

By Senator Diaz

36-01120-22

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1 A bill to be entitled
2 An act relating to licensure requirements for land
3 surveyors and mappers; reordering and amending s.
4 472.005, F.S.; defining the term "accredited college
5 or university"; amending s. 472.0101, F.S.;
6 authorizing an exiled professional to substitute a
7 specified lawful practice of the profession for the
8 education requirement of the examination; amending s.
9 472.013, F.S.; revising education requirements for
10 licensure to include an applicant who has received an
11 associate degree under certain circumstances;
12 requiring such education to be from an accredited
13 college or university; providing that specified
14 experience entitles an applicant to take the licensure
15 examination for licensure as a land surveyor or
16 mapper; providing that an applicant who holds a valid
17 license from another state, jurisdiction, or
18 territory, and has certain experience in the practice
19 of surveying and mapping may take the licensure
20 examination to practice as a land surveyor or mapper
21 in this state; providing that completion of a
22 specified apprenticeship program entitles an applicant
23 to take the licensure examination for licensure as a
24 land surveyor or mapper; providing construction;
25 amending s. 472.003, F.S.; conforming a cross-
26 reference; providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:
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30 Section 1. Section 472.005, Florida Statutes, is reordered
31 and amended to read:

32 472.005 Definitions.—As used in ss. 472.001-472.037, the
33 term:

34 (1) "Accredited college or university" means a college or
35 university that has been accredited by the Southern Association
36 of Colleges and Schools, another regional accrediting agency,
37 the Accrediting Council for Independent Colleges and Schools, or
38 an accrediting agency or association that is recognized by the
39 database created and maintained by the United States Department
40 of Education.

41 (2)~~(1)~~ "Board" means the Board of Professional Surveyors
42 and Mappers.

43 (5)~~(2)~~ "Department" means the Department of Agriculture and
44 Consumer Services.

45 (16)~~(3)~~ "Surveyor and mapper" includes the term
46 "professional surveyor and mapper" and means a person who is
47 registered to engage in the practice of surveying and mapping
48 under ss. 472.001-472.037. For the purposes of this statute, a
49 surveyor and mapper means a person who determines and displays
50 the facts of size, shape, topography, tidal datum planes, legal
51 or geodetic location or relation, and orientation of improved or
52 unimproved real property through direct measurement or from
53 certifiable measurement through accepted photogrammetric
54 procedures.

55 (12) (a)~~(4) (a)~~ "Practice of surveying and mapping" means,
56 among other things, any professional service or work, the
57 adequate performance of which involves the application of
58 special knowledge of the principles of mathematics, the related

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59 physical and applied sciences, and the relevant requirements of
60 law for adequate evidence of the act of measuring, locating,
61 establishing, or reestablishing lines, angles, elevations,
62 natural and manmade features in the air, on the surface and
63 immediate subsurface of the earth, within underground workings,
64 and on the beds or surface of bodies of water, for the purpose
65 of determining, establishing, describing, displaying, or
66 interpreting the facts of size, volume, shape, topography, tidal
67 datum planes, and legal or geodetic location or relocation.

68 (b) The practice of surveying and mapping also includes,
69 but is not limited to, photogrammetric control; orientation of
70 improved or unimproved real property and appurtenances and
71 personal property attached thereto, including acreage and
72 condominiums; the monumentation and remonumentation of property
73 boundaries and subdivisions; the measurement of and preparation
74 of plans showing existing improvements after construction; the
75 layout of proposed improvements; the preparation of descriptions
76 for use in legal instruments of conveyance of real property and
77 property rights; the preparation of subdivision planning maps
78 and record plats, as provided for in chapter 177; the
79 determination of, but not the design of, grades and elevations
80 of roads and land in connection with subdivisions or divisions
81 of land; and the creation and perpetuation of alignments related
82 to maps, record plats, field note records, reports, property
83 descriptions, and plans and drawings that represent them.

84 (17)~~(5)~~ The term "Surveyor and mapper intern" includes the
85 term "surveyor-mapper-in-training" and means a person who
86 complies with the requirements provided by ss. 472.001-472.037
87 and who has passed an examination as provided by rules adopted

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88 by the board.

89 (13)~~(6)~~ The term "Responsible charge" means direct control
90 and personal supervision of surveying and mapping work, but does
91 not include experience as a chainperson, rodperson,
92 instrumentperson, ordinary draftsman, digitizer, scribe,
93 photo lab technician, ordinary stereo plotter operator, aerial
94 photo pilot, photo interpreter, and other positions of routine
95 work.

96 (8)~~(7)~~ The term "License" means a registration,
97 certificate, or license issued by the department pursuant to
98 this chapter.

99 (11)~~(8)~~ "Photogrammetrist" means any person who engages in
100 the practice of surveying and mapping using aerial or
101 terrestrial photography or other sources of images.

102 (6)~~(9)~~ "Employee" means a person who receives compensation
103 from and is under the supervision and control of an employer who
104 regularly deducts the F.I.C.A. and withholding tax and provides
105 workers' compensation, all as prescribed by law.

106 (15)~~(10)~~ "Subordinate" means a person who performs work
107 under the direction, supervision, and responsible charge of a
108 person who is registered under this chapter.

109 (10)~~(11)~~ "Monument" means an artificial or natural object
110 that is permanent or semipermanent and used or presumed to
111 occupy any real property corner, any point on a boundary line,
112 or any reference point or other point to be used for horizontal
113 or vertical control.

114 (7)~~(12)~~ "Legal entity" means a corporation, partnership,
115 association, or person practicing under a fictitious name who is
116 certified under s. 472.021.

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117 (14)~~(13)~~ "Retired professional surveyor and mapper" means a
118 person who has been licensed as a professional surveyor and
119 mapper by the board and who chooses to relinquish or not to
120 renew his or her license and applies to and is approved by the
121 board to use the title "Professional Surveyor and Mapper,
122 Retired."

123 (3)~~(14)~~ "Commissioner" means the Commissioner of
124 Agriculture.

125 (4)~~(15)~~ "Consumer member" means a person appointed to serve
126 on the board who is not, and never has been, a professional
127 surveyor or mapper in any jurisdiction or a member of any
128 closely related profession regulated by the board.

129 (9)~~(16)~~ "Licensee" means any person or business entity that
130 has been issued, pursuant to this chapter, a registration,
131 certificate, or license by the department.

132 Section 2. Subsection (1) of section 472.0101, Florida
133 Statutes, is amended to read:

134 472.0101 Foreign-trained professionals; special examination
135 and license provisions.—

136 (1) When not otherwise provided by law, the department
137 shall by rule provide procedures under which exiled
138 professionals may be examined under this chapter. A person is
139 eligible for the examination if the exiled professional:

140 (a) Immigrated to the United States after leaving the
141 person's home country because of political reasons, provided the
142 country is located in the Western Hemisphere and does not have
143 diplomatic relations with the United States;

144 (b) Applies to the department and submits a fee;

145 (c) Was a resident of this state immediately preceding the

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146 person's application;

147 (d) Demonstrates to the department, through submission of
148 documentation verified by the applicant's respective
149 professional association in exile, that the applicant was
150 graduated with an appropriate professional or occupational
151 degree from a college or university. ~~However,~~

152 1. The department may not require receipt of any
153 documentation from the Republic of Cuba as a condition of
154 eligibility under this section. ~~†~~

155 2. ~~(e)~~ A person who has lawfully practiced the profession
156 for at least 3 years may substitute such practice of the
157 profession for the education requirement under this paragraph;

158 (e) ~~(f)~~ Before ~~Prior to~~ 1980, successfully completed an
159 approved course of study pursuant to chapters 74-105 and 75-177,
160 Laws of Florida; and

161 (f) ~~(g)~~ Presents a certificate demonstrating the successful
162 completion of a continuing education program which offers a
163 course of study that will prepare the applicant for the
164 examination offered under subsection (2). The department shall
165 develop rules for the approval of such programs for the board.

166 Section 3. Subsection (2) of section 472.013, Florida
167 Statutes, is amended to read:

168 472.013 Examinations, prerequisites.—

169 (2) An applicant shall be entitled to take the licensure
170 examination to practice in this state as a surveyor and mapper
171 if the applicant is of good moral character and has satisfied
172 one of the following requirements:

173 (a) The applicant has received a bachelor's degree, its
174 equivalent, or higher in surveying and mapping or a similarly

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175 titled program, including, but not limited to, geomatics,
176 geomatics engineering, and land surveying, from an accredited a
177 college or university ~~recognized by the board~~ and has a specific
178 experience record of 4 or more years as a subordinate to a
179 professional surveyor and mapper in the active practice of
180 surveying and mapping, which experience is of a nature
181 indicating that the applicant was in responsible charge of the
182 accuracy and correctness of the surveying and mapping work
183 performed. Work experience acquired as a part of the education
184 requirement may not be construed as experience in responsible
185 charge.

186 (b) The applicant has received a bachelor's degree, its
187 equivalent, or higher in a course of study, other than in
188 surveying and mapping, at an accredited college or university
189 and has a specific experience record of 6 or more years as a
190 subordinate to a registered surveyor and mapper in the active
191 practice of surveying and mapping, which experience is 5 years
192 ~~of which shall be~~ of a nature indicating that the applicant was
193 in responsible charge of the accuracy and correctness of the
194 surveying and mapping work performed. The applicant must have
195 completed a minimum of 25 semester hours from an accredited a
196 college or university ~~approved by the board~~ in surveying and
197 mapping subjects or in any combination of courses in civil
198 engineering, surveying, mapping, mathematics, photogrammetry,
199 forestry, or land law and the physical sciences. ~~Any of the~~
200 ~~required 25 semester hours of study completed not as a part of~~
201 ~~the bachelor's degree, its equivalent, or higher may be approved~~
202 ~~at the discretion of the board.~~ Work experience acquired as a
203 part of the education requirement may not be construed as

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204 experience in responsible charge.

205 (c) The applicant has received an associate degree and has
206 a specific experience record of 6 or more years as a subordinate
207 to a professional surveyor and mapper in the active practice of
208 surveying and mapping, which experience is of a nature
209 indicating that the applicant was in responsible charge of the
210 accuracy and correctness of the surveying and mapping work
211 performed. The applicant must have completed a minimum of 25
212 semester hours from an accredited college or university in
213 surveying and mapping subjects or in any combination of courses
214 in civil engineering, surveying, mapping, mathematics,
215 photogrammetry, forestry, or land law and the physical sciences.
216 Work experience acquired as a part of the education requirement
217 may not be construed as experience in responsible charge.

218 (d) The applicant has received a high school diploma, or
219 its equivalent, and has a specific experience record of 6 or
220 more years as a subordinate to a professional surveyor and
221 mapper in the active practice of surveying and mapping, which
222 experience is of a nature indicating that the applicant was in
223 responsible charge of the accuracy and correctness of the
224 surveying and mapping work performed. The applicant must have
225 completed a minimum of 25 semester hours from an accredited
226 college or university in surveying and mapping subjects or in
227 any combination of courses in civil engineering, surveying,
228 mapping, mathematics, photogrammetry, forestry, or land law and
229 the physical sciences. Work experience acquired as a part of the
230 education requirement may not be construed as experience in
231 responsible charge.

232 (e) The applicant holds a valid license to practice

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233 surveying and mapping in another state, jurisdiction, or
234 territory, and has 2 years of experience in the active practice
235 of surveying and mapping, which experience is of a nature
236 indicating that the applicant was in responsible charge of the
237 accuracy and correctness of the surveying and mapping work
238 performed.

239 (f) The applicant has received a registered apprenticeship
240 certificate in surveying and mapping after completing a
241 registered apprenticeship program approved by the Department of
242 Education and has a specified experience record of 2 or more
243 years as a subordinate to a professional surveyor and mapper in
244 the active practice of surveying and mapping, which experience
245 is of a nature indicating that the applicant was in responsible
246 charge of the accuracy and correctness of the surveying and
247 mapping work performed. Work experience acquired as a part of
248 the education requirement may not be construed as experience in
249 responsible charge.

250 Section 4. Subsection (4) of section 472.003, Florida
251 Statutes, is amended to read:

252 472.003 Persons not affected by ss. 472.001-472.037.—
253 Sections 472.001-472.037 do not apply to:

254 (4) Persons employed by county property appraisers, as
255 defined at s. 192.001(3), and persons employed by the Department
256 of Revenue, to prepare maps for property appraisal purposes
257 only, but only to the extent that they perform mapping services
258 which do not include any surveying activities as described in s.
259 472.005 ~~s. 472.005(4)(a) and (b).~~

260 Section 5. This act shall take effect July 1, 2022.