

By Senator Gruters

23-00126A-22

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1                   A bill to be entitled  
2       An act relating to swimming pool specialty contracting  
3       services; amending s. 489.117, F.S.; authorizing  
4       certain persons under the supervision of specified  
5       licensed contractors to perform certain specialty  
6       contracting services for commercial or residential  
7       swimming pools, interactive water features, hot tubs,  
8       and spas; providing that such supervision does not  
9       require a direct contract between those persons;  
10      providing construction; providing an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14       Section 1. Paragraph (e) is added to subsection (4) of  
15       section 489.117, Florida Statutes, to read:

16       489.117 Registration; specialty contractors.—

17       (4)

18       (e) Any person who is not certified or registered may  
19       perform the work of a specialty contractor whose scope of  
20       practice is limited to the type of work specified under s.  
21       489.105(3)(j), (k), or (l) for the construction, remodeling,  
22       repair, or improvement of commercial or residential swimming  
23       pools, interactive water features as defined in the Florida  
24       Building Code, hot tubs, and spas without obtaining a local  
25       license or certification as a specialty contractor if he or she  
26       is supervised by a contractor who is certified or registered  
27       under s. 489.105(3)(j), (k), or (l); the work is within the  
28       scope of the supervising contractor's license; the supervising  
29       contractor is responsible for the work; and the work does not

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30 require certification or registration under s. 489.105(3)(d)-  
31 (i), (m)-(o), or s. 489.505. Such supervision does not require a  
32 direct contract between the contractor certified or registered  
33 under s. 489.105(3)(j), (k), or (l) and the person performing  
34 the work, or for the person performing the work to be an  
35 employee of the contractor certified or registered under s.  
36 489.105(3)(j), (k), or (l). This paragraph does not limit the  
37 exemptions provided in s. 489.103 and may not be construed to  
38 expand the scope of a contractor certified or registered under  
39 s. 489.105(3)(j), (k), or (l) to provide plumbing or electrical  
40 services for which certification or registration is required by  
41 this part or part II.

42 Section 2. This act shall take effect July 1, 2022.