program. However, the board shall accept all
800 | classroom training offered by an approved provider if the

801 content substantially meets the intent of the classroom
802 component of the training program;

803 6. Currently holds a standard certificate issued by the
804 board or a firesafety inspector license issued pursuant to
805 chapter 633 and:

806 a. Has at least 4 ~~5~~ years' verifiable full-time experience
807 as an inspector or plans examiner in a standard certification
808 category currently held or has a minimum of 4 ~~5~~ years'
809 verifiable full-time experience as a firesafety inspector
810 licensed pursuant to chapter 633.

811 b. Has satisfactorily completed a building code inspector
812 or plans examiner classroom training course or program that
813 provides at least 200 but not more than 300 hours in the
814 certification category sought, except for one-family and two-
815 family dwelling training programs, which must provide at least
816 500 but not more than 800 hours of training as prescribed by the
817 board. The board shall establish by rule criteria for the
818 development and implementation of classroom training courses and
819 programs in each certification category; or

820 7.a. Has completed a 4-year internship certification
821 program as a building code inspector or plans examiner while
822 employed full-time by a municipality, county, or other
823 governmental jurisdiction, under the direct supervision of a
824 certified building official. Proof of graduation with a related
825 vocational degree or college degree or of verifiable work

826 | experience may be exchanged for the internship experience
 827 | requirement year-for-year, but may reduce the requirement to no
 828 | less than 1 year.

829 | b. Has passed an examination administered by the
 830 | International Code Council in the certification category sought.
 831 | Such examination must be passed before beginning the internship
 832 | certification program.

833 | c. Has passed the principles and practice examination
 834 | before completing the internship certification program.

835 | d. Has passed a board-approved 40-hour code training
 836 | course in the certification category sought before completing
 837 | the internship certification program.

838 | e. Has obtained a favorable recommendation from the
 839 | supervising building official after completion of the internship
 840 | certification program.

841 | (7) (a) The board shall provide for the issuance of
 842 | provisional certificates valid for 2 years ~~1 year~~, as specified
 843 | by board rule, to any building code inspector or plans examiner
 844 | who meets the eligibility requirements described in subsection
 845 | (2) and any newly employed or promoted building code
 846 | administrator who meets the eligibility requirements described
 847 | in subsection (3). The provisional license may be renewed by the
 848 | board for just cause; however, a provisional license is not
 849 | valid for longer than 3 years.

850 | Section 37. Section 468.613, Florida Statutes, is amended

851 to read:

852 468.613 Certification by endorsement.—The board shall
 853 examine other certification or training programs, as applicable,
 854 upon submission to the board for its consideration of an
 855 application for certification by endorsement. The board shall
 856 waive its examination, qualification, education, or training
 857 requirements, to the extent that such examination,
 858 qualification, education, or training requirements of the
 859 applicant are determined by the board to be comparable with
 860 those established by the board. The board shall waive its
 861 examination, qualification, education, or training requirements
 862 if an applicant for certification by endorsement is at least 18
 863 years of age; is of good moral character; has held a valid
 864 building administrator, inspector, plans examiner, or the
 865 equivalent, certification issued by another state or territory
 866 of the United States for at least 10 years before the date of
 867 application; and has successfully passed an applicable
 868 examination administered by the International Codes Council.
 869 Such application must be submitted to the board while the
 870 applicant holds a valid license in another state or territory or
 871 within 2 years after the expiration of such license.

872 Section 38. Subsection (3) of section 468.8314, Florida
 873 Statutes, is amended to read:

874 468.8314 Licensure.—

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

876 | license by endorsement an applicant who is of good moral
 877 | character as determined in s. 468.8313, who maintains an
 878 | insurance policy as required by s. 468.8322, and who:†

879 | (a) Holds a valid license to practice home inspection
 880 | services in another state or territory of the United States,
 881 | whose educational requirements are substantially equivalent to
 882 | those required by this part; and has passed a national,
 883 | regional, state, or territorial licensing examination that is
 884 | substantially equivalent to the examination required by this
 885 | part; or

886 | (b) Has held a valid license to practice home inspection
 887 | services issued by another state or territory of the United
 888 | States for at least 10 years before the date of application.
 889 | Such application must be submitted to the department while the
 890 | applicant holds a valid license in another state or territory or
 891 | within 2 years after the expiration of such license.

892 | Section 39. Subsection (5) of section 471.015, Florida
 893 | Statutes, is amended to read:

894 | 471.015 Licensure.—

895 | (5) (a) The board shall deem that an applicant who seeks
 896 | licensure by endorsement has passed an examination substantially
 897 | equivalent to the fundamentals examination when such applicant
 898 | has held a valid professional engineer's license in another
 899 | state for 10 ~~15~~ years ~~and has had 20 years of continuous~~
 900 | ~~professional-level engineering experience.~~

901 (b) The board shall deem that an applicant who seeks
 902 licensure by endorsement has passed an examination substantially
 903 equivalent to the fundamentals examination and the principles
 904 and practices examination when such applicant has held a valid
 905 professional engineer's license in another state for 15 ~~25~~ years
 906 ~~and has had 30 years of continuous professional-level~~
 907 ~~engineering experience.~~

908 Section 40. Subsection (7) of section 473.308, Florida
 909 Statutes, is amended to read:

910 473.308 Licensure.—

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

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

919 ~~2. Has completed such continuing education courses as the~~
 920 ~~board deems appropriate, within the limits for each applicable~~
 921 ~~2-year period as set forth in s. 473.312, but at least such~~
 922 ~~courses as are equivalent to the continuing education~~
 923 ~~requirements for a Florida certified public accountant licensed~~
 924 ~~in this state during the 2 years immediately preceding her or~~
 925 ~~his application for licensure by endorsement; or~~

926 (b)1.~~a.~~ Holds a valid license to practice public
 927 accounting issued by another state or territory of the United
 928 States, if the criteria for issuance of such license were
 929 substantially equivalent to the licensure criteria that existed
 930 in this state at the time the license was issued;

931 2.b. Holds a valid license to practice public accounting
 932 issued by another state or territory of the United States but
 933 the criteria for issuance of such license did not meet the
 934 requirements of subparagraph 1. ~~sub-subparagraph a.~~; has met the
 935 requirements of this section for education, work experience, and
 936 good moral character; and has passed a national, regional,
 937 state, or territorial licensing examination that is
 938 substantially equivalent to the examination required by s.
 939 473.306; or

940 3.e. Holds a valid license to practice public accounting
 941 issued by another state or territory of the United States for at
 942 least 10 years before the date of application; has passed a
 943 national, regional, state, or territorial licensing examination
 944 that is substantially equivalent to the examination required by
 945 s. 473.306; and has met the requirements of this section for
 946 good moral character.~~;~~~~and~~

947 ~~2. Has completed continuing education courses that are~~
 948 ~~equivalent to the continuing education requirements for a~~
 949 ~~Florida certified public accountant licensed in this state~~
 950 ~~during the 2 years immediately preceding her or his application~~

951 ~~for licensure by endorsement.~~

952 Section 41. Subsection (6) of section 474.202, Florida
 953 Statutes, is amended to read:

954 474.202 Definitions.—As used in this chapter:

955 (6) "Limited-service veterinary medical practice" means
 956 offering or providing veterinary services at any location that
 957 has a primary purpose other than that of providing veterinary
 958 medical service at a permanent or mobile establishment permitted
 959 by the board; provides veterinary medical services for privately
 960 owned animals that do not reside at that location; operates for
 961 a limited time; and provides limited types of veterinary medical
 962 services, including vaccinations or immunizations against
 963 disease, preventative procedures for parasitic control, and
 964 microchip implantation.

965 Section 42. Subsection (9) is added to section 474.203,
 966 Florida Statutes, to read:

967 474.203 Exemptions.—This chapter does not apply to:

968 (9) An employee, agent, or contractor of a public or
 969 private animal shelter, humane organization, or animal control
 970 agency operated by a humane organization or by a county,
 971 municipality, or other incorporated political subdivision whose
 972 work is confined solely to the implantation of a radio frequency
 973 identification device microchip for dogs and cats in accordance
 974 with s. 823.15.

975

976 For the purposes of chapters 465 and 893, persons exempt
 977 pursuant to subsection (1), subsection (2), or subsection (4)
 978 are deemed to be duly licensed practitioners authorized by the
 979 laws of this state to prescribe drugs or medicinal supplies.

980 Section 43. Paragraph (b) of subsection (2) of section
 981 474.207, Florida Statutes, is amended to read:

982 474.207 Licensure by examination.—

983 (2) The department shall license each applicant who the
 984 board certifies has:

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

988 2. Graduated from a college of veterinary medicine listed
 989 in the American Veterinary Medical Association Roster of
 990 Veterinary Colleges of the World and obtained a certificate from
 991 the Education Commission for Foreign Veterinary Graduates or the
 992 Program for the Assessment of Veterinary Education Equivalence.

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

1000 Section 44. Subsection (1) of section 474.217, Florida

1001 Statutes, is amended to read:

1002 474.217 Licensure by endorsement.—

1003 (1) The department shall issue a license by endorsement to
 1004 any applicant who, upon applying to the department and remitting
 1005 a fee set by the board, demonstrates to the board that she or
 1006 he:

1007 (a) Has demonstrated, in a manner designated by rule of
 1008 the board, knowledge of the laws and rules governing the
 1009 practice of veterinary medicine in this state; and

1010 (b)1. ~~Either~~ Holds, and has held for the 3 years
 1011 immediately preceding the application for licensure, a valid,
 1012 active license to practice veterinary medicine in another state
 1013 of the United States, the District of Columbia, or a territory
 1014 of the United States, provided that the applicant has
 1015 successfully completed a state, regional, national, or other
 1016 examination that is equivalent to or more stringent than the
 1017 examination required by the board ~~requirements for licensure in~~
 1018 ~~the issuing state, district, or territory are equivalent to or~~
 1019 ~~more stringent than the requirements of this chapter; or~~

1020 2. Meets the qualifications of s. 474.207(2) (b) and has
 1021 successfully completed a state, regional, national, or other
 1022 examination which is equivalent to or more stringent than the
 1023 examination given by the department and has passed the board's
 1024 clinical competency examination or another clinical competency
 1025 examination specified by rule of the board.

1026 Section 45. Effective January 1, 2021, subsection (2) of
 1027 section 476.114, Florida Statutes, is amended to read:

1028 476.114 Examination; prerequisites.—

1029 (2) An applicant shall be eligible for licensure by
 1030 examination to practice barbering if the applicant:

1031 (a) Is at least 16 years of age;

1032 (b) Pays the required application fee; and

1033 (c)1. Holds an active valid license to practice barbering
 1034 in another state, has held the license for at least 1 year, and
 1035 does not qualify for licensure by endorsement as provided for in
 1036 s. 476.144(5); or

1037 2. Has received a minimum of 900 ~~1,200~~ hours of training
 1038 in sanitation, safety, and laws and rules, as established by the
 1039 board, which shall include, but shall not be limited to, the
 1040 equivalent of completion of services directly related to the
 1041 practice of barbering at one of the following:

1042 a. A school of barbering licensed pursuant to chapter
 1043 1005;

1044 b. A barbering program within the public school system; or

1045 c. A government-operated barbering program in this state.

1046
 1047 The board shall establish by rule procedures whereby the school
 1048 or program may certify that a person is qualified to take the
 1049 required examination after the completion of a minimum of 600
 1050 ~~1,000~~ actual school hours. If the person passes the examination,

1051 she or he shall have satisfied this requirement; but if the
 1052 person fails the examination, she or he shall not be qualified
 1053 to take the examination again until the completion of the full
 1054 requirements provided by this section.

1055 Section 46. Subsection (5) of section 476.144, Florida
 1056 Statutes, is amended to read:

1057 476.144 Licensure.—

1058 (5) The board shall certify as qualified for licensure by
 1059 endorsement as a barber in this state an applicant who holds a
 1060 current active license to practice barbering in another state.

1061 The board shall adopt rules specifying procedures for the
 1062 licensure by endorsement of practitioners desiring to be
 1063 licensed in this state who hold a current active license in
 1064 another ~~state or~~ country and who have met qualifications
 1065 substantially similar to, equivalent to, or greater than the
 1066 qualifications required of applicants from this state.

1067 Section 47. Subsection (9) of section 477.013, Florida
 1068 Statutes, is amended to read:

1069 477.013 Definitions.—As used in this chapter:

1070 (9) "Hair braiding" means the weaving or interweaving of
 1071 natural human hair or commercial hair, including the use of hair
 1072 extensions or wefts, for compensation without cutting, coloring,
 1073 permanent waving, relaxing, removing, or chemical treatment ~~and~~
 1074 ~~does not include the use of hair extensions or wefts.~~

1075 Section 48. Section 477.0132, Florida Statutes, is

1076 repealed.

1077 Section 49. Subsections (7) through (11) are added to
1078 section 477.0135, Florida Statutes, to read:

1079 477.0135 Exemptions.—

1080 (7) A license or registration is not required for a person
1081 whose occupation or practice is confined solely to hair braiding
1082 as defined in s. 477.013(9).

1083 (8) A license or registration is not required for a person
1084 whose occupation or practice is confined solely to hair wrapping
1085 as defined in s. 477.013(10).

1086 (9) A license or registration is not required for a person
1087 whose occupation or practice is confined solely to body wrapping
1088 as defined in s. 477.013(12).

1089 (10) A license or registration is not required for a
1090 person whose occupation or practice is confined solely to
1091 applying polish to fingernails and toenails.

1092 (11) A license or registration is not required for a
1093 person whose occupation or practice is confined solely to makeup
1094 application, which includes, but is not limited to, application
1095 of makeup primer, face paint, lipstick, eyeliner, eye shadow,
1096 foundation, rouge or cheek color, mascara, strip lashes,
1097 individual lashes, face powder, corrective stick, and makeup
1098 remover; but does not include manual or chemical exfoliation,
1099 semi-permanent lash application, lash or brow tinting, or hair
1100 removal.

1101 Section 50. Subsections (6) and (7) of section 477.019,
 1102 Florida Statutes, are amended to read:

1103 477.019 Cosmetologists; qualifications; licensure;
 1104 supervised practice; license renewal; endorsement; continuing
 1105 education.—

1106 (6) The board shall certify as qualified for licensure by
 1107 endorsement as a cosmetologist in this state an applicant who
 1108 holds a current active license to practice cosmetology in
 1109 another state. ~~The board may not require proof of educational~~
 1110 ~~hours if the license was issued in a state that requires 1,200~~
 1111 ~~or more hours of prelicensure education and passage of a written~~
 1112 ~~examination. This subsection does not apply to applicants who~~
 1113 ~~received their license in another state through an~~
 1114 ~~apprenticeship program.~~

1115 (7) (a) The board shall prescribe by rule continuing
 1116 education requirements intended to ensure protection of the
 1117 public through updated training of licensees and registered
 1118 specialists, not to exceed 10 ~~16~~ hours biennially, as a
 1119 condition for renewal of a license or registration as a
 1120 specialist under this chapter. Continuing education courses
 1121 shall include, but not be limited to, the following subjects as
 1122 they relate to the practice of cosmetology: human
 1123 immunodeficiency virus and acquired immune deficiency syndrome;
 1124 Occupational Safety and Health Administration regulations;
 1125 workers' compensation issues; state and federal laws and rules

1126 as they pertain to cosmetologists, cosmetology, salons,
1127 specialists, specialty salons, and booth renters; chemical
1128 makeup as it pertains to hair, skin, and nails; and
1129 environmental issues. Courses given at cosmetology conferences
1130 may be counted toward the number of continuing education hours
1131 required if approved by the board.

1132 ~~(b) Any person whose occupation or practice is confined~~
1133 ~~solely to hair braiding, hair wrapping, or body wrapping is~~
1134 ~~exempt from the continuing education requirements of this~~
1135 ~~subsection.~~

1136 (b)(e) The board may, by rule, require any licensee in
1137 violation of a continuing education requirement to take a
1138 refresher course or refresher course and examination in addition
1139 to any other penalty. The number of hours for the refresher
1140 course may not exceed 48 hours.

1141 Section 51. Effective January 1, 2021, subsection (1) of
1142 section 477.0201, Florida Statutes, is amended to read:

1143 477.0201 Specialty registration; qualifications;
1144 registration renewal; endorsement.—

1145 (1) Any person is qualified for registration as a
1146 specialist in any ~~one or more of the~~ specialty practice
1147 ~~practices~~ within the practice of cosmetology under this chapter
1148 who:

1149 (a) Is at least 16 years of age or has received a high
1150 school diploma.

1151 (b) Has received a certificate of completion ~~for: in a~~
1152 1. 180 hours of training, as established by the board,
1153 which shall focus primarily on sanitation and safety, to
1154 practice specialties as defined in s. 477.013(6) (a) and (b);
1155 ~~specialty pursuant to s. 477.013(6)~~
1156 2. 220 hours of training, as established by the board,
1157 which shall focus primarily on sanitation and safety, to
1158 practice the specialty as defined in s. 477.013(6) (c); or
1159 3. 400 hours of training or the number of hours of
1160 training required to maintain minimum Pell Grant requirements,
1161 as established by the board, which shall focus primarily on
1162 sanitation and safety, to practice the specialties as defined in
1163 s. 477.013(6) (a) - (c).
1164 (c) The certificate of completion specified in paragraph
1165 (b) must be from one of the following:
1166 1. A school licensed pursuant to s. 477.023.
1167 2. A school licensed pursuant to chapter 1005 or the
1168 equivalent licensing authority of another state.
1169 3. A specialty program within the public school system.
1170 4. A specialty division within the Cosmetology Division of
1171 the Florida School for the Deaf and the Blind, provided the
1172 training programs comply with minimum curriculum requirements
1173 established by the board.
1174 Section 52. Paragraph (f) of subsection (1) of section
1175 477.026, Florida Statutes, is amended to read:

1176 477.026 Fees; disposition.—

1177 (1) The board shall set fees according to the following
1178 schedule:

1179 ~~(f) For hair braiders, hair wrappers, and body wrappers,~~
1180 ~~fees for registration shall not exceed \$25.~~

1181 Section 53. Subsection (4) of section 477.0263, Florida
1182 Statutes, is amended, and subsection (5) is added to that
1183 section, to read:

1184 477.0263 Cosmetology services to be performed in licensed
1185 salon; exceptions.—

1186 (4) Pursuant to rules adopted by the board, any
1187 cosmetology or specialty service may be performed in a location
1188 other than a licensed salon when the service is performed in
1189 connection with a special event and is performed by a person ~~who~~
1190 ~~is employed by a licensed salon and~~ who holds the proper license
1191 or specialty registration. ~~An appointment for the performance of~~
1192 ~~any such service in a location other than a licensed salon must~~
1193 ~~be made through a licensed salon.~~

1194 (5) Any person who holds the proper license may perform
1195 hair shampooing, hair cutting, hair arranging, nail polish
1196 removal, nail filing, nail buffing, and nail cleansing services
1197 in a location other than a licensed salon.

1198 Section 54. Paragraph (f) of subsection (1) of section
1199 477.0265, Florida Statutes, is amended to read:

1200 477.0265 Prohibited acts.—

1201 (1) It is unlawful for any person to:
 1202 (f) Advertise or imply that skin care services ~~or body~~
 1203 ~~wrapping~~, as performed under this chapter, have any relationship
 1204 to the practice of massage therapy as defined in s. 480.033(3),
 1205 except those practices or activities defined in s. 477.013.

1206 Section 55. Paragraph (a) of subsection (1) of section
 1207 477.029, Florida Statutes, is amended to read:

1208 477.029 Penalty.—

1209 (1) It is unlawful for any person to:

1210 (a) Hold himself or herself out as a cosmetologist or
 1211 ~~specialist, hair wrapper, hair braider, or body wrapper~~ unless
 1212 duly licensed or registered, or otherwise authorized, as
 1213 provided in this chapter.

1214 Section 56. Section 481.201, Florida Statutes, is amended
 1215 to read:

1216 481.201 Purpose.—The primary legislative purpose for
 1217 enacting this part is to ensure that every architect practicing
 1218 in this state meets minimum requirements for safe practice. It
 1219 is the legislative intent that architects who fall below minimum
 1220 competency or who otherwise present a danger to the public shall
 1221 be prohibited from practicing in this state. ~~The Legislature~~
 1222 ~~further finds that it is in the interest of the public to limit~~
 1223 ~~the practice of interior design to interior designers or~~
 1224 ~~architects who have the design education and training required~~
 1225 ~~by this part or to persons who are exempted from the provisions~~

1226 ~~of this part.~~

1227 Section 57. Section 481.203, Florida Statutes, is amended
1228 to read:

1229 481.203 Definitions.—As used in this part, the term:

1230 (1)~~(3)~~ "Architect" or "registered architect" means a
1231 natural person who is licensed under this part to engage in the
1232 practice of architecture.

1233 (2)~~(6)~~ "Architecture" means the rendering or offering to
1234 render services in connection with the design and construction
1235 of a structure or group of structures which have as their
1236 principal purpose human habitation or use, and the utilization
1237 of space within and surrounding such structures. These services
1238 include planning, providing preliminary study designs, drawings
1239 and specifications, job-site inspection, and administration of
1240 construction contracts.

1241 (3)~~(1)~~ "Board" means the Board of Architecture and
1242 Interior Design.

1243 (4) "Business organization" means a partnership, a limited
1244 liability company, a corporation, or an individual operating
1245 under a fictitious name.

1246 ~~(5) "Certificate of authorization" means a certificate~~
1247 ~~issued by the department to a corporation or partnership to~~
1248 ~~practice architecture or interior design.~~

1249 (5)~~(4)~~ "Certificate of registration" means a license
1250 issued by the department to a natural person to engage in the

1251 practice of architecture or interior design.

1252 (6)~~(13)~~ "Common area" means an area that is held out for
1253 use by all tenants or owners in a multiple-unit dwelling,
1254 including, but not limited to, a lobby, elevator, hallway,
1255 laundry room, clubhouse, or swimming pool.

1256 (7)~~(2)~~ "Department" means the Department of Business and
1257 Professional Regulation.

1258 (8)~~(14)~~ "Diversified interior design experience" means
1259 experience which substantially encompasses the various elements
1260 of interior design services set forth under the definition of
1261 "interior design" in subsection (10)~~(8)~~.

1262 (9)~~(15)~~ "Interior decorator services" includes the
1263 selection or assistance in selection of surface materials,
1264 window treatments, wallcoverings, paint, floor coverings,
1265 surface-mounted lighting, surface-mounted fixtures, and loose
1266 furnishings not subject to regulation under applicable building
1267 codes.

1268 (10)~~(8)~~ "Interior design" means designs, consultations,
1269 studies, drawings, specifications, and administration of design
1270 construction contracts relating to nonstructural interior
1271 elements of a building or structure. "Interior design" includes,
1272 but is not limited to, reflected ceiling plans, space planning,
1273 furnishings, and the fabrication of nonstructural elements
1274 within and surrounding interior spaces of buildings. "Interior
1275 design" specifically excludes the design of or the

1276 responsibility for architectural and engineering work, except
 1277 for specification of fixtures and their location within interior
 1278 spaces. As used in this subsection, "architectural and
 1279 engineering interior construction relating to the building
 1280 systems" includes, but is not limited to, construction of
 1281 structural, mechanical, plumbing, heating, air-conditioning,
 1282 ventilating, electrical, or vertical transportation systems, or
 1283 construction which materially affects lifesafety systems
 1284 pertaining to firesafety protection such as fire-rated
 1285 separations between interior spaces, fire-rated vertical shafts
 1286 in multistory structures, fire-rated protection of structural
 1287 elements, smoke evacuation and compartmentalization, emergency
 1288 ingress or egress systems, and emergency alarm systems.

1289 (11)~~(10)~~ "Nonstructural element" means an element which
 1290 does not require structural bracing and which is something other
 1291 than a load-bearing wall, load-bearing column, or other load-
 1292 bearing element of a building or structure which is essential to
 1293 the structural integrity of the building.

1294 (12)~~(11)~~ "Reflected ceiling plan" means a ceiling design
 1295 plan which is laid out as if it were projected downward and
 1296 which may include lighting and other elements.

1297 (13)~~(9)~~ "Registered interior designer" or "interior
 1298 designer" means a natural person who holds a valid certificate
 1299 of registration to practice interior design ~~is licensed under~~
 1300 ~~this part.~~

1301 (14)~~(16)~~ "Responsible supervising control" means the
1302 exercise of direct personal supervision and control throughout
1303 the preparation of documents, instruments of service, or any
1304 other work requiring the seal and signature of a licensee under
1305 this part.

1306 (15)~~(12)~~ "Space planning" means the analysis, programming,
1307 or design of spatial requirements, including preliminary space
1308 layouts and final planning.

1309 (16)~~(7)~~ "Townhouse" is a single-family dwelling unit not
1310 exceeding three stories in height which is constructed in a
1311 series or group of attached units with property lines separating
1312 such units. Each townhouse shall be considered a separate
1313 building and shall be separated from adjoining townhouses by the
1314 use of separate exterior walls meeting the requirements for zero
1315 clearance from property lines as required by the type of
1316 construction and fire protection requirements; or shall be
1317 separated by a party wall; or may be separated by a single wall
1318 meeting the following requirements:

1319 (a) Such wall shall provide not less than 2 hours of fire
1320 resistance. Plumbing, piping, ducts, or electrical or other
1321 building services shall not be installed within or through the
1322 2-hour wall unless such materials and methods of penetration
1323 have been tested in accordance with the Standard Building Code.

1324 (b) Such wall shall extend from the foundation to the
1325 underside of the roof sheathing, and the underside of the roof

1326 shall have at least 1 hour of fire resistance for a width not
1327 less than 4 feet on each side of the wall.

1328 (c) Each dwelling unit sharing such wall shall be designed
1329 and constructed to maintain its structural integrity independent
1330 of the unit on the opposite side of the wall.

1331 Section 58. Paragraph (a) of subsection (3) of section
1332 481.205, Florida Statutes, is amended to read:

1333 481.205 Board of Architecture and Interior Design.—

1334 (3) (a) Notwithstanding the provisions of ss. 455.225,
1335 455.228, and 455.32, the duties and authority of the department
1336 to receive complaints and investigate and discipline persons
1337 licensed or registered under this part, including the ability to
1338 determine legal sufficiency and probable cause; to initiate
1339 proceedings and issue final orders for summary suspension or
1340 restriction of a license or certificate of registration pursuant
1341 to s. 120.60(6); to issue notices of noncompliance, notices to
1342 cease and desist, subpoenas, and citations; to retain legal
1343 counsel, investigators, or prosecutorial staff in connection
1344 with the licensed practice of architecture or registered ~~and~~
1345 interior design; and to investigate and deter the unlicensed
1346 practice of architecture ~~and interior design~~ as provided in s.
1347 455.228 are delegated to the board. All complaints and any
1348 information obtained pursuant to an investigation authorized by
1349 the board are confidential and exempt from s. 119.07(1) as
1350 provided in s. 455.225(2) and (10).

1351 Section 59. Section 481.207, Florida Statutes, is amended
1352 to read:

1353 481.207 Fees.—The board, by rule, may establish ~~separate~~
1354 fees for architects and registered interior designers, to be
1355 paid for applications, examination, reexamination, licensing and
1356 renewal, delinquency, reinstatement, and recordmaking and
1357 recordkeeping. The examination fee shall be in an amount that
1358 covers the cost of obtaining and administering the examination
1359 and shall be refunded if the applicant is found ineligible to
1360 sit for the examination. The application fee is nonrefundable.
1361 The fee for initial application and examination for architects
1362 ~~and interior designers~~ may not exceed \$775 plus the actual per
1363 applicant cost to the department for purchase of the examination
1364 from the National Council of Architectural Registration Boards
1365 ~~or the National Council of Interior Design Qualifications,~~
1366 ~~respectively,~~ or similar national organizations. The initial
1367 nonrefundable fee for registered interior designers may not
1368 exceed \$75. The biennial renewal fee for architects may not
1369 exceed \$200. The biennial renewal fee for registered interior
1370 designers may not exceed \$75 ~~\$500~~. The delinquency fee may not
1371 exceed the biennial renewal fee established by the board for an
1372 active license. The board shall establish fees that are adequate
1373 to ensure the continued operation of the board and to fund the
1374 proportionate expenses incurred by the department which are
1375 allocated to the regulation of architects and registered

1376 interior designers. Fees shall be based on department estimates
1377 of the revenue required to implement this part and the
1378 provisions of law with respect to the regulation of architects
1379 and interior designers.

1380 Section 60. Section 481.209, Florida Statutes, is amended
1381 to read:

1382 481.209 Examinations.—

1383 (1) A person desiring to be licensed as a registered
1384 architect by initial examination shall apply to the department,
1385 complete the application form, and remit a nonrefundable
1386 application fee. The department shall license any applicant who
1387 the board certifies÷

1388 ~~(a)~~ has passed the licensure examination prescribed by
1389 board rule÷ and

1390 ~~(b)~~ is a graduate of a school or college of architecture
1391 with a program accredited by the National Architectural
1392 Accreditation Board.

1393 (2) A person seeking to obtain a certificate of
1394 registration as a registered interior designer and a seal
1395 pursuant to s. 481.221 must provide the department with his or
1396 her name and address and written proof that he or she has
1397 successfully passed the qualification examination prescribed by
1398 the Council for Interior Design Qualification or its successor
1399 entity or the California Council for Interior Design
1400 Certification or its successor entity, or has successfully

1401 passed an equivalent exam as determined by the department. A
1402 person who was licensed as an interior designer by the
1403 department and who was in good standing as of July 1, 2020, is
1404 eligible to obtain a certificate of registration as a registered
1405 interior designer. ~~desiring to be licensed as a registered~~
1406 ~~interior designer shall apply to the department for licensure.~~
1407 ~~The department shall administer the licensure examination for~~
1408 ~~interior designers to each applicant who has completed the~~
1409 ~~application form and remitted the application and examination~~
1410 ~~fees specified in s. 481.207 and who the board certifies:~~
1411 ~~(a) Is a graduate from an interior design program of 5~~
1412 ~~years or more and has completed 1 year of diversified interior~~
1413 ~~design experience;~~
1414 ~~(b) Is a graduate from an interior design program of 4~~
1415 ~~years or more and has completed 2 years of diversified interior~~
1416 ~~design experience;~~
1417 ~~(c) Has completed at least 3 years in an interior design~~
1418 ~~curriculum and has completed 3 years of diversified interior~~
1419 ~~design experience; or~~
1420 ~~(d) Is a graduate from an interior design program of at~~
1421 ~~least 2 years and has completed 4 years of diversified interior~~
1422 ~~design experience.~~
1423 ~~Subsequent to October 1, 2000, for the purpose of having the~~
1424 ~~educational qualification required under this subsection~~
1425 ~~accepted by the board, the applicant must complete his or her~~

1426 ~~education at a program, school, or college of interior design~~
1427 ~~whose curriculum has been approved by the board as of the time~~
1428 ~~of completion. Subsequent to October 1, 2003, all of the~~
1429 ~~required amount of educational credits shall have been obtained~~
1430 ~~in a program, school, or college of interior design whose~~
1431 ~~curriculum has been approved by the board, as of the time each~~
1432 ~~educational credit is gained. The board shall adopt rules~~
1433 ~~providing for the review and approval of programs, schools, and~~
1434 ~~colleges of interior design and courses of interior design study~~
1435 ~~based on a review and inspection by the board of the curriculum~~
1436 ~~of programs, schools, and colleges of interior design in the~~
1437 ~~United States, including those programs, schools, and colleges~~
1438 ~~accredited by the Foundation for Interior Design Education~~
1439 ~~Research. The board shall adopt rules providing for the review~~
1440 ~~and approval of diversified interior design experience required~~
1441 ~~by this subsection.~~

1442 Section 61. Subsections (1), (2), and (3) of section
1443 481.213, Florida Statutes, are amended, and subsection (8) is
1444 added to that section, to read:

1445 481.213 Licensure and registration.—

1446 (1) The department shall license or register any applicant
1447 who the board certifies is qualified for licensure or
1448 registration and who has paid the initial licensure or
1449 registration fee. Licensure as an architect under this section
1450 shall be deemed to include all the rights and privileges of

1451 registration licensure as an interior designer under this
 1452 section.

1453 (2) The board shall certify for licensure or registration
 1454 by examination any applicant who passes the prescribed licensure
 1455 or registration examination and satisfies the requirements of
 1456 ss. 481.209 and 481.211, for architects, or the requirements of
 1457 s. 481.209, for interior designers.

1458 (3) The board shall certify as qualified for a license by
 1459 endorsement as an architect or registration as a registered an
 1460 interior designer an applicant who:

1461 (a) Qualifies to take the prescribed licensure or
 1462 registration examination, and has passed the prescribed
 1463 licensure or registration examination or a substantially
 1464 equivalent examination in another jurisdiction, as set forth in
 1465 s. 481.209 for architects or registered interior designers, as
 1466 applicable, and has satisfied the internship requirements set
 1467 forth in s. 481.211 for architects;

1468 (b) Holds a valid license to practice architecture or a
 1469 license, registration, or certification to practice interior
 1470 design issued by another jurisdiction of the United States, if
 1471 the criteria for issuance of such license were substantially
 1472 equivalent to the licensure criteria that existed in this state
 1473 at the time the license was issued; ~~provided, however, that an~~
 1474 ~~applicant who has been licensed for use of the title "interior~~
 1475 ~~design" rather than licensed to practice interior design shall~~

1476 ~~not qualify hereunder;~~ or

1477 (c) Has passed the prescribed licensure examination and
1478 holds a valid certificate issued by the National Council of
1479 Architectural Registration Boards, and holds a valid license to
1480 practice architecture issued by another state or jurisdiction of
1481 the United States.

1482
1483 An architect who is licensed in another state who seeks
1484 qualification for license by endorsement under this subsection
1485 must complete a board-approved 2 hour course on wind mitigation
1486 under the Florida Building Code.

1487 (8) A certificate of registration is not required for a
1488 person whose occupation or practice is confined to interior
1489 decorator services or for a person whose occupation or practice
1490 is confined to interior design not covered by this part.

1491 Section 62. Subsection (1) of section 481.2131, Florida
1492 Statutes, is amended to read:

1493 481.2131 Interior design; practice requirements;
1494 disclosure of compensation for professional services.—

1495 (1) ~~A registered interior designer is authorized to~~
1496 ~~perform "interior design" as defined in s. 481.203.~~ Interior
1497 design documents prepared by a registered interior designer
1498 shall contain a statement that the document is not an
1499 architectural or engineering study, drawing, specification, or
1500 design and is not to be used for construction of any load-

1501 bearing columns, load-bearing framing or walls of structures, or
 1502 issuance of any building permit, except as otherwise provided by
 1503 law. Interior design documents that are prepared and sealed by a
 1504 registered interior designer must ~~may~~, if required by a
 1505 permitting body, be accepted by the permitting body ~~be submitted~~
 1506 for the issuance of a building permit for interior construction
 1507 excluding design of any structural, mechanical, plumbing,
 1508 heating, air-conditioning, ventilating, electrical, or vertical
 1509 transportation systems or that materially affect lifesafety
 1510 systems pertaining to firesafety protection such as fire-rated
 1511 separations between interior spaces, fire-rated vertical shafts
 1512 in multistory structures, fire-rated protection of structural
 1513 elements, smoke evacuation and compartmentalization, emergency
 1514 ingress or egress systems, and emergency alarm systems.

1515 Section 63. Section 481.215, Florida Statutes, is amended
 1516 to read:

1517 481.215 Renewal of license or certificate of
 1518 registration.-

1519 (1) Subject to the requirement of subsection (3), the
 1520 department shall renew a license or certificate of registration
 1521 upon receipt of the renewal application and renewal fee.

1522 (2) The department shall adopt rules establishing a
 1523 procedure for the biennial renewal of licenses or certificates
 1524 of registration.

1525 (3) A ~~No~~ license or certificate of registration renewal

1526 | may not ~~shall~~ be issued to an architect or a registered an
 1527 | interior designer by the department until the licensee or
 1528 | registrant submits proof satisfactory to the department that,
 1529 | during the 2 years before ~~prior to~~ application for renewal, the
 1530 | licensee or registrant participated per biennium in not less
 1531 | than 20 hours of at least 50 minutes each per biennium of
 1532 | continuing education approved by the board. The board shall
 1533 | approve only continuing education that builds upon the basic
 1534 | knowledge of architecture ~~or interior design~~. The board may make
 1535 | exception from the requirements of continuing education in
 1536 | emergency or hardship cases.

1537 | (4) The board shall by rule establish criteria for the
 1538 | approval of continuing education courses and providers and shall
 1539 | by rule establish criteria for accepting alternative
 1540 | nonclassroom continuing education on an hour-for-hour basis.

1541 | (5) For a license or certificate of registration, the
 1542 | board shall require, by rule adopted pursuant to ss. 120.536(1)
 1543 | and 120.54, 2 ~~a specified number of~~ hours in specialized or
 1544 | advanced courses, ~~approved by the Florida Building Commission,~~
 1545 | on any portion of the Florida Building Code, adopted pursuant to
 1546 | part IV of chapter 553, relating to the licensee's respective
 1547 | area of practice. Such hours count toward the continuing
 1548 | education hours required under subsection (3). A licensee may
 1549 | complete the courses required under this subsection online.

1550 | Section 64. Section 481.217, Florida Statutes, is amended

1551 to read:

1552 481.217 Inactive status.—

1553 (1) The board may prescribe by rule continuing education
 1554 requirements as a condition of reactivating a license. The rules
 1555 may not require more than one renewal cycle of continuing
 1556 education to reactivate a license or registration for a
 1557 registered architect or registered interior designer. ~~For~~
 1558 ~~interior design, the board may approve only continuing education~~
 1559 ~~that builds upon the basic knowledge of interior design.~~

1560 (2) The board shall adopt rules relating to application
 1561 procedures for inactive status and for the reactivation of
 1562 inactive licenses or registrations.

1563 Section 65. Section 481.219, Florida Statutes, is amended
 1564 to read:

1565 481.219 Qualification of business organizations
 1566 ~~certification of partnerships, limited liability companies, and~~
 1567 ~~corporations.—~~

1568 (1) A licensee may ~~The practice of or the offer to~~
 1569 ~~practice architecture or interior design by licensees~~ through a
 1570 qualified business organization that offers ~~corporation, limited~~
 1571 ~~liability company, or partnership offering~~ architectural ~~or~~
 1572 ~~interior design~~ services to the public, ~~or by a corporation,~~
 1573 ~~limited liability company, or partnership offering~~ architectural
 1574 ~~or interior design~~ services to the public through licensees
 1575 ~~under this part as agents, employees, officers, or partners, is~~

1576 ~~permitted~~, subject to the provisions of this section.

1577 (2) If a licensee or an applicant proposes to engage in
1578 the practice of architecture as a business organization, the
1579 licensee or applicant shall qualify the business organization
1580 upon approval of the board ~~For the purposes of this section, a~~
1581 ~~certificate of authorization shall be required for a~~
1582 ~~corporation, limited liability company, partnership, or person~~
1583 ~~practicing under a fictitious name, offering architectural~~
1584 ~~services to the public jointly or separately. However, when an~~
1585 ~~individual is practicing architecture in her or his own name,~~
1586 ~~she or he shall not be required to be certified under this~~
1587 ~~section. Certification under this subsection to offer~~
1588 ~~architectural services shall include all the rights and~~
1589 ~~privileges of certification under subsection (3) to offer~~
1590 ~~interior design services.~~

1591 (3) (a) A business organization may not engage in the
1592 practice of architecture unless its qualifying agent is a
1593 registered architect under this part. A qualifying agent who
1594 terminates an affiliation with a qualified business organization
1595 shall immediately notify the department of such termination. If
1596 such qualifying agent is the only qualifying agent for that
1597 business organization, the business organization must be
1598 qualified by another qualifying agent within 60 days after the
1599 termination. Except as provided in paragraph (b), the business
1600 organization may not engage in the practice of architecture

1601 until it is qualified by another qualifying agent.

1602 (b) In the event a qualifying agent ceases employment with
1603 a qualified business organization, the executive director or the
1604 chair of the board may authorize another registered architect
1605 employed by the business organization to temporarily serve as
1606 its qualifying agent for a period of no more than 60 days. The
1607 business organization is not authorized to operate beyond such
1608 period under this chapter absent replacement of the qualifying
1609 agent who has ceased employment.

1610 (c) A qualifying agent shall notify the department in
1611 writing before engaging in the practice of architecture in her
1612 or his own name or in affiliation with a different business
1613 organization, and she or he or such business organization shall
1614 supply the same information to the department as required of
1615 applicants under this part.

1616 ~~(3) For the purposes of this section, a certificate of~~
1617 ~~authorization shall be required for a corporation, limited~~
1618 ~~liability company, partnership, or person operating under a~~
1619 ~~fictitious name, offering interior design services to the public~~
1620 ~~jointly or separately. However, when an individual is practicing~~
1621 ~~interior design in her or his own name, she or he shall not be~~
1622 ~~required to be certified under this section.~~

1623 (4) All final construction documents and instruments of
1624 service which include drawings, specifications, plans, reports,
1625 or other papers or documents that involve ~~involving~~ the practice

1626 of architecture which are prepared or approved for the use of
1627 the business organization ~~corporation, limited liability~~
1628 ~~company, or partnership~~ and filed for public record within the
1629 state ~~must~~ shall bear the signature and seal of the licensee who
1630 prepared or approved them and the date on which they were
1631 sealed.

1632 ~~(5) All drawings, specifications, plans, reports, or other~~
1633 ~~papers or documents prepared or approved for the use of the~~
1634 ~~corporation, limited liability company, or partnership by an~~
1635 ~~interior designer in her or his professional capacity and filed~~
1636 ~~for public record within the state shall bear the signature and~~
1637 ~~seal of the licensee who prepared or approved them and the date~~
1638 ~~on which they were sealed.~~

1639 ~~(6) The department shall issue a certificate of~~
1640 ~~authorization to any applicant who the board certifies as~~
1641 ~~qualified for a certificate of authorization and who has paid~~
1642 ~~the fee set in s. 481.207.~~

1643 ~~(5)-(7)~~ The board shall allow a licensee or certify an
1644 applicant to qualify one or more business organizations as
1645 ~~qualified for a certificate of authorization to offer~~
1646 architectural ~~or interior design~~ services, or to use a
1647 fictitious name to offer such services, if provided that:

1648 ~~(a)~~ one or more of the principal officers of the
1649 corporation or limited liability company, or one or more
1650 partners of the partnership, and all personnel of the

1651 corporation, limited liability company, or partnership who act
1652 in its behalf in this state as architects, are registered as
1653 provided by this part.~~;~~ ~~or~~

1654 ~~(b) One or more of the principal officers of the~~
1655 ~~corporation or one or more partners of the partnership, and all~~
1656 ~~personnel of the corporation, limited liability company, or~~
1657 ~~partnership who act in its behalf in this state as interior~~
1658 ~~designers, are registered as provided by this part.~~

1659 ~~(8) The department shall adopt rules establishing a~~
1660 ~~procedure for the biennial renewal of certificates of~~
1661 ~~authorization.~~

1662 ~~(9) The department shall renew a certificate of~~
1663 ~~authorization upon receipt of the renewal application and~~
1664 ~~biennial renewal fee.~~

1665 ~~(6)~~(10) Each qualifying agent who qualifies a business
1666 organization, partnership, limited liability company, or ~~and~~
1667 corporation certified under this section shall notify the
1668 department within 30 days after ~~of~~ any change in the information
1669 contained in the application upon which the qualification
1670 ~~certification~~ is based. Any registered architect ~~or interior~~
1671 ~~designer~~ who qualifies the business organization shall ensure
1672 ~~corporation, limited liability company, or partnership as~~
1673 ~~provided in subsection (7)~~ shall be responsible for ensuring
1674 responsible supervising control of projects of the business
1675 organization entity and shall notify the department of the ~~upon~~

1676 termination of her or his employment with a business
 1677 organization qualified partnership, ~~limited liability company,~~
 1678 ~~or corporation certified~~ under this section ~~shall notify the~~
 1679 ~~department of the termination~~ within 30 days after such
 1680 termination.

1681 ~~(7) (11)~~ A business organization is not ~~No corporation,~~
 1682 ~~limited liability company, or partnership shall be relieved of~~
 1683 ~~responsibility for the conduct or acts of its agents, employees,~~
 1684 ~~or officers by reason of its compliance with this section.~~
 1685 However, except as provided in s. 558.0035, the architect who
 1686 signs and seals the construction documents and instruments of
 1687 service is ~~shall be~~ liable for the professional services
 1688 performed, and the interior designer who signs and seals the
 1689 interior design drawings, plans, or specifications shall be
 1690 liable for the professional services performed.

1691 ~~(12)~~ ~~Disciplinary action against a corporation, limited~~
 1692 ~~liability company, or partnership shall be administered in the~~
 1693 ~~same manner and on the same grounds as disciplinary action~~
 1694 ~~against a registered architect or interior designer,~~
 1695 ~~respectively.~~

1696 ~~(8) (13)~~ ~~Nothing in~~ This section may not ~~shall~~ be construed
 1697 to mean that a certificate of registration to practice
 1698 architecture ~~or interior design~~ must ~~shall~~ be held by a business
 1699 organization ~~corporation, limited liability company, or~~
 1700 ~~partnership.~~ ~~Nothing in~~ This section does not prohibit a

1701 business organization from offering ~~prohibits corporations,~~
1702 ~~limited liability companies, and partnerships from joining~~
1703 ~~together to offer architectural~~ or, ~~engineering, interior~~
1704 ~~design, surveying and mapping, and landscape architectural~~
1705 ~~services, or any combination of such services, to the public~~ if
1706 the business organization, ~~provided that each corporation,~~
1707 ~~limited liability company, or partnership~~ otherwise meets the
1708 requirements of law.

1709 ~~(14) Corporations, limited liability companies, or~~
1710 ~~partnerships holding a valid certificate of authorization to~~
1711 ~~practice architecture shall be permitted to use in their title~~
1712 ~~the term "interior designer" or "registered interior designer."~~

1713 Section 66. Subsections (5) and (10) of section 481.221,
1714 Florida Statutes, are amended to read:

1715 481.221 Seals; display of certificate number.—

1716 (5) A ~~No~~ registered interior designer may not ~~shall~~ affix,
1717 or permit to be affixed, her or his seal or signature to any
1718 plan, specification, drawing, or other document which depicts
1719 work which she or he is not competent or registered ~~licensed~~ to
1720 perform.

1721 (10) Each registered architect must ~~or interior designer,~~
1722 ~~and each corporation, limited liability company, or partnership~~
1723 ~~holding a certificate of authorization, shall include~~ her or his
1724 license ~~its certificate~~ number in any newspaper, telephone
1725 directory, or other advertising medium used by the registered

1726 | licensee. Each business organization must include the license
 1727 | number of the registered architect who serves as the qualifying
 1728 | agent for that business organization in any newspaper, telephone
 1729 | directory, or other advertising medium used by the business
 1730 | organization ~~architect, interior designer, corporation, limited~~
 1731 | ~~liability company, or partnership. A corporation, limited~~
 1732 | ~~liability company, or partnership is not required to display the~~
 1733 | ~~certificate number of individual registered architects or~~
 1734 | ~~interior designers employed by or working within the~~
 1735 | ~~corporation, limited liability company, or partnership.~~

1736 | Section 67. Section 481.223, Florida Statutes, is amended
 1737 | to read:

1738 | 481.223 Prohibitions; penalties; injunctive relief.-

1739 | (1) A person may not knowingly:

1740 | (a) Practice architecture unless the person is an
 1741 | architect or a registered architect; however, a licensed
 1742 | architect who has been licensed by the board and who chooses to
 1743 | relinquish or not to renew his or her license may use the title
 1744 | "Architect, Retired" but may not otherwise render any
 1745 | architectural services.

1746 | ~~(b) Practice interior design unless the person is a~~
 1747 | ~~registered interior designer unless otherwise exempted herein;~~
 1748 | ~~however, an interior designer who has been licensed by the board~~
 1749 | ~~and who chooses to relinquish or not to renew his or her license~~
 1750 | ~~may use the title "Interior Designer, Retired" but may not~~

1751 ~~otherwise render any interior design services.~~

1752 (b)~~(e)~~ Use the name or title "architect," ~~or~~ "registered
1753 architect," or ~~"interior designer" or "registered interior~~
1754 ~~designer," or words to that effect,~~ when the person is not then
1755 the holder of a valid license or certificate of registration
1756 issued pursuant to this part. This paragraph does not restrict
1757 the use of the name or title "interior designer" or "interior
1758 design firm."

1759 (c)~~(d)~~ Present as his or her own the license of another.

1760 (d)~~(e)~~ Give false or forged evidence to the board or a
1761 member thereof.

1762 (e)~~(f)~~ Use or attempt to use an architect ~~or interior~~
1763 ~~designer~~ license or interior design certificate of registration
1764 that has been suspended, revoked, or placed on inactive or
1765 delinquent status.

1766 (f)~~(g)~~ Employ unlicensed persons to practice architecture
1767 ~~or interior design.~~

1768 (g)~~(h)~~ Conceal information relative to violations of this
1769 part.

1770 (2) Any person who violates any provision of subsection
1771 (1) commits a misdemeanor of the first degree, punishable as
1772 provided in s. 775.082 or s. 775.083.

1773 (3) (a) Notwithstanding chapter 455 or any other law to the
1774 contrary, an affected person may maintain an action for
1775 injunctive relief to restrain or prevent a person from violating

1776 paragraph (1) (a) or, paragraph (1) (b), ~~or paragraph (1) (c)~~. The
 1777 prevailing party is entitled to actual costs and attorney's
 1778 fees.

1779 (b) For purposes of this subsection, the term "affected
 1780 person" means a person directly affected by the actions of a
 1781 person suspected of violating paragraph (1) (a) or paragraph
 1782 (1) (b), ~~or paragraph (1) (c)~~ and includes, but is not limited to,
 1783 the department, any person who received services from the
 1784 alleged violator, or any private association composed primarily
 1785 of members of the profession the alleged violator is practicing
 1786 or offering to practice or holding himself or herself out as
 1787 qualified to practice.

1788 Section 68. Section 481.2251, Florida Statutes, is amended
 1789 to read:

1790 481.2251 Disciplinary proceedings against registered
 1791 interior designers.—

1792 (1) The following acts constitute grounds for which the
 1793 disciplinary actions specified in subsection (2) may be taken:

1794 (a) Attempting to register ~~obtain, obtaining,~~ or renewing
 1795 registration, by bribery, by fraudulent misrepresentation, or
 1796 through an error of the board, ~~a license to practice interior~~
 1797 ~~design;~~

1798 (b) Having an interior design license, certification, or
 1799 registration ~~a license to practice interior design~~ revoked,
 1800 suspended, or otherwise acted against, including the denial of

1801 licensure, registration, or certification by the licensing
 1802 authority of another jurisdiction for any act which would
 1803 constitute a violation of this part or of chapter 455;

1804 (c) Being convicted or found guilty, ~~regardless of~~
 1805 ~~adjudication,~~ of a crime in any jurisdiction which directly
 1806 relates to the provision of interior design services or to the
 1807 ability to provide interior design services. ~~A plea of nolo~~
 1808 ~~contendere shall create a rebuttable presumption of guilt to the~~
 1809 ~~underlying criminal charges. However, the board shall allow the~~
 1810 ~~person being disciplined to present any evidence relevant to the~~
 1811 ~~underlying charges and the circumstances surrounding her or his~~
 1812 ~~plea;~~

1813 (d) False, deceptive, or misleading advertising;

1814 ~~(e) Failing to report to the board any person who the~~
 1815 ~~licensee knows is in violation of this part or the rules of the~~
 1816 ~~board;~~

1817 ~~(f) Aiding, assisting, procuring, or advising any~~
 1818 ~~unlicensed person to use the title "interior designer" contrary~~
 1819 ~~to this part or to a rule of the board;~~

1820 ~~(g) Failing to perform any statutory or legal obligation~~
 1821 ~~placed upon a registered interior designer;~~

1822 ~~(e)-(h)~~ Making or filing a report which the registrant
 1823 ~~licensee~~ knows to be false, intentionally or negligently failing
 1824 to file a report or record required by state or federal law, or
 1825 willfully impeding or obstructing such filing or inducing

1826 another person to do so. Such reports or records shall include
 1827 only those which are signed in the capacity as a registered
 1828 interior designer;

1829 (f)~~(i)~~ Making deceptive, untrue, or fraudulent
 1830 representations in the provision of interior design services;

1831 (g)~~(j)~~ Accepting and performing professional
 1832 responsibilities which the registrant ~~licensee~~ knows or has
 1833 reason to know that she or he is not competent or licensed to
 1834 perform;

1835 ~~(k) Violating any provision of this part, any rule of the~~
 1836 ~~board, or a lawful order of the board previously entered in a~~
 1837 ~~disciplinary hearing;~~

1838 ~~(l) Conspiring with another licensee or with any other~~
 1839 ~~person to commit an act, or committing an act, which would tend~~
 1840 ~~to coerce, intimidate, or preclude another licensee from~~
 1841 ~~lawfully advertising her or his services;~~

1842 ~~(m) Acceptance of compensation or any consideration by an~~
 1843 ~~interior designer from someone other than the client without~~
 1844 ~~full disclosure of the compensation or consideration amount or~~
 1845 ~~value to the client prior to the engagement for services, in~~
 1846 ~~violation of s. 481.2131(2);~~

1847 (h)~~(n)~~ Rendering or offering to render architectural
 1848 services; or

1849 (i)~~(o)~~ Committing an act of fraud or deceit, or of
 1850 negligence, incompetency, or misconduct, in the practice of

1851 interior design, ~~including, but not limited to, allowing the~~
1852 ~~preparation of any interior design studies, plans, or other~~
1853 ~~instruments of service in an office that does not have a full-~~
1854 ~~time Florida-registered interior designer assigned to such~~
1855 ~~office or failing to exercise responsible supervisory control~~
1856 ~~over services or projects, as required by board rule.~~

1857 (2) When the board finds any person guilty of any of the
1858 grounds set forth in subsection (1), it may enter an order
1859 taking the following action or imposing one or more of the
1860 following penalties:

1861 (a) Refusal to register the applicant ~~approve an~~
1862 ~~application for licensure;~~

1863 (b) Refusal to renew an existing registration ~~license;~~

1864 (c) Removal from the state registry ~~Revocation or~~
1865 ~~suspension of a license; or~~

1866 (d) Imposition of an administrative fine not to exceed
1867 \$500 ~~\$1,000~~ for each violation or separate offense and a fine of
1868 up to \$2,500 ~~\$5,000~~ for matters pertaining to a material
1869 violation of the Florida Building Code as reported by a local
1870 jurisdiction; ~~or~~

1871 ~~(e) Issuance of a reprimand.~~

1872 Section 69. Paragraph (b) of subsection (5) and
1873 subsections (6) and (8) of section 481.229, Florida Statutes,
1874 are amended to read:

1875 481.229 Exceptions; exemptions from licensure.—

1876 (5)
 1877 (b) Notwithstanding any other provision of this part, all
 1878 persons licensed as architects under this part shall be
 1879 qualified for interior design registration licensure upon
 1880 submission of a completed application for such license and a fee
 1881 not to exceed \$30. Such persons shall be exempt from the
 1882 requirements of s. 481.209(2). For architects licensed as
 1883 interior designers, satisfaction of the requirements for renewal
 1884 of licensure as an architect under s. 481.215 shall be deemed to
 1885 satisfy the requirements for renewal of registration licensure
 1886 as an interior designer under that section. Complaint
 1887 processing, investigation, or other discipline-related legal
 1888 costs related to persons licensed as interior designers under
 1889 this paragraph shall be assessed against the architects' account
 1890 of the Regulatory Trust Fund.

1891 (6) This part does ~~shall~~ not apply to:

1892 (a) A person who performs interior design services or
 1893 interior decorator services for any residential application,
 1894 ~~provided that such person does not advertise as, or represent~~
 1895 ~~himself or herself as, an interior designer.~~ For purposes of
 1896 this paragraph, "residential applications" includes all types of
 1897 residences, including, but not limited to, residence buildings,
 1898 single-family homes, multifamily homes, townhouses, apartments,
 1899 condominiums, and domestic outbuildings appurtenant to one-
 1900 family or two-family residences. ~~However, "residential~~

1901 ~~applications" does not include common areas associated with~~
1902 ~~instances of multiple unit dwelling applications.~~

1903 (b) An employee of a retail establishment providing
1904 "interior decorator services" on the premises of the retail
1905 establishment or in the furtherance of a retail sale or
1906 prospective retail sale, provided that such employee does not
1907 advertise as, or represent himself or herself as, a registered
1908 ~~an~~ interior designer.

1909 (8) A manufacturer of commercial food service equipment or
1910 the manufacturer's representative, distributor, or dealer or an
1911 employee thereof, who prepares designs, specifications, or
1912 layouts for the sale or installation of such equipment is exempt
1913 from licensure as an architect or registration as an interior
1914 designer, if:

1915 (a) The designs, specifications, or layouts are not used
1916 for construction or installation that may affect structural,
1917 mechanical, plumbing, heating, air conditioning, ventilating,
1918 electrical, or vertical transportation systems.

1919 (b) The designs, specifications, or layouts do not
1920 materially affect lifesafety systems pertaining to firesafety
1921 protection, smoke evacuation and compartmentalization, and
1922 emergency ingress or egress systems.

1923 (c) Each design, specification, or layout document
1924 prepared by a person or entity exempt under this subsection
1925 contains a statement on each page of the document that the

1926 | designs, specifications, or layouts are not architectural,
 1927 | ~~interior design,~~ or engineering designs, specifications, or
 1928 | layouts and not used for construction unless reviewed and
 1929 | approved by a licensed architect or engineer.

1930 | Section 70. Subsection (1) of section 481.231, Florida
 1931 | Statutes, is amended to read:

1932 | 481.231 Effect of part locally.—

1933 | (1) ~~Nothing in~~ This part does not ~~shall be construed to~~
 1934 | repeal, amend, limit, or otherwise affect any specific provision
 1935 | of any local building code or zoning law or ordinance that has
 1936 | been duly adopted, now or hereafter enacted, which is more
 1937 | restrictive, with respect to the services of registered
 1938 | architects or registered interior designers, than ~~the provisions~~
 1939 | ~~of~~ this part; provided, however, that a licensed architect shall
 1940 | be deemed registered ~~licensed~~ as an interior designer for
 1941 | purposes of offering or rendering interior design services to a
 1942 | county, municipality, or other local government or political
 1943 | subdivision.

1944 | Section 71. Section 481.303, Florida Statutes, is amended
 1945 | to read:

1946 | 481.303 Definitions.—As used in this chapter, the term:

1947 | (1) "Board" means the Board of Landscape Architecture.

1948 | (2) ~~(4)~~ "Certificate of registration" means a license
 1949 | issued by the department to a natural person to engage in the
 1950 | practice of landscape architecture.

1951 (3)~~(2)~~ "Department" means the Department of Business and
 1952 Professional Regulation.

1953 ~~(5) "Certificate of authorization" means a license issued~~
 1954 ~~by the department to a corporation or partnership to engage in~~
 1955 ~~the practice of landscape architecture.~~

1956 (4)~~(6)~~ "Landscape architecture" means professional
 1957 services, including, but not limited to, the following:

1958 (a) Consultation, investigation, research, planning,
 1959 design, preparation of drawings, specifications, contract
 1960 documents and reports, responsible construction supervision, or
 1961 landscape management in connection with the planning and
 1962 development of land and incidental water areas, including the
 1963 use of Florida-friendly landscaping as defined in s. 373.185,
 1964 where, and to the extent that, the dominant purpose of such
 1965 services or creative works is the preservation, conservation,
 1966 enhancement, or determination of proper land uses, natural land
 1967 features, ground cover and plantings, or naturalistic and
 1968 aesthetic values;

1969 (b) The determination of settings, grounds, and approaches
 1970 for and the siting of buildings and structures, outdoor areas,
 1971 or other improvements;

1972 (c) The setting of grades, shaping and contouring of land
 1973 and water forms, determination of drainage, and provision for
 1974 storm drainage and irrigation systems where such systems are
 1975 necessary to the purposes outlined herein; and

1976 (d) The design of such tangible objects and features as
 1977 are necessary to the purpose outlined herein.

1978 (5)~~(7)~~ "Landscape design" means consultation for and
 1979 preparation of planting plans drawn for compensation, including
 1980 specifications and installation details for plant materials,
 1981 soil amendments, mulches, edging, gravel, and other similar
 1982 materials. Such plans may include only recommendations for the
 1983 conceptual placement of tangible objects for landscape design
 1984 projects. Construction documents, details, and specifications
 1985 for tangible objects and irrigation systems shall be designed or
 1986 approved by licensed professionals as required by law.

1987 (6)~~(3)~~ "Registered landscape architect" means a person who
 1988 holds a license to practice landscape architecture in this state
 1989 under the authority of this act.

1990 Section 72. Section 481.310, Florida Statutes, is amended
 1991 to read:

1992 481.310 Practical experience requirement.—Beginning
 1993 October 1, 1990, every applicant for licensure as a registered
 1994 landscape architect shall demonstrate, before ~~prior to~~
 1995 licensure, 1 year of practical experience in landscape
 1996 architectural work. An applicant who holds both a bachelor's
 1997 degree and a master's degree in landscape architecture is not
 1998 required to demonstrate 1 year of practical experience in
 1999 landscape architectural work to obtain licensure. The board
 2000 shall adopt rules providing standards for the required

2001 | experience. An applicant who qualifies for examination pursuant
 2002 | to s. 481.309(1)(b)1. may obtain the practical experience after
 2003 | completing the required professional degree. Experience used to
 2004 | qualify for examination pursuant to s. 481.309(1)(b)2. may not
 2005 | be used to satisfy the practical experience requirement under
 2006 | this section.

2007 | Section 73. Subsections (5) and (6) of section 481.311,
 2008 | Florida Statutes, are renumbered as subsections (4) and (5),
 2009 | respectively, and subsection (3) and present subsection (4) of
 2010 | that section are amended, to read:

2011 | 481.311 Licensure.—

2012 | (3) The board shall certify as qualified for a license by
 2013 | endorsement an applicant who:

2014 | (a) Qualifies to take the examination as set forth in s.
 2015 | 481.309; and has passed a national, regional, state, or
 2016 | territorial licensing examination which is substantially
 2017 | equivalent to the examination required by s. 481.309; ~~or~~

2018 | (b) Holds a valid license to practice landscape
 2019 | architecture issued by another state or territory of the United
 2020 | States, if the criteria for issuance of such license were
 2021 | substantially identical to the licensure criteria which existed
 2022 | in this state at the time the license was issued; ~~or—~~

2023 | (c) Has held a valid license to practice landscape
 2024 | architecture in another state or territory of the United States
 2025 | for at least 10 years before the date of application and has

2026 successfully completed a state, regional, national, or other
2027 examination that is equivalent to or more stringent than the
2028 examination required by the board, subject to subsection (5). An
2029 applicant who has met the requirements to be qualified for a
2030 license by endorsement except for successful completion of an
2031 examination that is equivalent to or more stringent than the
2032 examination required by the board may take the examination
2033 required by the board without completing additional education
2034 requirements. Such application must be submitted to the board
2035 while the applicant holds a valid license in another state or
2036 territory or within 2 years after the expiration of such
2037 license.

2038 ~~(4) The board shall certify as qualified for a certificate~~
2039 ~~of authorization any applicant corporation or partnership who~~
2040 ~~satisfies the requirements of s. 481.319.~~

2041 Section 74. Subsection (4) of section 481.313, Florida
2042 Statutes, is amended to read:

2043 481.313 Renewal of license.—

2044 (4) The board, by rule adopted pursuant to ss. 120.536(1)
2045 and 120.54, shall establish criteria for the approval of
2046 continuing education courses and providers, and shall by rule
2047 establish criteria for accepting alternative nonclassroom
2048 continuing education on an hour-for-hour basis. A landscape
2049 architect shall receive hour-for-hour credit for attending
2050 continuing education courses approved by the Landscape

2051 Architecture Continuing Education System or another nationally
 2052 recognized clearinghouse for continuing education that relate to
 2053 and increase the basic knowledge of landscape architecture, as
 2054 determined by the board, if such landscape architect submits
 2055 proof satisfactory to the board that such course was approved by
 2056 the Landscape Architecture Continuing Education System or
 2057 another nationally recognized clearinghouse for continuing
 2058 education, the syllabus or outline for such course, and
 2059 attendance of such course.

2060 Section 75. Subsection (2) of section 481.317, Florida
 2061 Statutes, is amended to read:

2062 481.317 Temporary certificates.—

2063 ~~(2) Upon approval by the board and payment of the fee set~~
 2064 ~~in s. 481.307, the department shall grant a temporary~~
 2065 ~~certificate of authorization for work on one specified project~~
 2066 ~~in this state for a period not to exceed 1 year to an out-of-~~
 2067 ~~state corporation, partnership, or firm, provided one of the~~
 2068 ~~principal officers of the corporation, one of the partners of~~
 2069 ~~the partnership, or one of the principals in the fictitiously~~
 2070 ~~named firm has obtained a temporary certificate of registration~~
 2071 ~~in accordance with subsection (1).~~

2072 Section 76. Section 481.319, Florida Statutes, is amended
 2073 to read:

2074 481.319 Corporate and partnership practice of landscape
 2075 architecture; ~~certificate of authorization.~~—

2076 (1) The practice of or offer to practice landscape
 2077 architecture by registered landscape architects registered under
 2078 this part through a corporation or partnership offering
 2079 landscape architectural services to the public, or through a
 2080 corporation or partnership offering landscape architectural
 2081 services to the public through individual registered landscape
 2082 architects as agents, employees, officers, or partners, is
 2083 permitted, subject to the provisions of this section, if:

2084 (a) One or more of the principal officers of the
 2085 corporation, or partners of the partnership, and all personnel
 2086 of the corporation or partnership who act in its behalf as
 2087 landscape architects in this state are registered landscape
 2088 architects; and

2089 (b) One or more of the officers, one or more of the
 2090 directors, one or more of the owners of the corporation, or one
 2091 or more of the partners of the partnership is a registered
 2092 landscape architect; ~~and~~

2093 ~~(c) The corporation or partnership has been issued a~~
 2094 ~~certificate of authorization by the board as provided herein.~~

2095 (2) All documents involving the practice of landscape
 2096 architecture which are prepared for the use of the corporation
 2097 or partnership shall bear the signature and seal of a registered
 2098 landscape architect.

2099 (3) A landscape architect applying to practice in the name
 2100 of a ~~An applicant~~ corporation must ~~shall~~ file with the

2101 department the names and addresses of all officers and board
 2102 members of the corporation, including the principal officer or
 2103 officers, duly registered to practice landscape architecture in
 2104 this state and, also, of all individuals duly registered to
 2105 practice landscape architecture in this state who shall be in
 2106 responsible charge of the practice of landscape architecture by
 2107 the corporation in this state. A landscape architect applying to
 2108 practice in the name of a ~~An applicant~~ partnership must shall
 2109 file with the department the names and addresses of all partners
 2110 of the partnership, including the partner or partners duly
 2111 registered to practice landscape architecture in this state and,
 2112 also, of an individual or individuals duly registered to
 2113 practice landscape architecture in this state who shall be in
 2114 responsible charge of the practice of landscape architecture by
 2115 said partnership in this state.

2116 (4) Each landscape architect qualifying a partnership or
 2117 ~~and corporation licensed~~ under this part must shall notify the
 2118 department within 1 month after ~~of~~ any change in the information
 2119 contained in the application upon which the license is based.
 2120 Any landscape architect who terminates her or his ~~or her~~
 2121 employment with a partnership or corporation licensed under this
 2122 part shall notify the department of the termination within 1
 2123 month after such termination.

2124 ~~(5) Disciplinary action against a corporation or~~
 2125 ~~partnership shall be administered in the same manner and on the~~

2126 | ~~same grounds as disciplinary action against a registered~~
 2127 | ~~landscape architect.~~

2128 | (5)~~(6)~~ Except as provided in s. 558.0035, the fact that a
 2129 | registered landscape architect practices landscape architecture
 2130 | through a corporation or partnership as provided in this section
 2131 | does not relieve the landscape architect from personal liability
 2132 | for her or his ~~or her~~ professional acts.

2133 | Section 77. Subsection (5) of section 481.321, Florida
 2134 | Statutes, is amended to read:

2135 | 481.321 Seals; display of certificate number.—

2136 | (5) Each registered landscape architect must ~~and each~~
 2137 | ~~corporation or partnership holding a certificate of~~
 2138 | ~~authorization shall~~ include her or his ~~its~~ certificate number in
 2139 | any newspaper, telephone directory, or other advertising medium
 2140 | used by the registered landscape architect, corporation, or
 2141 | partnership. A corporation or partnership must ~~is not required~~
 2142 | ~~to~~ display the certificate number ~~numbers~~ of at least one
 2143 | officer, director, owner, or partner who is a individual
 2144 | registered landscape architect ~~architects~~ employed by or
 2145 | practicing with the corporation or partnership.

2146 | Section 78. Subsection (5) of section 481.329, Florida
 2147 | Statutes, is amended to read:

2148 | 481.329 Exceptions; exemptions from licensure.—

2149 | (5) This part does not prohibit any person from engaging
 2150 | in the practice of landscape design, as defined in s. 481.303 ~~s.~~

2151 ~~481.303(7)~~, or from submitting for approval to a governmental
2152 agency planting plans that are independent of, or a component
2153 of, construction documents that are prepared by a Florida-
2154 registered professional. Persons providing landscape design
2155 services shall not use the title, term, or designation
2156 "landscape architect," "landscape architectural," "landscape
2157 architecture," "L.A.," "landscape engineering," or any
2158 description tending to convey the impression that she or he is a
2159 landscape architect unless she or he is registered as provided
2160 in this part.

2161 Section 79. Subsection (9) of section 489.103, Florida
2162 Statutes, is amended to read:

2163 489.103 Exemptions.—This part does not apply to:

2164 (9) Any work or operation of a casual, minor, or
2165 inconsequential nature in which the aggregate contract price for
2166 labor, materials, and all other items is less than \$2,500
2167 ~~\$1,000~~, but this exemption does not apply:

2168 (a) If the construction, repair, remodeling, or
2169 improvement is a part of a larger or major operation, whether
2170 undertaken by the same or a different contractor, or in which a
2171 division of the operation is made in contracts of amounts less
2172 than \$2,500 ~~\$1,000~~ for the purpose of evading this part or
2173 otherwise.

2174 (b) To a person who advertises that he or she is a
2175 contractor or otherwise represents that he or she is qualified

2176 | to engage in contracting.

2177 | Section 80. Subsection (2) of section 489.111, Florida
2178 | Statutes, is amended to read:

2179 | 489.111 Licensure by examination.—

2180 | (2) A person shall be eligible for licensure by
2181 | examination if the person:

2182 | (a) Is 18 years of age;

2183 | (b) Is of good moral character; and

2184 | (c) Meets eligibility requirements according to one of the
2185 | following criteria:

2186 | 1. Has received a baccalaureate degree from an accredited
2187 | 4-year college in the appropriate field of engineering,
2188 | architecture, or building construction and has 1 year of proven
2189 | experience in the category in which the person seeks to qualify.
2190 | For the purpose of this part, a minimum of 2,000 person-hours
2191 | shall be used in determining full-time equivalency. An applicant
2192 | who is exempt from passing an examination or portion thereof as
2193 | provided in s. 489.113(1) is eligible for a license under this
2194 | section.

2195 | 2. Has a total of at least 4 years of active experience as
2196 | a worker who has learned the trade by serving an apprenticeship
2197 | as a skilled worker who is able to command the rate of a
2198 | mechanic in the particular trade or as a foreman who is in
2199 | charge of a group of workers and usually is responsible to a
2200 | superintendent or a contractor or his or her equivalent,

2201 provided, however, that at least 1 year of active experience
 2202 shall be as a foreman.

2203 3. Has a combination of not less than 1 year of experience
 2204 as a foreman and not less than 3 years of credits for any
 2205 accredited college-level courses; has a combination of not less
 2206 than 1 year of experience as a skilled worker, 1 year of
 2207 experience as a foreman, and not less than 2 years of credits
 2208 for any accredited college-level courses; or has a combination
 2209 of not less than 2 years of experience as a skilled worker, 1
 2210 year of experience as a foreman, and not less than 1 year of
 2211 credits for any accredited college-level courses. All junior
 2212 college or community college-level courses shall be considered
 2213 accredited college-level courses.

2214 4.a. An active certified residential contractor is
 2215 eligible to receive a certified building contractor license
 2216 after passing or having previously passed ~~take~~ the building
 2217 contractors' examination if he or she possesses a minimum of 3
 2218 years of proven experience in the classification in which he or
 2219 she is certified.

2220 b. An active certified residential contractor is eligible
 2221 to receive a certified general contractor license after passing
 2222 or having previously passed ~~take~~ the general contractors'
 2223 examination if he or she possesses a minimum of 4 years of
 2224 proven experience in the classification in which he or she is
 2225 certified.

2226 c. An active certified building contractor is eligible to
 2227 receive a certified general contractor license after passing or
 2228 having previously passed ~~take~~ the general contractors'
 2229 examination if he or she possesses a minimum of 4 years of
 2230 proven experience in the classification in which he or she is
 2231 certified.

2232 5.a. An active certified air-conditioning Class C
 2233 contractor is eligible to receive a certified air conditioning
 2234 Class B contractor license after passing or having previously
 2235 passed ~~take~~ the air-conditioning Class B contractors'
 2236 examination if he or she possesses a minimum of 3 years of
 2237 proven experience in the classification in which he or she is
 2238 certified.

2239 b. An active certified air-conditioning Class C contractor
 2240 is eligible to receive a certified air conditioning Class A
 2241 contractor license after passing or having previously passed
 2242 ~~take~~ the air-conditioning Class A contractors' examination if he
 2243 or she possesses a minimum of 4 years of proven experience in
 2244 the classification in which he or she is certified.

2245 c. An active certified air-conditioning Class B contractor
 2246 is eligible to receive a certified air conditioning Class A
 2247 contractor license after passing or having previously passed
 2248 ~~take~~ the air-conditioning Class A contractors' examination if he
 2249 or she possesses a minimum of 1 year of proven experience in the
 2250 classification in which he or she is certified.

2251 6.a. An active certified swimming pool servicing
2252 contractor is eligible to receive a certified residential
2253 swimming pool contractor license after passing or having
2254 previously passed ~~take~~ the residential swimming pool
2255 contractors' examination if he or she possesses a minimum of 3
2256 years of proven experience in the classification in which he or
2257 she is certified.

2258 b. An active certified swimming pool servicing contractor
2259 is eligible to receive a certified commercial swimming pool
2260 contractor license after passing or having previously passed
2261 ~~take~~ the swimming pool commercial contractors' examination if he
2262 or she possesses a minimum of 4 years of proven experience in
2263 the classification in which he or she is certified.

2264 c. An active certified residential swimming pool
2265 contractor is eligible to receive a certified commercial
2266 swimming pool contractor license after passing or having
2267 previously passed ~~take~~ the commercial swimming pool contractors'
2268 examination if he or she possesses a minimum of 1 year of proven
2269 experience in the classification in which he or she is
2270 certified.

2271 d. An applicant is eligible to receive a certified
2272 swimming pool/spa servicing contractor license after passing or
2273 having previously passed ~~take~~ the swimming pool/spa servicing
2274 contractors' examination if he or she has satisfactorily
2275 completed 60 hours of instruction in courses related to the

2276 | scope of work covered by that license and approved by the
 2277 | Construction Industry Licensing Board by rule and has at least 1
 2278 | year of proven experience related to the scope of work of such a
 2279 | contractor.

2280 | Section 81. Subsection (1) of section 489.113, Florida
 2281 | Statutes, is amended to read:

2282 | 489.113 Qualifications for practice; restrictions.—

2283 | (1) Any person who desires to engage in contracting on a
 2284 | statewide basis shall, as a prerequisite thereto, establish his
 2285 | or her competency and qualifications to be certified pursuant to
 2286 | this part. To establish competency, a person shall pass the
 2287 | appropriate examination approved by the board and certified by
 2288 | the department. If an applicant has received a baccalaureate
 2289 | degree from an accredited 4-year college in building
 2290 | construction, or a related degree as approved by the board by
 2291 | rule, such applicant is only required to take and pass the
 2292 | business and finance portion of the examination. Any person who
 2293 | desires to engage in contracting on other than a statewide basis
 2294 | shall, as a prerequisite thereto, be registered pursuant to this
 2295 | part, unless exempted by this part.

2296 | Section 82. Subsection (3) of section 489.115, Florida
 2297 | Statutes, is amended to read:

2298 | 489.115 Certification and registration; endorsement;
 2299 | reciprocity; renewals; continuing education.—

2300 | (3) The board shall certify as qualified for certification

2301 by endorsement any applicant who:

2302 (a) Meets the requirements for certification as set forth
 2303 in this section; has passed a national, regional, state, or
 2304 United States territorial licensing examination that is
 2305 substantially equivalent to the examination required by this
 2306 part; and has satisfied the requirements set forth in s.
 2307 489.111;

2308 (b) Holds a valid license to practice contracting issued
 2309 by another state or territory of the United States, if the
 2310 criteria for issuance of such license were substantially
 2311 equivalent to Florida's current certification criteria; ~~or~~

2312 (c) Holds a valid, current license to practice contracting
 2313 issued by another state or territory of the United States, if
 2314 the state or territory has entered into a reciprocal agreement
 2315 with the board for the recognition of contractor licenses issued
 2316 in that state, based on criteria for the issuance of such
 2317 licenses that are substantially equivalent to the criteria for
 2318 certification in this state;

2319 (d) Has held a valid license to practice contracting
 2320 issued by another state or territory for at least 10 years
 2321 before the date of application and is applying for the same or
 2322 similar license in this state, subject to subsections (5)-(9).
 2323 The board may consider whether such applicant has had a license
 2324 to practice contracting revoked, suspended, or otherwise acted
 2325 against by the licensing authority of another state, territory,

2326 or country. Such application must be submitted to the board
2327 while the applicant holds a valid license in another state or
2328 territory or within 2 years after the expiration of such
2329 license. A building contractor, residential contractor, general
2330 contractor, or roofing contractor who obtains a license by
2331 endorsement or reciprocity under this paragraph must have
2332 completed, within the previous 2 years or within 30 days after
2333 being licensed, a board-approved 2 hour course on wind
2334 mitigation, flood resistance, and water intrusion requirements
2335 under the Florida Building Code. The approved course may be
2336 provided online. The board may approve other building code
2337 courses to satisfy this requirement, provided the necessary wind
2338 mitigation, flood resistance, and water intrusion requirements
2339 are presented.

2340 Section 83. Subsection (5) of section 489.511, Florida
2341 Statutes, is amended to read:

2342 489.511 Certification; application; examinations;
2343 endorsement.—

2344 (5) The board shall certify as qualified for certification
2345 by endorsement any individual applying for certification who:

2346 (a) Meets the requirements for certification as set forth
2347 in this section; has passed a national, regional, state, or
2348 United States territorial licensing examination that is
2349 substantially equivalent to the examination required by this
2350 part; and has satisfied the requirements set forth in s.

2351 489.521; ~~or~~
 2352 (b) Holds a valid license to practice electrical or alarm
 2353 system contracting issued by another state or territory of the
 2354 United States, if the criteria for issuance of such license was
 2355 substantially equivalent to the certification criteria that
 2356 existed in this state at the time the certificate was issued; or

2357 (c) Has held a valid license to practice electrical or
 2358 alarm system contracting issued by another state or territory
 2359 for at least 10 years before the date of application and is
 2360 applying for the same or similar license in this state, subject
 2361 to ss. 489.510 and 489.521(3) (a), and subparagraph (1) (b)1. Such
 2362 application must be submitted to the board while the applicant
 2363 holds a valid license in another state or territory or within 2
 2364 years after the expiration of such license. An electrical
 2365 contractor or alarm system contractor who is licensed in another
 2366 state who seeks qualification for license by endorsement under
 2367 this paragraph must complete a class on the Florida Building
 2368 Code approved by the board, not to exceed 2 hours.

2369 Section 84. Subsection (3) and paragraph (b) of subsection
 2370 (4) of section 489.517, Florida Statutes, are amended to read:
 2371 489.517 Renewal of certificate or registration; continuing
 2372 education.—

2373 (3) (a) Each certificateholder or registrant licensed as a
 2374 specialty contractor or an alarm system contractor shall provide
 2375 proof, in a form established by rule of the board, that the

2376 certificateholder or registrant has completed at least 7 ~~14~~
2377 classroom hours of at least 50 minutes each of continuing
2378 education courses during each biennium since the issuance or
2379 renewal of the certificate or registration. The board shall by
2380 rule establish criteria for the approval of continuing education
2381 courses and providers and may by rule establish criteria for
2382 accepting alternative nonclassroom continuing education on an
2383 hour-for-hour basis.

2384 (b) Each certificateholder or registrant licensed as an
2385 electrical contractor shall provide proof, in a form established
2386 by rule of the board, that the certificateholder or registrant
2387 has completed at least 11 classroom hours of at least 50 minutes
2388 each of continuing education courses during each biennium since
2389 the issuance or renewal of the certificate or registration. The
2390 board shall by rule establish criteria for the approval of
2391 continuing education courses and providers and may by rule
2392 establish criteria for accepting alternative nonclassroom
2393 continuing education on an hour-for-hour basis.

2394 (4)

2395 (b)1. For licensed specialty contractors or alarm system
2396 contractors, of the 7 ~~14~~ classroom hours of continuing education
2397 required, at least 1 hour ~~7 hours~~ must be on technical subjects,
2398 1 hour on workers' compensation, 1 hour on workplace safety, 1
2399 hour on business practices, and ~~for alarm system contractors and~~
2400 electrical contractors engaged in alarm system contracting, 2

2401 hours on false alarm prevention.

2402 2. For licensed electrical contractors, of the minimum 11
2403 classroom hours of continuing education required, at least 7
2404 hours must be on technical subjects, 1 hour on workers'
2405 compensation, 1 hour on workplace safety, and 1 hour on business
2406 practices. Electrical contractors engaged in alarm system
2407 contracting must also complete 2 hours on false alarm
2408 prevention.

2409 Section 85. Paragraph (b) of subsection (1) of section
2410 489.518, Florida Statutes, is amended to read:

2411 489.518 Alarm system agents.—

2412 (1) A licensed electrical or alarm system contractor may
2413 not employ a person to perform the duties of a burglar alarm
2414 system agent unless the person:

2415 (b) Has successfully completed a minimum of 14 hours of
2416 training within 90 days after employment, to include basic alarm
2417 system electronics in addition to related training including
2418 CCTV and access control training, with at least 2 hours of
2419 training in the prevention of false alarms. Such training shall
2420 be from a board-approved provider, and the employee or applicant
2421 for employment shall provide proof of successful completion to
2422 the licensed employer. The board shall by rule establish
2423 criteria for the approval of training courses and providers and
2424 may by rule establish criteria for accepting alternative
2425 nonclassroom education on an hour-for-hour basis. The board

2426 shall approve providers that conduct training in other than the
 2427 English language. The board shall establish a fee for the
 2428 approval of training providers or courses, not to exceed \$60.
 2429 Qualified employers may conduct training classes for their
 2430 employees, with board approval.

2431 Section 86. Section 492.104, Florida Statutes, is amended,
 2432 to read:

2433 492.104 Rulemaking authority.—The Board of Professional
 2434 Geologists has authority to adopt rules pursuant to ss.
 2435 120.536(1) and 120.54 to implement this chapter. Every licensee
 2436 shall be governed and controlled by this chapter and the rules
 2437 adopted by the board. The board is authorized to set, by rule,
 2438 fees for application, examination, ~~certificate of authorization,~~
 2439 late renewal, initial licensure, and license renewal. These fees
 2440 may ~~should~~ not exceed the cost of implementing the application,
 2441 examination, initial licensure, and license renewal or other
 2442 administrative process and shall be established as follows:

2443 (1) The application fee shall not exceed \$150 and shall be
 2444 nonrefundable.

2445 (2) The examination fee shall not exceed \$250, and the fee
 2446 may be apportioned to each part of a multipart examination. The
 2447 examination fee shall be refundable in whole or part if the
 2448 applicant is found to be ineligible to take any portion of the
 2449 licensure examination.

2450 (3) The initial license fee shall not exceed \$100.

2451 (4) The biennial renewal fee shall not exceed \$150.

2452 ~~(5) The fee for a certificate of authorization shall not~~

2453 ~~exceed \$350 and the fee for renewal of the certificate shall not~~

2454 ~~exceed \$350.~~

2455 (5)~~(6)~~ The fee for reactivation of an inactive license may

2456 ~~shall~~ not exceed \$50.

2457 (6)~~(7)~~ The fee for a provisional license may ~~shall~~ not

2458 exceed \$400.

2459 (7)~~(8)~~ The fee for application, examination, and licensure

2460 for a license by endorsement is ~~shall be~~ as provided in this

2461 section for licenses in general.

2462 Section 87. Subsection (1) of section 492.108, Florida

2463 Statutes, is amended to read:

2464 492.108 Licensure by endorsement; requirements; fees.—

2465 (1) The department shall issue a license by endorsement to

2466 any applicant who, upon applying to the department and remitting

2467 an application fee, has been certified by the board that he or

2468 she:

2469 (a) Has met the qualifications for licensure in s.

2470 492.105(1)(b)-(e) and:—

2471 1.~~(b)~~ Is the holder of an active license in good standing

2472 in a state, trust, territory, or possession of the United

2473 States.

2474 2.~~(e)~~ Was licensed through written examination in at least

2475 one state, trust, territory, or possession of the United States,

2476 the examination requirements of which have been approved by the
2477 board as substantially equivalent to or more stringent than
2478 those of this state, and has received a score on such
2479 examination which is equal to or greater than the score required
2480 by this state for licensure by examination.

2481 3.~~(d)~~ Has taken and successfully passed the laws and rules
2482 portion of the examination required for licensure as a
2483 professional geologist in this state.

2484 (b) Has held a valid license to practice geology in
2485 another state, trust, territory, or possession of the United
2486 States for at least 10 years before the date of application and
2487 has successfully completed a state, regional, national, or other
2488 examination that is equivalent to or more stringent than the
2489 examination required by the department. If such applicant has
2490 met the requirements for a license by endorsement except
2491 successful completion of an examination that is equivalent to or
2492 more stringent than the examination required by the board, such
2493 applicant may take the examination required by the board. Such
2494 application must be submitted to the board while the applicant
2495 holds a valid license in another state or territory or within 2
2496 years after the expiration of such license.

2497 Section 88. Section 492.111, Florida Statutes, is amended
2498 to read:

2499 492.111 Practice of professional geology by a firm,
2500 corporation, or partnership;~~certificate of authorization.~~—The

2501 practice of, or offer to practice, professional geology by
2502 individual professional geologists licensed under the provisions
2503 of this chapter through a firm, corporation, or partnership
2504 offering geological services to the public through individually
2505 licensed professional geologists as agents, employees, officers,
2506 or partners thereof is permitted subject to the provisions of
2507 this chapter, if ~~provided that~~:

2508 (1) At all times that it offers geological services to the
2509 public, the firm, corporation, or partnership is qualified by
2510 ~~has on file with the department the name and license number of~~
2511 one or more individuals who hold a current, active license as a
2512 professional geologist in the state and are serving as a
2513 geologist of record for the firm, corporation, or partnership. A
2514 geologist of record may be any principal officer or employee of
2515 such firm or corporation, or any partner or employee of such
2516 partnership, who holds a current, active license as a
2517 professional geologist in this state, or any other Florida-
2518 licensed professional geologist with whom the firm, corporation,
2519 or partnership has entered into a long-term, ongoing
2520 relationship, as defined by rule of the board, to serve as one
2521 of its geologists of record. ~~It shall be the responsibility of~~
2522 ~~the firm, corporation, or partnership and~~ The geologist of
2523 record shall ~~to~~ notify the department of any changes in the
2524 relationship or identity of that geologist of record within 30
2525 days after such change.

2526 ~~(2) The firm, corporation, or partnership has been issued~~
2527 ~~a certificate of authorization by the department as provided in~~
2528 ~~this chapter. For purposes of this section, a certificate of~~
2529 ~~authorization shall be required of any firm, corporation,~~
2530 ~~partnership, association, or person practicing under a~~
2531 ~~fictitious name and offering geological services to the public;~~
2532 ~~except that, when an individual is practicing professional~~
2533 ~~geology in her or his own name, she or he shall not be required~~
2534 ~~to obtain a certificate of authorization under this section.~~
2535 ~~Such certificate of authorization shall be renewed every 2~~
2536 ~~years.~~

2537 (2)~~(3)~~ All final geological papers or documents involving
2538 the practice of the profession of geology which have been
2539 prepared or approved for the use of such firm, corporation, or
2540 partnership, for delivery to any person for public record with
2541 the state, shall be dated and bear the signature and seal of the
2542 professional geologist or professional geologists who prepared
2543 or approved them.

2544 (3)~~(4)~~ Except as provided in s. 558.0035, the fact that a
2545 licensed professional geologist practices through a corporation
2546 or partnership does not relieve the registrant from personal
2547 liability for negligence, misconduct, or wrongful acts committed
2548 by her or him. The partnership and all partners are jointly and
2549 severally liable for the negligence, misconduct, or wrongful
2550 acts committed by their agents, employees, or partners while

2551 acting in a professional capacity. Any officer, agent, or
2552 employee of a corporation is personally liable and accountable
2553 only for negligent acts, wrongful acts, or misconduct committed
2554 by her or him or committed by any person under her or his direct
2555 supervision and control, while rendering professional services
2556 on behalf of the corporation. The personal liability of a
2557 shareholder of a corporation, in her or his capacity as
2558 shareholder, may be no greater than that of a shareholder-
2559 employee of a corporation incorporated under chapter 607. The
2560 corporation is liable up to the full value of its property for
2561 any negligent acts, wrongful acts, or misconduct committed by
2562 any of its officers, agents, or employees while they are engaged
2563 on behalf of the corporation in the rendering of professional
2564 services.

2565 ~~(5) The firm, corporation, or partnership desiring a~~
2566 ~~certificate of authorization shall file with the department an~~
2567 ~~application therefor, upon a form to be prescribed by the~~
2568 ~~department, accompanied by the required application fee.~~

2569 ~~(6) The department may refuse to issue a certificate of~~
2570 ~~authorization if any facts exist which would entitle the~~
2571 ~~department to suspend or revoke an existing certificate of~~
2572 ~~authorization or if the department, after giving persons~~
2573 ~~involved a full and fair hearing, determines that any of the~~
2574 ~~officers or directors of said firm or corporation, or partners~~
2575 ~~of said partnership, have violated the provisions of s. 492.113.~~

2576 Section 89. Subsection (4) of section 492.113, Florida
 2577 Statutes, is amended to read:

2578 492.113 Disciplinary proceedings.—

2579 (4) The department shall reissue the license of a
 2580 disciplined professional geologist ~~or business~~ upon
 2581 certification by the board that the disciplined person has
 2582 complied with ~~all of~~ the terms and conditions set forth in the
 2583 final order.

2584 Section 90. Section 492.115, Florida Statutes, is amended
 2585 to read:

2586 492.115 Roster of licensed professional geologists.—A
 2587 roster showing the names and places of business or residence of
 2588 all licensed professional geologists and all properly qualified
 2589 firms, corporations, or partnerships practicing ~~holding~~
 2590 ~~certificates of authorization to practice~~ professional geology
 2591 in the state shall be prepared annually by the department. A
 2592 copy of this roster must be made available to ~~shall be~~
 2593 ~~obtainable by~~ each licensed professional geologist and each
 2594 firm, corporation, or partnership qualified by a professional
 2595 geologist ~~holding a certificate of authorization~~, and copies
 2596 thereof shall be placed on file with the department.

2597 Section 91. Section 509.102, Florida Statutes, is created
 2598 to read:

2599 509.102 Mobile food dispensing vehicles.—

2600 (1) As used in this section, the term:

2601 (a) "Division" means the Division of Hotels and
 2602 Restaurants of the Department of Business and Professional
 2603 Regulation.

2604 (b) "Mobile food dispensing vehicle" means any vehicle-
 2605 mounted public food service establishment which is self-
 2606 propelled or otherwise movable from place to place and includes
 2607 self-contained utilities, including, but not limited to, gas,
 2608 water, electricity, and liquid waste disposal.

2609 (2) A municipality, county, or other local government
 2610 entity may not:

2611 (a) Require a separate license, registration, or permit
 2612 beyond those established by the division under s. 509.241 as a
 2613 condition for the mobile food dispensing vehicle's operation
 2614 within the jurisdiction.

2615 (b) Require a separate license, registration, or permit
 2616 fee beyond those established by the division under s. 509.251 as
 2617 a condition for the mobile food dispensing vehicle's operation
 2618 within the jurisdiction.

2619 (c) Prohibit mobile food dispensing vehicles from
 2620 operating within the jurisdiction.

2621 (3) Nothing in this section prevents a municipality,
 2622 county, or other local government from requiring:

2623 (a) A mobile food dispensing vehicle operator to comply
 2624 with local zoning requirements.

2625 (b) A one-time vendor fee associated with a special event

2626 | that the municipality, county, or local government is
 2627 | coordinating.

2628 | Section 92. Paragraph (i) of subsection (2) of section
 2629 | 548.003, Florida Statutes, is amended to read:

2630 | 548.003 Florida State Boxing Commission.—

2631 | (2) The Florida State Boxing Commission, as created by
 2632 | subsection (1), shall administer the provisions of this chapter.
 2633 | The commission has authority to adopt rules pursuant to ss.
 2634 | 120.536(1) and 120.54 to implement the provisions of this
 2635 | chapter and to implement each of the duties and responsibilities
 2636 | conferred upon the commission, including, but not limited to:

2637 | ~~(i) Designation and duties of a knockdown timekeeper.~~

2638 | Section 93. Subsection (1) of section 548.017, Florida
 2639 | Statutes, is amended to read:

2640 | 548.017 Participants, managers, and other persons required
 2641 | to have licenses.—

2642 | (1) A participant, manager, trainer, second, ~~timekeeper,~~
 2643 | referee, judge, ~~announcer,~~ physician, matchmaker, or promoter
 2644 | must be licensed before directly or indirectly acting in such
 2645 | capacity in connection with any match involving a participant. A
 2646 | physician approved by the commission must be licensed pursuant
 2647 | to chapter 458 or chapter 459, must maintain an unencumbered
 2648 | license in good standing, and must demonstrate satisfactory
 2649 | medical training or experience in boxing, or a combination of
 2650 | both, to the executive director before working as the ringside

2651 physician.

2652 Section 94. Paragraph (d) of subsection (1) of section

2653 553.5141, Florida Statutes, is amended to read:

2654 553.5141 Certifications of conformity and remediation

2655 plans.—

2656 (1) For purposes of this section:

2657 (d) "Qualified expert" means:

2658 1. An engineer licensed pursuant to chapter 471.

2659 2. A certified general contractor licensed pursuant to

2660 chapter 489.

2661 3. A certified building contractor licensed pursuant to

2662 chapter 489.

2663 4. A building code administrator licensed pursuant to

2664 chapter 468.

2665 5. A building inspector licensed pursuant to chapter 468.

2666 6. A plans examiner licensed pursuant to chapter 468.

2667 7. An interior designer registered ~~licensed~~ pursuant to

2668 chapter 481.

2669 8. An architect licensed pursuant to chapter 481.

2670 9. A landscape architect licensed pursuant to chapter 481.

2671 10. Any person who has prepared a remediation plan related

2672 to a claim under Title III of the Americans with Disabilities

2673 Act, 42 U.S.C. s. 12182, that has been accepted by a federal

2674 court in a settlement agreement or court proceeding, or who has

2675 been qualified as an expert in Title III of the Americans with

2676 Disabilities Act, 42 U.S.C. s. 12182, by a federal court.

2677 Section 95. Effective January 1, 2021, subsection (1) of
2678 section 553.74, Florida Statutes, is amended to read:

2679 553.74 Florida Building Commission.—

2680 (1) The Florida Building Commission is created and located
2681 within the Department of Business and Professional Regulation
2682 for administrative purposes. Members are appointed by the
2683 Governor subject to confirmation by the Senate. The commission
2684 is composed of 19 ~~27~~ members, consisting of the following
2685 members:

2686 (a) One architect licensed under chapter 481 with at least
2687 5 years of experience in the design and construction of
2688 buildings designated for Group E or Group I occupancies by the
2689 Florida Building Code ~~registered to practice in this state and~~
2690 ~~actively engaged in the profession.~~ The American Institute of
2691 Architects, Florida Section, is encouraged to recommend a list
2692 of candidates for consideration.

2693 (b) One structural engineer registered to practice in this
2694 state and actively engaged in the profession. The Florida
2695 Engineering Society is encouraged to recommend a list of
2696 candidates for consideration.

2697 (c) One air-conditioning contractor, ~~or~~ mechanical
2698 contractor, or mechanical engineer certified to do business in
2699 this state and actively engaged in the profession. The Florida
2700 Air Conditioning Contractors Association, the Florida

2701 Refrigeration and Air Conditioning Contractors Association, ~~and~~
2702 the Mechanical Contractors Association of Florida, and the
2703 Florida Engineering Society are encouraged to recommend a list
2704 of candidates for consideration.

2705 (d) One electrical contractor or electrical engineer
2706 certified to do business in this state and actively engaged in
2707 the profession. The Florida Association of Electrical
2708 Contractors, ~~and~~ the National Electrical Contractors
2709 Association, Florida Chapter, and the Florida Engineering
2710 Society are encouraged to recommend a list of candidates for
2711 consideration.

2712 ~~(c) One member from fire protection engineering or~~
2713 ~~technology who is actively engaged in the profession. The~~
2714 ~~Florida Chapter of the Society of Fire Protection Engineers and~~
2715 ~~the Florida Fire Marshals and Inspectors Association are~~
2716 ~~encouraged to recommend a list of candidates for consideration.~~

2717 (e) ~~(f)~~ One certified general contractor or one certified
2718 building contractor certified to do business in this state and
2719 actively engaged in the profession. The Associated Builders and
2720 Contractors of Florida, the Florida Associated General
2721 Contractors Council, the Florida Home Builders Association, and
2722 the Union Contractors Association are encouraged to recommend a
2723 list of candidates for consideration.

2724 (f) ~~(g)~~ One plumbing contractor licensed to do business in
2725 this state and actively engaged in the profession. The Florida

2726 Association of Plumbing, Heating, and Cooling Contractors is
 2727 encouraged to recommend a list of candidates for consideration.

2728 (g)~~(h)~~ One roofing or sheet metal contractor certified to
 2729 do business in this state and actively engaged in the
 2730 profession. The Florida Roofing, Sheet Metal, and Air
 2731 Conditioning Contractors Association and the Sheet Metal and Air
 2732 Conditioning Contractors' National Association are encouraged to
 2733 recommend a list of candidates for consideration.

2734 (h)~~(i)~~ One certified residential contractor licensed to do
 2735 business in this state and actively engaged in the profession.
 2736 The Florida Home Builders Association is encouraged to recommend
 2737 a list of candidates for consideration.

2738 (i)~~(j)~~ Three members who are municipal, county, or
 2739 district codes enforcement officials, one of whom is also a fire
 2740 official. The Building Officials Association of Florida and the
 2741 Florida Fire Marshals and Inspectors Association are encouraged
 2742 to recommend a list of candidates for consideration.

2743 ~~(k) One member who represents the Department of Financial~~
 2744 ~~Services.~~

2745 ~~(l) One member who is a county codes enforcement official.~~
 2746 ~~The Building Officials Association of Florida is encouraged to~~
 2747 ~~recommend a list of candidates for consideration.~~

2748 (j)~~(m)~~ One member of a Florida-based organization of
 2749 persons with disabilities or a nationally chartered organization
 2750 of persons with disabilities with chapters in this state which

2751 complies with or is certified to be compliant with the
 2752 requirements of the Americans with Disability Act of 1990, as
 2753 amended.

2754 (k)~~(n)~~ One member of the manufactured buildings industry
 2755 who is licensed to do business in this state and is actively
 2756 engaged in the industry. The Florida Manufactured Housing
 2757 Association is encouraged to recommend a list of candidates for
 2758 consideration.

2759 ~~(o) One mechanical or electrical engineer registered to~~
 2760 ~~practice in this state and actively engaged in the profession.~~
 2761 ~~The Florida Engineering Society is encouraged to recommend a~~
 2762 ~~list of candidates for consideration.~~

2763 ~~(p) One member who is a representative of a municipality~~
 2764 ~~or a charter county. The Florida League of Cities and the~~
 2765 ~~Florida Association of Counties are encouraged to recommend a~~
 2766 ~~list of candidates for consideration.~~

2767 (l)~~(q)~~ One member of the building products manufacturing
 2768 industry who is authorized to do business in this state and is
 2769 actively engaged in the industry. The Florida Building Material
 2770 Association, the Florida Concrete and Products Association, and
 2771 the Fenestration Manufacturers Association are encouraged to
 2772 recommend a list of candidates for consideration.

2773 (m)~~(r)~~ One member who is a representative of the building
 2774 owners and managers industry who is actively engaged in
 2775 commercial building ownership or management. The Building Owners

2776 and Managers Association is encouraged to recommend a list of
 2777 candidates for consideration.

2778 (n)~~(s)~~ One member who is a representative of the insurance
 2779 industry. The Florida Insurance Council is encouraged to
 2780 recommend a list of candidates for consideration.

2781 ~~(t) One member who is a representative of public~~
 2782 ~~education.~~

2783 (o)~~(u)~~ One member who is a swimming pool contractor
 2784 licensed to do business in this state and actively engaged in
 2785 the profession. The Florida Swimming Pool Association and the
 2786 United Pool and Spa Association are encouraged to recommend a
 2787 list of candidates for consideration.

2788 (p)~~(v)~~ One member who is a representative of the green
 2789 building industry and who is a third-party commission agent, a
 2790 Florida board member of the United States Green Building Council
 2791 or Green Building Initiative, a professional who is accredited
 2792 under the International Green Construction Code (IGCC), or a
 2793 professional who is accredited under Leadership in Energy and
 2794 Environmental Design (LEED).

2795 (q)~~(w)~~ One member who is a representative of a natural gas
 2796 distribution system and who is actively engaged in the
 2797 distribution of natural gas in this state. The Florida Natural
 2798 Gas Association is encouraged to recommend a list of candidates
 2799 for consideration.

2800 ~~(x) One member who is a representative of the Department~~

2801 ~~of Agriculture and Consumer Services' Office of Energy. The~~
 2802 ~~Commissioner of Agriculture is encouraged to recommend a list of~~
 2803 ~~candidates for consideration.~~

2804 ~~(y) One member who shall be the chair.~~

2805 Section 96. Subsection (7) of section 558.002, Florida
 2806 Statutes, is amended to read:

2807 558.002 Definitions.—As used in this chapter, the term:

2808 (7) "Design professional" means a person, as defined in s.
 2809 1.01, licensed or registered in this state as an architect,
 2810 interior designer, landscape architect, engineer, surveyor, or
 2811 geologist.

2812 Section 97. Subsection (5) is added to section 823.15,
 2813 Florida Statutes, to read:

2814 823.15 Dogs and cats released from animal shelters or
 2815 animal control agencies; sterilization requirement.—

2816 (5) (a) Employees, agents, or contractors of a public or
 2817 private animal shelter, a humane organization, or an animal
 2818 control agency operated by a humane organization or by a county,
 2819 municipality, or other incorporated political subdivision may
 2820 implant dogs and cats with a radio frequency identification
 2821 microchip device as part of their work with such public or
 2822 private animal shelter, humane organization, or animal control
 2823 agency.

2824 (b) Notwithstanding s. 474.2165, employees, agents, or
 2825 contractors of a public or private animal shelter, a humane

2826 | organization, or an animal control agency operated by a humane
2827 | organization or by a county, municipality, or other incorporated
2828 | political subdivision may contact the owner of record listed on
2829 | a radio frequency identification microchip device to verify pet
2830 | ownership.

2831 | Section 98. Except as otherwise expressly provided in this
2832 | act, this act shall take effect July 1, 2020.