

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Rules

BILL: SB 1786

INTRODUCER: Senator DiCeglie

SUBJECT: Professional Licensure and Certification

DATE: February 20, 2024

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Renner</u>	<u>McKay</u>	<u>CM</u>	Favorable
2.	<u>Blizzard</u>	<u>Betta</u>	<u>AEG</u>	Favorable
3.	<u>Renner</u>	<u>Twogood</u>	<u>RC</u>	Pre-meeting

I. Summary:

SB 1786 revises the educational and experience requirements to be eligible to take the examination for a surveyor and mapper license issued by the Board of Professional Surveyors and Mappers (board) within the Department of Agriculture and Consumer Services. The bill:

- Allows exiled foreign-trained professionals who have lawfully practiced the profession for three years to substitute their experience for the professional or occupational college degree that is required under current law;
- Specifies that the applicant's degree must be from a college or university accredited by an accrediting body recognized by the United States Department of Education; and
- Removes the requirement that any of the additional 25 semester hours of study completed not as a part of the bachelor's degree be approved at the discretion of the board for applicants who have a bachelor's degree in a course study other than surveying and mapping.

The bill provides additional pathways to qualify to take the licensure examination as follows:

- Allows applicants with a high school diploma or an associate's degree, who complete 25 semester hours of coursework in surveying and mapping or a related field from an accredited college/university, and have six years of experience (five in responsible charge) as a subordinate to a professional surveyor and mapper, to be able to take the licensure examination.
- Allows applicants who have a valid surveyor and mapper license in another jurisdiction and have two years of experience in the active practice of surveying and mapping in responsible charge to be able to take the licensure examination.
- Allows applicants who have a registered apprenticeship certificate in surveying and mapping from a registered apprenticeship program approved by the United States Department of Education and have two years of experience in responsible charge as a subordinate to a professional surveyor and mapper, to be able to take the licensure examination.

The fiscal impact is indeterminate, yet likely positive. There may be increased applicants due to changes in the requirements allowed by the bill for surveyor and mapper licenses. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2024.

II. Present Situation:

Land Surveying and Mapping

Chapter 472, F.S., governs the practice of land surveying and mapping in Florida. The Commissioner of the Department of Agriculture and Consumer Services (DACS)¹ appoints the nine members of the Board of Professional Surveyors and Mappers (board), subject to confirmation by the Florida Senate.² The DACS approves registrations, certificates, and licenses to those persons and businesses that meet all statutory and administrative requirements for licensure.³ The board is authorized to adopt administrative rules to implement the act, subject to the prior approval of the DACS.⁴

Licensed professional surveyors and mappers determine and display the facts of size, shape, topography, tidal datum planes, legal or geodetic location or relation, and orientation of improved or unimproved real property through direct measurement or from certifiable measurement through accepted photogrammetric procedures.⁵ Currently, there are 2,457 licensed surveyors and mappers in Florida.⁶

Licensing Examinations

All applicants for licensure must be approved by the board to be eligible to take the licensure examination.⁷ An applicant must be of good moral character⁸ and satisfy the following educational and experience requirements to be eligible to take the licensure examination:

- A bachelor's degree in surveying and mapping or in a similarly titled program, with four or more years of work experience under a professional surveyor, with the applicant having been in responsible charge of the accuracy and correctness of the surveying work performed; or
- A bachelor's degree in a course of study other than surveying and mapping, with six or more years of work experience under a professional surveyor, and for five of those years, the applicant must have been in responsible charge of the accuracy and correctness of the surveying work performed.⁹

¹ The regulation of professional surveyors and mappers was transferred in 2009 from the Department of Business and Professional Regulation to the DACS. *See* Ch. 2009-66, ss. 1-30, Laws of Fla. (effective October 1, 2009).

² Section 472.007, F.S.

³ Sections 472.006(10) and 472.015, F.S.

⁴ Section 472.008, and Fla. Admin. Code R. 5J-17.001 to 17.210

⁵ Section 472.005(3), F.S.

⁶ Email from DACS (Jan. 29, 2024). On file with the Senate Commerce and Tourism Committee.

⁷ Section 472.013, F.S.

⁸ The term "good moral character means "a personal history of honesty, fairness, and respect for the rights of others and for the laws of this state and nation." *See* s. 472.013(5)(a), F.S.

⁹ Section 472.013(2), F.S.

Applicants whose course of study was other than surveying and mapping, must meet an additional educational requirement of a minimum of 25 semester hours from a college or university approved by the board in surveying and mapping subjects, or in any combination of courses in civil engineering, surveying, mapping, mathematics, photogrammetry, forestry, or land law and the physical sciences.¹⁰

The board, by rule, is authorized to establish fees for examination.¹¹ The initial application and examination fee must not exceed \$125 plus the actual per applicant cost to the DACS to purchase the examination from the National Council of Engineering Examiners or a similar national organization.¹² The examination fee must be sufficient to cover the cost of obtaining and administering the examination and is refundable if the applicant is found ineligible to sit for the examination; the application fee is nonrefundable.¹³

An exiled foreign-trained professional seeking to become a licensed surveyor and mapper is eligible to take the required examination if the exiled professional:

- Immigrated to the United States after leaving their home country because of political reasons, when the home country is located in the Western Hemisphere and does not have diplomatic relations with the United States;
- Applies to the DACS and submits a fee;
- Was a resident of Florida immediately preceding the application;
- Demonstrates through submission of documentation to DACS that is verified by the applicant's respective professional association in exile, that the applicant graduated with an appropriate professional or occupational degree from a college or university, but the DACS may not require documentation from the Republic of Cuba;
- Lawfully practiced land surveying and mapping for at least three years;
- Prior to 1980, successfully completed an approved course of study pursuant to chs. 74-105 and 75-177, Laws of Florida, relating to continuing education; and
- Presents a certificate demonstrating the successful completion of a board-approved continuing education program, which offers a course of study that will prepare the applicant for the examination.¹⁴

Upon request of a person who meets the requirements for foreign-trained professionals and submits an examination fee, the DACS must conduct a written practical examination, on behalf of the board, that tests the person's current ability to competently practice the profession in accordance with the actual practice of the profession.¹⁵ The fees charged for the examinations must be established by the DACS by rule for the board,¹⁶ and must be sufficient to develop or to

¹⁰ Section 472.013(2)(b), F.S.

¹¹ See s. 472.011, F.S. and Fla. Admin. Code R. 5J-17.070.

¹² *Id.*

¹³ *Id.*

¹⁴ Section 472.0101(1), F.S.

¹⁵ Section 472.0101(2), F.S. The DACS must treat documentary evidence submitted by an exiled professional who is eligible to take the examination as evidence of the applicant's preparation in the academic and pre-professional fundamentals, and the DACS may not examine the applicant on such fundamentals. *Id.*

¹⁶ See Fla. Admin. Code R. 5J-17.210.

contract for the development of the examination and its administration, grading, and grade reviews.¹⁷

Licensure by Endorsement

The board is required to certify an applicant as qualified for a license by endorsement if the applicant currently holds a valid license to practice surveying and mapping issued by another state or territory of the United States before July 1, 1999, and the applicant:

- Has passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by s. 472.013, F.S.; and has a specific experience record of at least eight years as a subordinate to a registered surveyor and mapper in the active practice of surveying and mapping, six years of which must be of a nature indicating that the applicant was in responsible charge of the accuracy and correctness of the surveying and mapping work performed; or
- Holds a valid license to practice surveying and mapping issued by another state or territory of the United States, if the criteria for issuance were substantially the same as the licensure criteria that existed in Florida at the time the license was issued.¹⁸

All applicants for licensure by endorsement must pass the Florida law and rules portion of the examination prior to licensure.¹⁹

III. Effect of Proposed Changes:

Section 1 amends s. 472.0101, F.S., to authorize exiled foreign-trained professionals who have lawfully practiced the profession for three years to substitute their experience for the professional or occupational college degree that is required under current law.

Section 2 amends s. 472.013, F.S., to revise the educational and experience requirements for an applicant to be eligible to take the surveyor and mapper licensure examination. The bill specifies that the applicant's degree must be from a college or university accredited by an accrediting body recognized by the United States Department of Education. The bill also removes the requirement that any of the additional 25 semester hours of study completed, not as a part of the bachelor's degree, be approved at the discretion of the board for applicants who have a bachelor's degree in a course study other than surveying and mapping.

The bill creates additional pathways for becoming eligible to take the surveying and mapping licensure exam for applicants who have received:

- An associate degree, completed 25 semester hours of coursework in surveying and mapping or in any combination of courses in civil engineering, surveying, mapping, mathematics, photogrammetry, forestry, or land law and the physical sciences from an accredited college or university, and have six years of experience (five in responsible charge) as a subordinate to a professional surveyor and mapper;
- A high school diploma or its equivalent, completed 25 semester hours in surveying and mapping subjects or in any combination of courses in civil engineering, surveying, mapping,

¹⁷ Section 472.0101(3), F.S.

¹⁸ Section 472.015(5)(a), F.S.

¹⁹ Section 472.015(5)(b), F.S.

mathematics, photogrammetry, forestry, or land law, and the physical sciences from an accredited college or university, and have six years of experience (five in responsible charge) as a subordinate to a professional surveyor and mapper;

- A valid license to practice surveying and mapping in another state, jurisdiction, or territory, and have at least two years of experience in the active practice of surveying and mapping in responsible charge; and
- A registered apprenticeship certificate in surveying and mapping from a registered apprenticeship program approved by the Department of Education and have two years of experience in responsible charge as a subordinate to a professional surveyor and mapper.

Section 3 provides an effective date of July 1, 2024.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The fiscal impact to the DACS is indeterminate, yet positive. The DACS could see a positive fiscal impact due to new surveyor and mapper licensure application fees.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 472.0101 and 472.013.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.