

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Giallombardo offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 **Section 1. Section 163.3755, Florida Statutes, is amended**  
6 **to read:**

7 163.3755 Termination of community redevelopment agencies;  
8 prohibition on future creation and expansion.—

9 (1) A community redevelopment agency in existence on July  
10 1, 2025 ~~October 1, 2019~~, shall terminate on the expiration date  
11 provided in the agency's charter on July 1, 2025 ~~October 1,~~  
12 ~~2019~~, or on September 30, 2045 ~~September 30, 2039~~, whichever is  
13 earlier, ~~unless the governing body of the county or municipality~~

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14 ~~that created the community redevelopment agency approves its~~  
15 ~~continued existence by a majority vote of the members of the~~  
16 ~~governing body.~~

17 (2) A community redevelopment agency may not initiate any  
18 new projects or issue any new debt on or after October 1, 2025,  
19 unless:

20 (a) The new project initiated is completed by the agency's  
21 termination date.

22 (b) Any new debt issued to finance a new project matures  
23 on or before the agency's termination date.

24  
25 For purposes of this subsection, the term "new project" means  
26 any project for which there is no appropriation in the community  
27 redevelopment agency's budget for the fiscal year ending on  
28 September 30, 2025, or for which the community redevelopment  
29 agency has not retained appropriated funds pursuant to s.  
30 163.387(7)(d) for the fiscal year ending on September 30, 2025.

31 (3)-(2)(a) Notwithstanding subsection (1) If the governing  
32 body of the county or municipality that created the community  
33 redevelopment agency does not approve its continued existence by  
34 a majority vote of the governing body members, a community  
35 redevelopment agency with outstanding bonds as of July 1, 2025  
36 ~~October 1, 2019,~~ that do not mature until after the termination  
37 date of the agency or September 30, 2045 ~~September 30, 2039,~~

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38 whichever is earlier, remains in existence until the date the  
39 bonds mature.

40 (b) A community redevelopment agency operating under this  
41 subsection on or after September 30, 2045 ~~September 30, 2039~~,  
42 may not extend the maturity date of any outstanding bonds.

43 (c) The county or municipality that created the community  
44 redevelopment agency must issue an amended community  
45 redevelopment plan ~~a new finding of necessity~~ limited to timely  
46 meeting the remaining bond obligations of the community  
47 redevelopment agency.

48 (4) Subsections (1), (2), and (3) do not apply to a  
49 community redevelopment agency created by a county if the county  
50 that created such agency is the only taxing authority that  
51 contributes to the community redevelopment agency's  
52 redevelopment trust fund pursuant to s. 163.387 and the county  
53 charter establishes a limitation on the amount of revenue the  
54 county may collect. However, such community redevelopment agency  
55 may not issue any new bond debt on or after October 1, 2025.

56 (5) (a) A community redevelopment agency may not be created  
57 on or after July 1, 2025.

58 (b) A community redevelopment agency, or the governing  
59 body of the county or municipality that created the community  
60 redevelopment agency, may not expand the boundaries of its  
61 community redevelopment area on or after July 1, 2025.

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62           (c) A community redevelopment agency in existence before  
63 July 1, 2025, may continue to operate within its community  
64 redevelopment area as provided in this part.

65           **Section 2. Section 20.165, Florida Statutes, is amended to**  
66 **read:**

67           20.165 Department of Business and Professional  
68 Regulation.—There is created a Department of Business and  
69 Professional Regulation.

70           (1) The head of the Department of Business and  
71 Professional Regulation is the Secretary of Business and  
72 Professional Regulation. The secretary shall be appointed by the  
73 Governor, subject to confirmation by the Senate. The secretary  
74 shall serve at the pleasure of the Governor.

75           (2) The following divisions of the Department of Business  
76 and Professional Regulation are established:

77           (a) Division of Administration.

78           (b) Division of Alcoholic Beverages and Tobacco.

79           (c) Division of Certified Public Accounting.

80           1. The director of the division shall be appointed by the  
81 secretary of the department, ~~subject to approval by a majority~~  
82 ~~of the Board of Accountancy.~~

83           2. The offices of the division shall be located in  
84 Tallahassee ~~Gainesville~~.

85           (d) Division of Drugs, Devices, and Cosmetics.

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86 (e) Division of Florida Condominiums, Timeshares, and  
87 Mobile Homes.

88 (f) Division of Hotels and Restaurants.

89 (g) Division of Professions.

90 (h) Division of Real Estate.

91 1. The director of the division shall be appointed by the  
92 secretary of the department, ~~subject to approval by a majority~~  
93 ~~of the Florida Real Estate Commission.~~

94 2. The offices of the division shall be located in  
95 Tallahassee ~~Orlando~~.

96 (i) Division of Regulation.

97 (j) Division of Technology.

98 (k) Division of Service Operations.

99 (3) The secretary shall appoint a director for each  
100 division established within this section. Each division director  
101 shall directly administer the division and shall be responsible  
102 to the secretary. The secretary may appoint deputy and assistant  
103 secretaries as necessary to aid the secretary in fulfilling the  
104 secretary's statutory obligations.

105 (4) ~~(a)~~ The following ~~boards and~~ programs are established  
106 within the Division of Professions:

107 (a)1. ~~Board of~~ Architecture and Interior Design licensing  
108 program, created under parts ~~part~~ I and II of chapter 481.

109 (b)2. ~~Florida Board of~~ Auctioneers licensing program,  
110 created under part VI of chapter 468.

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111        (c)3. Barbers' licensing program ~~Board~~, created under  
112 chapter 476.

113        (d)4. Florida Building Code Administrators and Inspectors  
114 licensing program ~~Board~~, created under part XII of chapter 468.

115        (e)5. Construction Industry licensing program ~~Board~~,  
116 created under part I of chapter 489.

117        (f)6. ~~Board of~~ Cosmetology licensing program, created  
118 under chapter 477.

119        (g)7. Electrical Contractors' licensing program ~~Board~~,  
120 created under part II of chapter 489.

121        (h)8. ~~Board of~~ Employee Leasing Companies licensing  
122 program, created under part XI of chapter 468.

123        (i)9. ~~Board of~~ Landscape Architecture licensing program,  
124 created under part II of chapter 481.

125        (j)10. ~~Board of~~ Pilot Commissioners licensing program,  
126 created under chapter 310.

127        (k)11. ~~Board of~~ Professional Engineers licensing program,  
128 created under chapter 471.

129        (l)12. ~~Board of~~ Professional Geologists licensing program,  
130 created under chapter 492.

131        (m)13. ~~Board of~~ Veterinary Medicine licensing program,  
132 created under chapter 474.

133        (n)14. Home inspection services licensing program, created  
134 under part XV of chapter 468.

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135 ~~(o)15.~~ Mold-related services licensing program, created  
136 under part XVI of chapter 468.

137 (p) Talent agency licensing program, created under part  
138 VII of chapter 468.

139 (q) The Florida Building Commission, created under chapter  
140 553.

141 (r) The Community Association Managers Licensing Program,  
142 created under part VIII of chapter 468.

143 (s) Yacht and ship brokers licensing program, created  
144 under chapter 326.

145 ~~(b) The following board and commission are established~~  
146 ~~within the Division of Real Estate:~~

147 ~~1. Florida Real Estate Appraisal Board, created under part~~  
148 ~~II of chapter 475.~~

149 ~~2. Florida Real Estate Commission, created under part I of~~  
150 ~~chapter 475.~~

151 ~~(c) The following board is established within the Division~~  
152 ~~of Certified Public Accounting: Board of Accountancy, created~~  
153 ~~under chapter 473.~~

154 ~~(5) The members of each board established pursuant to~~  
155 ~~subsection (4) shall be appointed by the Governor, subject to~~  
156 ~~confirmation by the Senate. Consumer members on the board shall~~  
157 ~~be appointed pursuant to subsection (6). Members shall be~~  
158 ~~appointed for 4-year terms, and such terms shall expire on~~

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159 ~~October 31. However, a term of less than 4 years may be utilized~~  
160 ~~to ensure that:~~

161 ~~(a) No more than two members' terms expire during the same~~  
162 ~~calendar year for boards consisting of seven or eight members.~~

163 ~~(b) No more than 3 members' terms expire during the same~~  
164 ~~calendar year for boards consisting of 9 to 12 members.~~

165 ~~(c) No more than 5 members' terms expire during the same~~  
166 ~~calendar year for boards consisting of 13 or more members.~~

167

168 ~~A member whose term has expired shall continue to serve on the~~  
169 ~~board until such time as a replacement is appointed. A vacancy~~  
170 ~~on the board shall be filled for the unexpired portion of the~~  
171 ~~term in the same manner as the original appointment. No member~~  
172 ~~may serve for more than the remaining portion of a previous~~  
173 ~~member's unexpired term, plus two consecutive 4-year terms of~~  
174 ~~the member's own appointment thereafter.~~

175 ~~(6) Each board with five or more members shall have at~~  
176 ~~least two consumer members who are not, and have never been,~~  
177 ~~members or practitioners of the profession regulated by such~~  
178 ~~board or of any closely related profession. Each board with~~  
179 ~~fewer than five members shall have at least one consumer member~~  
180 ~~who is not, and has never been, a member or practitioner of the~~  
181 ~~profession regulated by such board or of any closely related~~  
182 ~~profession.~~

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183 ~~(7) No board, with the exception of joint~~  
184 ~~coordinatorships, shall be transferred from its present location~~  
185 ~~unless authorized by the Legislature in the General~~  
186 ~~Appropriations Act.~~

187 ~~(5)(8)~~ Notwithstanding any other provision of law, the  
188 department shall ~~is authorized to~~ establish uniform application  
189 forms and certificates of licensure for use by the divisions  
190 within the department. However, Nothing in this subsection does  
191 not authorize ~~authorizes~~ the department to vary any substantive  
192 requirements, duties, or eligibilities for licensure or  
193 certification as provided by law.

194 ~~(6)(9)~~

195 (a) All employees authorized by the Division of Alcoholic  
196 Beverages and Tobacco shall have access to, and shall have the  
197 right to inspect, premises licensed by the division, to collect  
198 taxes and remit them to the officers entitled to them, and to  
199 examine the books and records of all licensees. The authorized  
200 employees shall require of each licensee strict compliance with  
201 the laws of this state relating to the transaction of such  
202 business.

203 (b) Each employee serving as a law enforcement officer for  
204 the division must meet the qualifications for employment or  
205 appointment as a law enforcement officer set forth under s.  
206 943.13 and must be certified as a law enforcement officer by the  
207 Department of Law Enforcement under chapter 943. Upon

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208 certification, each law enforcement officer is subject to and  
209 has the same authority as provided for law enforcement officers  
210 generally in chapter 901 and has statewide jurisdiction. Each  
211 officer also has arrest authority as provided for state law  
212 enforcement officers in s. 901.15. Each officer possesses the  
213 full law enforcement powers granted to other peace officers of  
214 this state, including the authority to make arrests, carry  
215 firearms, serve court process, and seize contraband and the  
216 proceeds of illegal activities.

217 1. The primary responsibility of each officer appointed  
218 under this section is to investigate, enforce, and prosecute,  
219 throughout this ~~the~~ state, violations and violators of parts I  
220 and II of chapter 210; chapter 310; chapter 326; parts I and III  
221 of chapter 450; chapter 455; parts VI-IX, XI, XII, XV, and XVI  
222 of chapter 468; chapter 469; chapter 471; chapters 473-477;  
223 chapter 481; parts I and II of chapter 489; chapter 499; chapter  
224 509; chapter 548; chapter 553;~~7~~ part VII of chapter 559;~~7~~ and  
225 chapters 561-569; chapters 718-719; chapter 721; and chapter  
226 723;~~7~~ and the rules adopted thereunder, as well as other state  
227 laws that the division, all state law enforcement officers, or  
228 beverage enforcement agents are specifically authorized to  
229 enforce.

230 2. The secondary responsibility of each officer appointed  
231 under this section is to enforce all other state laws, provided  
232 that the enforcement is incidental to exercising the officer's

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233 primary responsibility as provided in subparagraph 1., and the  
234 officer exercises the powers of a deputy sheriff, only after  
235 consultation or coordination with the appropriate local  
236 sheriff's office or municipal police department or when the  
237 division participates in the Florida Mutual Aid Plan during a  
238 declared state emergency.

239 (7) The Department of Business and Professional Regulation  
240 shall provide, via email, to each person licensed by the  
241 department, as promptly after the adjournment of the legislative  
242 session as possible, a summary of changes to existing law  
243 relating to each business and profession, and the effective date  
244 of each change.

245 **Section 3.** Sections 310.011, 310.032, 310.042, 455.2124,  
246 455.2228, 468.384, 468.399, 468.4315, 468.4337, 468.4338,  
247 468.521, 468.522, 468.523, 468.605, 468.8316, 468.8416, 471.007,  
248 471.008, 471.009, 471.019, 471.0195, 471.038, 472.007, 472.008,  
249 472.009, 472.018, 472.019, 473.303, 473.312, 474.204, 474.206,  
250 475.02, 475.03, 475.04, 475.045, 475.05, 475.10, 476.054,  
251 476.064, 477.015, 481.205, 481.2055, 481.305, 482.243, 489.107,  
252 489.507, 492.103, 493.6116, 499.01211, 559.9221, and 570.81,  
253 Florida Statutes, are repealed.

254 **Section 4.** (1) The Department of Business and  
255 Professional Regulation created under s. 20.165, Florida  
256 Statutes, shall conduct a study to evaluate and make  
257 recommendations regarding:

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258 (a) The department's recommendations for creating a  
259 uniform process for permit inspections, including a uniform  
260 process for virtual inspections. The department's  
261 recommendations shall include how building officials can most  
262 efficiently perform the most common building inspections and how  
263 to reduce the number of inspections performed by such officials.

264 (b) The creation of a uniform permitting process in this  
265 state for common building permits issued pursuant to chapter  
266 553, Florida Statutes.

267 (2) The department, created under s. 20.165, Florida  
268 Statutes, and the Department of Agriculture and Consumer  
269 Services, created under s. 20.14, Florida Statutes, shall  
270 conduct a study to evaluate and make recommendations regarding  
271 the inclusion of a pathway to licensure for all professions,  
272 regulated and licensed by the respective departments, that  
273 includes work experience only or work experience plus an  
274 examination and submit a report to the Legislature on or before  
275 January 1, 2026.

276 **Section 5. Paragraph (uuu) of subsection (7) of section**  
277 **212.08, Florida Statutes, is amended to read:**

278 212.08 Sales, rental, use, consumption, distribution, and  
279 storage tax; specified exemptions.—The sale at retail, the  
280 rental, the use, the consumption, the distribution, and the  
281 storage to be used or consumed in this state of the following

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282 are hereby specifically exempt from the tax imposed by this  
283 chapter.

284 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any  
285 entity by this chapter do not inure to any transaction that is  
286 otherwise taxable under this chapter when payment is made by a  
287 representative or employee of the entity by any means,  
288 including, but not limited to, cash, check, or credit card, even  
289 when that representative or employee is subsequently reimbursed  
290 by the entity. In addition, exemptions provided to any entity by  
291 this subsection do not inure to any transaction that is  
292 otherwise taxable under this chapter unless the entity has  
293 obtained a sales tax exemption certificate from the department  
294 or the entity obtains or provides other documentation as  
295 required by the department. Eligible purchases or leases made  
296 with such a certificate must be in strict compliance with this  
297 subsection and departmental rules, and any person who makes an  
298 exempt purchase with a certificate that is not in strict  
299 compliance with this subsection and the rules is liable for and  
300 shall pay the tax. The department may adopt rules to administer  
301 this subsection.

302 (uuu) *Small private investigative agencies.*—

303 1. As used in this paragraph, the term:

304 a. "Private investigation services" has the same meaning  
305 as "private investigation," as defined in s. 493.6101(14) ~~s.~~  
306 ~~493.6101(17)~~.

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307 b. "Small private investigative agency" means a private  
308 investigator licensed under s. 493.6201 which:

309 (I) Employs three or fewer full-time or part-time  
310 employees, including those performing services pursuant to an  
311 employee leasing arrangement as defined in s. 468.520 ~~s.~~  
312 ~~468.520(4)~~, in total; and

313 (II) During the previous calendar year, performed private  
314 investigation services otherwise taxable under this chapter in  
315 which the charges for the services performed were less than  
316 \$150,000 for all its businesses related through common  
317 ownership.

318 2. The sale of private investigation services by a small  
319 private investigative agency to a client is exempt from the tax  
320 imposed by this chapter.

321 3. The exemption provided by this paragraph may not apply  
322 in the first calendar year a small private investigative agency  
323 conducts sales of private investigation services taxable under  
324 this chapter.

325 **Section 6. Paragraph (f) of subsection (1) of section**  
326 **215.5586, Florida Statutes, is amended to read:**

327 215.5586 My Safe Florida Home Program.—There is  
328 established within the Department of Financial Services the My  
329 Safe Florida Home Program. The department shall provide fiscal  
330 accountability, contract management, and strategic leadership  
331 for the program, consistent with this section. This section does

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332 not create an entitlement for property owners or obligate the  
333 state in any way to fund the inspection or retrofitting of  
334 residential property in this state. Implementation of this  
335 program is subject to annual legislative appropriations. It is  
336 the intent of the Legislature that, subject to the availability  
337 of funds, the My Safe Florida Home Program provide licensed  
338 inspectors to perform hurricane mitigation inspections of  
339 eligible homes and grants to fund hurricane mitigation projects  
340 on those homes. The department shall implement the program in  
341 such a manner that the total amount of funding requested by  
342 accepted applications, whether for inspections, grants, or other  
343 services or assistance, does not exceed the total amount of  
344 available funds. If, after applications are processed and  
345 approved, funds remain available, the department may accept  
346 applications up to the available amount. The program shall  
347 develop and implement a comprehensive and coordinated approach  
348 for hurricane damage mitigation pursuant to the requirements  
349 provided in this section.

350 (1) HURRICANE MITIGATION INSPECTIONS.—

351 (f) To qualify for selection by the department as a wind  
352 certification entity to provide hurricane mitigation  
353 inspections, the entity must, at a minimum, meet the following  
354 requirements:

355 1. Use hurricane mitigation inspectors who are licensed or  
356 certified as:

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- 357 a. A building inspector under s. 468.607;
- 358 b. A general, building, or residential contractor under s.  
359 489.111;
- 360 c. A professional engineer under s. 471.015;
- 361 d. A professional architect under s. 481.213; or
- 362 e. A home inspector under s. 468.8314 and who have  
363 completed at least 3 hours of hurricane mitigation training  
364 approved by the department ~~Construction Industry Licensing~~  
365 ~~Board~~, which training must include hurricane mitigation  
366 techniques, compliance with the uniform mitigation verification  
367 form, and completion of a proficiency exam.
- 368 2. Use hurricane mitigation inspectors who also have  
369 undergone drug testing and a background screening. The  
370 department may conduct criminal record checks of inspectors used  
371 by wind certification entities. Inspectors must submit a set of  
372 fingerprints to the department for state and national criminal  
373 history checks and must pay the fingerprint processing fee set  
374 forth in s. 624.501. The fingerprints must be sent by the  
375 department to the Department of Law Enforcement and forwarded to  
376 the Federal Bureau of Investigation for processing. The results  
377 must be returned to the department for screening. The  
378 fingerprints must be taken by a law enforcement agency,  
379 designated examination center, or other department-approved  
380 entity.

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381 3. Provide a quality assurance program including a  
382 reinspection component.

383 **Section 7. Paragraph (b) of subsection (3) of section**  
384 **215.55871, Florida Statutes, is amended to read:**

385 215.55871 My Safe Florida Condominium Pilot Program.—There  
386 is established within the Department of Financial Services the  
387 My Safe Florida Condominium Pilot Program to be implemented  
388 pursuant to appropriations. The department shall provide fiscal  
389 accountability, contract management, and strategic leadership  
390 for the pilot program, consistent with this section. This  
391 section does not create an entitlement for associations or unit  
392 owners or obligate the state in any way to fund the inspection  
393 or retrofitting of condominiums in the state. Implementation of  
394 this pilot program is subject to annual legislative  
395 appropriations. It is the intent of the Legislature that the My  
396 Safe Florida Condominium Pilot Program provide licensed  
397 inspectors to perform inspections for and grants to eligible  
398 associations as funding allows.

399 (3) HURRICANE MITIGATION INSPECTORS.—

400 (b) The department shall contract with wind certification  
401 entities to provide hurricane mitigation inspections. To qualify  
402 for selection by the department as a wind certification entity  
403 to provide hurricane mitigation inspections, the entity must, at  
404 a minimum, meet all of the following requirements:

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405 1. Use hurricane mitigation inspectors who are licensed or  
406 certified as:

- 407 a. A building inspector under s. 468.607;
- 408 b. A general, building, or residential contractor under s.  
409 489.111;
- 410 c. A professional engineer under s. 471.015;
- 411 d. A professional architect under s. 481.213; or
- 412 e. A home inspector under s. 468.8314 who has completed at  
413 least 3 hours of hurricane mitigation training approved by the  
414 department ~~Construction Industry Licensing Board~~, which must  
415 include hurricane mitigation techniques, compliance with the  
416 uniform mitigation verification form, and completion of a  
417 proficiency exam.

418 2. Use hurricane mitigation inspectors who have undergone  
419 drug testing and a background screening. The department may  
420 conduct criminal record checks of inspectors used by wind  
421 certification entities. Inspectors must submit a full set of  
422 fingerprints to the department or to a vendor, an entity, or an  
423 agency authorized under s. 943.053(13). The department, vendor,  
424 entity, or agency shall forward the fingerprints to the  
425 Department of Law Enforcement for state processing, and the  
426 Department of Law Enforcement shall forward the fingerprints to  
427 the Federal Bureau of Investigation for national processing.  
428 Fees for state and federal fingerprint processing shall be borne  
429 by the inspector. The state cost for fingerprint processing

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430 shall be as provided in s. 943.053(3)(e). The results must be  
431 returned to the department for screening. The fingerprints must  
432 be taken by a law enforcement agency, designated examination  
433 center, or other department-approved entity.

434 3. Provide a quality assurance program including a  
435 reinspection component.

436 **Section 8. Subsection (1) of section 309.01, Florida**  
437 **Statutes, is amended to read:**

438 309.01 Deposit of material in tidewater regulated.—

439 (1) It is not lawful for any person to discharge or cause  
440 to be discharged or deposit or cause to be deposited, in the  
441 tide or salt waters of any bay, port, harbor, or river of this  
442 state, any ballast or material of any kind other than clear  
443 stone or rock, free from gravel or pebbles, which said clear  
444 stone or rock shall be deposited or discharged only in the  
445 construction of enclosures in connection with wharves, piers,  
446 quays, jetties, or in the construction of permanent bulkheads  
447 connecting the solid and permanent portion of wharves. It is  
448 lawful to construct three characters of bulkheads for retention  
449 of material in solid wharves. First, clear stone or rock  
450 enclosures, or bulkheads, may be built upon all sides to a  
451 height not less than 2 1/2 feet above high watermark; and after  
452 the enclosures have been made so solid, tight, and permanent as  
453 to prevent any sand, mud, gravel, or other material that may be  
454 discharged or deposited in them from drifting or escaping

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455 through such enclosures, any kind of ballast may be discharged  
456 or deposited within the enclosures. The enclosures may be  
457 constructed of wood, stone, and rock combined, the stone and  
458 rocks to be placed on the outside of the wood to a height not  
459 less at any point than 2 1/2 feet above high watermark. Second,  
460 a bulkhead may be built by a permanent wharf consisting of  
461 thoroughly creosoted piles not less than 12 inches in diameter  
462 at the butt end, to be driven close together and to be capped  
463 with timber not less than 10 or 14 inches drift, bolted to each  
464 pile, and one or more longitudinal stringers to be placed on the  
465 outside of the bulkhead and securely anchored by means of iron  
466 rods to piles driven within the bulkheads, clear rock to be on  
467 the inside of the bulkhead, to a height of not less than 2 1/2  
468 feet above high water; and after this is done, ballast or other  
469 material may be deposited within the permanent enclosure so  
470 constructed. Third, a bulkhead may be constructed to consist of  
471 creosoted piles, as described herein, driven not exceeding 4  
472 feet apart from center to center, inside of which two or more  
473 longitudinal stringers may be placed and securely bolted to the  
474 piles. Inside of these longitudinal pieces, two thicknesses of  
475 creosoted sheet piling are to be driven, each course of the  
476 sheet piling to make a joint with the other so as to form an  
477 impenetrable wharf; and within this permanent bulkhead so  
478 constructed, any ballast or other material may be deposited. No  
479 such enclosure, pier, quay, or jetty may not begin ~~shall be~~

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480 ~~begin~~ until the point at which ~~whereat~~ it is to be built shall  
481 have been connected by a substantial wharf with a shore or with  
482 a permanent wharf; except that the owners of wharves may at any  
483 time, with the consent of the ~~Board of Pilot Commissioners of~~  
484 ~~the Division of Professions of the~~ Department of Business and  
485 Professional Regulation, build wharves of clear stone or rock,  
486 or creosoted walls as hereinafter provided, on each side of  
487 their wharves from the shore to a point at which the water is  
488 not more than 15 feet deep, and when such walls have attained a  
489 height of 2 1/2 feet above high watermark and have been securely  
490 closed at the deepwater end by stone or creosoted walls of the  
491 same height, any kind of ballast may be deposited in them.  
492 Nothing contained in this section shall interfere with any  
493 rights or privileges now enjoyed by riparian owners. While this  
494 section empowers those who desire to construct the several  
495 characters of wharves, piers, quays, jetties, and bulkheads  
496 provided for and described herein, nothing in this section shall  
497 be so construed as to require any person not desiring to  
498 construct a permanent wharf by filling up with ballast, stone,  
499 or other material to construct under the specifications  
500 contained herein; and nothing in this chapter shall be so  
501 construed as to prevent any person from constructing any wharf  
502 or placing any pilings, logs, or lumber in any waters where the  
503 person would have heretofore had the right so to do.

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504           **Section 9. Subsection (3) of section 310.0015, Florida**  
505 **Statutes, is amended to read:**

506           310.0015 Piloting regulation; general provisions.—

507           (3) The rate-setting process, the issuance of licenses  
508 only in numbers deemed necessary or prudent by the department  
509 ~~board~~, and other aspects of the economic regulation of piloting  
510 established in this chapter are intended to protect the public  
511 from the adverse effects of unrestricted competition which would  
512 result from an unlimited number of licensed pilots being allowed  
513 to market their services on the basis of lower prices rather  
514 than safety concerns. This system of regulation benefits and  
515 protects the public interest by maximizing safety, avoiding  
516 uneconomic duplication of capital expenses and facilities, and  
517 enhancing state regulatory oversight. The system seeks to  
518 provide pilots with reasonable revenues, taking into  
519 consideration the normal uncertainties of vessel traffic and  
520 port usage, sufficient to maintain reliable, stable piloting  
521 operations. Pilots have certain restrictions and obligations  
522 under this system, including, but not limited to, the following:

523           (a) Pilots may not refuse to provide piloting services to  
524 any person or entity that may lawfully request such services,  
525 except for justifiable concerns relating to safety, or, in the  
526 case of a vessel planning a departure, for nonpayment of  
527 pilotage.

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528 (b) Pilots may not unilaterally determine the pilotage  
529 rates they charge. Such pilotage rates shall instead be  
530 determined by the Pilotage Rate Review Committee, in the public  
531 interest, as set forth in s. 310.151.

532 (c) Pilots shall maintain or secure adequate pilot boats,  
533 office facilities and equipment, dispatch systems, communication  
534 equipment and other facilities, and equipment and support  
535 services necessary for a modern, dependable piloting operation.

536 (d) The pilot or pilots in a port shall train and  
537 compensate all member deputy pilots in that port. Failure to  
538 train or compensate such deputy pilots constitutes a ground for  
539 disciplinary action under s. 310.101. Nothing in this subsection  
540 may be deemed to create an agency or employment relationship  
541 between a pilot or deputy pilot and the pilot or pilots in a  
542 port.

543 (e) In any instance of a payment or transfer of funds, a  
544 request for the payment or transfer of funds, or a contractual  
545 obligation assumed in respect to the payment or transfer of  
546 funds from a licensee payor to a pilot or group of pilots, or to  
547 any legal entity or fund administered or controlled by or under  
548 common control with such pilot or group of pilots, the pilot or  
549 group of pilots shall provide to the licensee payor, at the time  
550 the payment or transfer or request for the payment or transfer  
551 is made or the obligation is assumed in respect to the payment  
552 or transfer, a detailed accounting of the specific assets,

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553 tangible or intangible, in which an interest is being directly  
554 or indirectly purchased or for which the licensee payor is being  
555 granted an interest in return for such payment or transfer of  
556 funds or such contractual obligation. This paragraph does not  
557 apply to either payments or transfers of funds if their  
558 aggregate amounts are less than \$1,000. As used in this  
559 paragraph, "licensee payor" means any current or prospective  
560 state pilot or deputy pilot.

561 **Section 10. Subsection (3) of section 310.002, Florida**  
562 **Statutes, is amended to read:**

563 310.002 Definitions.—As used in this chapter, except where  
564 the context clearly indicates otherwise:

565 ~~(3) "Board" means the Board of Pilot Commissioners.~~

566 **Section 11. Section 310.051, Florida Statutes, is amended**  
567 **to read:**

568 310.051 Personnel; employment.—

569 (1) The department may appoint or employ such personnel as  
570 may be necessary to assist the department and the department  
571 ~~board~~ in doing and performing any and all of the powers, duties,  
572 and obligations set forth in this chapter. Such personnel need  
573 not be licensed state pilots or members of the department ~~board~~.  
574 Such personnel shall be authorized to do and perform such duties  
575 and work as may be assigned by the department. Except as  
576 otherwise provided in this chapter, the department shall provide

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577 all legal services necessary in carrying out the provisions of  
578 this chapter.

579 (2) The department shall hire a person knowledgeable and  
580 experienced in matters related to piloting. Such person shall  
581 act for the department on matters of examination and  
582 investigation and, when he or she deems it necessary, in the  
583 selection of legal counsel qualified in admiralty law. ~~On an~~  
584 ~~annual basis, the board shall recommend to the department a~~  
585 ~~person knowledgeable and experienced in matters related to~~  
586 ~~piloting to fill this post, and the department may accept or~~  
587 ~~reject the recommendation. If the department rejects the board's~~  
588 ~~recommendation, the board shall continue to submit~~  
589 ~~recommendations until one is accepted by the department. Unless~~  
590 ~~there is affirmative action by both the board and the~~  
591 ~~department, at the end of each year, the position shall be~~  
592 ~~declared vacant and the board shall submit a new recommendation~~  
593 ~~for a person to fill such position.~~

594 **Section 12. Section 310.061, Florida Statutes, is amended**  
595 **to read:**

596 310.061 State pilots; number; cross licensing.—The  
597 department ~~board~~ shall determine the number of pilots based on  
598 the supply and demand for piloting services and the public  
599 interest in maintaining efficient and safe piloting services.  
600 Based on the economic conditions of the port, the department

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601 ~~board~~ may adopt rules authorizing cross licensing between ports,  
602 if this will best serve the public interest.

603 **Section 13. Paragraphs (b), (c), and (d) of subsection (1)**  
604 **and subsections (2) and (3) of section 310.071, Florida**

605 **Statutes, are amended to read:**

606 310.071 Deputy pilot certification.—

607 (1) In addition to meeting other requirements specified in  
608 this chapter, each applicant for certification as a deputy pilot  
609 must:

610 (b) Have successfully completed 12 years of formal  
611 education, as evidenced by a high school diploma or by  
612 equivalent evidence thereof that is satisfactory to the  
613 department ~~board~~.

614 (c) Be in good physical and mental health, as evidenced by  
615 documentary proof of having satisfactorily passed a complete  
616 physical examination administered by a licensed physician within  
617 the preceding 6 months. The department ~~board~~ shall adopt rules  
618 to establish requirements for passing the physical examination,  
619 which rules shall establish minimum standards for the physical  
620 or mental capabilities necessary to carry out the professional  
621 duties of a certificated deputy pilot. Such standards shall  
622 include zero tolerance for any controlled substance regulated  
623 under chapter 893 unless that individual is under the care of a  
624 physician, an advanced practice registered nurse, or a physician  
625 assistant and that controlled substance was prescribed by that

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626 physician, advanced practice registered nurse, or physician  
627 assistant. To maintain eligibility as a certificated deputy  
628 pilot, each certificated deputy pilot must annually provide  
629 documentary proof of having satisfactorily passed a complete  
630 physical examination administered by a licensed physician. The  
631 physician must know the minimum standards and certify that the  
632 certificateholder satisfactorily meets the standards. The  
633 standards for certificateholders shall include a drug test.

634 (d) Have had maritime experience satisfactory to the  
635 department board prior to taking the examination required under  
636 s. 310.081(2), as evidenced by documentation of the following  
637 service while holding a United States Coast Guard license:

638 1. At least 2 years of service at sea during the 5-year  
639 period immediately preceding the examination, 1 year of which  
640 must have been in at least the capacity of an unlimited second  
641 mate;

642 2. At least 2 years of service during the 5-year period  
643 immediately preceding the examination in a deepwater United  
644 States port as an active first-class unlimited pilot serving on  
645 at least an unlimited second mate's license or a license as  
646 master of freight and towing vessel of at least 1,600 gross  
647 registered tons upon oceans, and acting under authority of a  
648 duly constituted governmental regulatory entity;

649 3. At least 2 years of service during the 5-year period  
650 immediately preceding the examination as an active first-class

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651 unlimited pilot serving on a Great Lakes unlimited master's  
652 license;

653 4. At least 2 years of towing experience during the 5-year  
654 period immediately preceding the examination, 1 year of which  
655 must have been in the capacity of master of a tugboat/barge  
656 combination of at least 5,000 gross registered tons, combined  
657 tonnage, while holding a license as master of freight and towing  
658 vessel of at least 1,600 gross registered tons upon oceans; or

659 5. At least 3 years of experience as a deck watch officer  
660 during the 10-year period immediately preceding the examination,  
661 1 year of which in the 5-year period immediately preceding the  
662 exam must have been as the commanding officer, executive  
663 officer, or operations officer of a United States Navy vessel or  
664 a United States Coast Guard vessel of at least 1,600 gross tons,  
665 and must currently hold a United States Coast Guard license of  
666 at least an unlimited second mate.

667 (2) The department ~~board~~ may adopt rules authorizing  
668 equivalent combinations of service from two or more of the areas  
669 specified in subparagraphs (1)(d)1., 2., 3., 4., and 5. However,  
670 the department ~~board~~ may waive the maritime experience  
671 requirements prescribed in paragraph (1)(d) when necessary to  
672 fill an opening, provided an applicant meeting such requirements  
673 has not applied for the opening and the opening has been  
674 advertised more than once.

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675 (3) The initial certificate issued to a deputy pilot shall  
676 be valid for a period of 12 months, and at the end of this  
677 period, the certificate shall automatically expire and may ~~shall~~  
678 not be renewed. During this period, the department ~~board~~ shall  
679 thoroughly evaluate the deputy pilot's performance for  
680 suitability to continue training and ~~shall make appropriate~~  
681 ~~recommendations to the department~~. Upon the finding ~~receipt~~ of a  
682 favorable evaluation ~~recommendation by the board~~, the department  
683 shall issue a certificate to the deputy pilot, which shall be  
684 valid for a period of 2 years. The certificate may be renewed  
685 only two times, except in the case of a fully licensed pilot who  
686 is cross-licensed as a deputy pilot in another port, and  
687 provided the deputy pilot meets the requirements specified for  
688 pilots in paragraph (1)(c).

689 **Section 14. Section 310.073, Florida Statutes, is amended**  
690 **to read:**

691 310.073 State pilot licensing.—In addition to meeting  
692 other requirements specified in this chapter, each applicant for  
693 license as a state pilot must:

694 (1) Be at least 21 years of age, as evidenced by a copy of  
695 a birth certificate or other legal proof of age.

696 (2) Have successfully completed 12 years of formal  
697 education, as evidenced by a high school diploma or by  
698 equivalent evidence thereof that is satisfactory to the  
699 department ~~board~~.

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700 (3) Be in good physical and mental health, as evidenced by  
701 documentary proof of having satisfactorily passed a complete  
702 physical examination administered by a licensed physician within  
703 the preceding 6 months. The department ~~board~~ shall adopt rules  
704 to establish requirements for passing the physical examination,  
705 which rules shall establish minimum standards for the physical  
706 or mental capabilities necessary to carry out the professional  
707 duties of a licensed state pilot. Such standards shall include  
708 zero tolerance for any controlled substance regulated under  
709 chapter 893 unless that individual is under the care of a  
710 physician, an advanced practice registered nurse, or a physician  
711 assistant and that controlled substance was prescribed by that  
712 physician, advanced practice registered nurse, or physician  
713 assistant. To maintain eligibility as a licensed state pilot,  
714 each licensed state pilot must annually provide documentary  
715 proof of having satisfactorily passed a complete physical  
716 examination administered by a licensed physician. The physician  
717 must know the minimum standards and certify that the licensee  
718 satisfactorily meets the standards. The standards for licensees  
719 shall include a drug test.

720 (4) Have had at least 2 years of service as a deputy pilot  
721 in the port in which license as a licensed state pilot is  
722 desired, which service must have been attained during the period  
723 immediately preceding the examination required under s.  
724 310.081(1). Further, at the time of application, each applicant

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725 must have a valid United States Coast Guard first-class  
726 unlimited pilot's license covering all of the waters of the port  
727 in which license as a state pilot is desired and must have  
728 successfully completed the department-approved ~~board-approved~~  
729 deputy pilot training program in the port in which license as a  
730 state pilot is desired.

731 **Section 15. Section 310.075, Florida Statutes, is amended**  
732 **to read:**

733 310.075 Deputy pilot training program.—The licensed state  
734 pilots in each port shall submit to the department ~~board~~ for its  
735 approval a deputy pilot training program of not less than 2  
736 years' duration, applicable to all deputy pilots appointed to  
737 serve at such port. The following requirements constitute the  
738 parameters within which deputy pilot training programs are to be  
739 established and carried out by the licensed state pilots at all  
740 ports in this state:

741 (1) Upon receiving his or her appointment, a deputy pilot  
742 must report to the licensed state pilots at the port he or she  
743 is appointed to serve and must serve a period of not less than  
744 90 days as an observer trainee. During such period:

745 (a) The observer trainee must accompany licensed state  
746 pilots, becoming thoroughly familiar with all of the waters, the  
747 channels, the harbor, and the port under varied conditions.

748 (b) The observer trainee must obtain a valid United States  
749 Coast Guard first-class unlimited pilot's license covering all

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750 of the waters of the port before the department board may  
751 authorize him or her to pilot vessels within the limits and  
752 specifications established by the licensed state pilots of the  
753 port.

754 (2) Upon completion of the observer-trainee period, the  
755 deputy pilot must submit to the department board a deputy pilot  
756 vessel handling form for each vessel upon which he or she has  
757 accompanied a licensed state pilot. Each such form must be  
758 signed by the pilot in charge who accompanied the deputy pilot  
759 and must accurately recite:

760 (a) The vessel's registry, length, gross tonnage, and  
761 draft;

762 (b) The name of the berth from which or to which the  
763 vessel was piloted;

764 (c) The weather and sea conditions encountered;

765 (d) The time of day;

766 (e) Any marine incidents required to be reported under s.  
767 310.111; and

768 (f) The comments of the pilot in charge, including  
769 whether, under his or her supervision, the pilot in charge  
770 turned the navigation of the vessel over to the deputy pilot.

771 (3) Each request to increase the limits and specifications  
772 under which a deputy pilot is authorized to pilot must be  
773 submitted to the department board and must be accompanied by a  
774 deputy pilot vessel handling form as provided in subsection (2)

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775 for each vessel the deputy pilot has piloted since his or her  
776 limits and specifications were last increased by the department  
777 ~~board~~.

778 (4) For successful completion of the deputy pilot training  
779 program, a deputy pilot must have gradually been increased in  
780 his or her authorized limits and specifications until the deputy  
781 pilot has been authorized by the department ~~board~~ to pilot  
782 vessels with a maximum draft of not more than 3 feet less than  
783 the normal maximum draft allowable in the port in which the  
784 deputy pilot is authorized to pilot, as proposed by the licensed  
785 state pilots in that port and approved by the department ~~board~~.

786 **Section 16. Section 310.081, Florida Statutes, is amended**  
787 **to read:**

788 310.081 Department to examine and license state pilots and  
789 certificate deputy pilots; vacancies.-

790 (1) The department shall examine persons who file  
791 application as state pilot in all matters pertaining to the  
792 management of vessels and in regard to their knowledge of the  
793 channels, waters, harbors, and port where they wish to serve,  
794 and, if upon examination to determine proficiency the department  
795 finds them qualified to pilot all classes of vessels liable to  
796 enter that port and thoroughly familiar with the waters, the  
797 channels, the harbor, and the port, the department shall appoint  
798 and license as state pilots such number of pilots as in the  
799 discretion of the department ~~board~~ are required to act in the

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800 ports of the state. However, the number of pilots appointed and  
801 licensed by the department may ~~shall~~ not exceed the number  
802 provided for in s. 310.061.

803 (2) The department shall similarly examine persons who  
804 file applications for certificate as deputy pilot, and, if upon  
805 examination to determine proficiency the department finds them  
806 qualified, the department must certify as qualified all  
807 applicants who pass the examination, provided that not more than  
808 five persons who passed the examination are certified for each  
809 declared opening. If more than five applicants per opening pass  
810 the examination, the persons having the highest scores must be  
811 certified as qualified up to the number of openings times five.  
812 The department shall appoint and certificate such number of  
813 deputy pilots from those applicants deemed qualified as in the  
814 discretion of the department ~~board~~ are required in the  
815 respective ports of the state. A deputy pilot shall be  
816 authorized by the department to pilot vessels within the limits  
817 and specifications established by the licensed state pilots at  
818 the port where the deputy is appointed to serve.

819 (3) Pilots shall hold their licenses or certificates  
820 pursuant to the requirements of this chapter so long as they:

821 (a) Possess the qualifications set out in this chapter.

822 (b) Are in good physical and mental health as evidenced by  
823 documentary proof of having satisfactorily passed a physical  
824 examination administered by a licensed physician or physician

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825 assistant within each calendar year. The department board shall  
826 adopt rules to establish requirements for passing the physical  
827 examination, which rules shall establish minimum standards for  
828 the physical or mental capabilities necessary to carry out the  
829 professional duties of a licensed state pilot or a certificated  
830 deputy pilot. Such standards shall include zero tolerance for  
831 any controlled substance regulated under chapter 893 unless that  
832 individual is under the care of a physician, an advanced  
833 practice registered nurse, or a physician assistant and that  
834 controlled substance was prescribed by that physician, advanced  
835 practice registered nurse, or physician assistant. To maintain  
836 eligibility as a certificated deputy pilot or licensed state  
837 pilot, each certificated deputy pilot or licensed state pilot  
838 must annually provide documentary proof of having satisfactorily  
839 passed a complete physical examination administered by a  
840 licensed physician. The physician must know the minimum  
841 standards and certify that the certificateholder or licensee  
842 satisfactorily meets the standards. The standards for  
843 certificateholders and for licensees shall include a drug test.

844 (c) Are subject to a substance abuse program that has been  
845 approved by the department board, which includes provisions for  
846 drug testing.

847 ~~(d) Attend a board-approved seminar for continuing~~  
848 ~~education which includes radar certification.~~

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849        ~~(d)(e)~~ Remain in active service in the ports for which  
850 they are appointed.

851

852 Upon resignation or in the case of disability permanently  
853 affecting a pilot's ability to serve, the state license or  
854 certificate issued under this chapter shall be revoked by the  
855 department.

856        **Section 17. Paragraphs (d), (g), and (h) of subsection (1)**  
857 **and subsections (2), (3), and (4) of section 310.101, Florida**  
858 **Statutes, are amended to read:**

859        310.101 Grounds for disciplinary action by the department  
860 board.—

861        (1) Any act of misconduct, inattention to duty,  
862 negligence, or incompetence; any willful violation of any law or  
863 rule, including the rules of the road, applicable to a licensed  
864 state pilot or certificated deputy pilot; or any failure to  
865 exercise that care which a reasonable and prudent licensed state  
866 pilot or certificated deputy pilot would exercise under the same  
867 or similar circumstances may result in disciplinary action.  
868 Examples of acts by a licensed state pilot or certificated  
869 deputy pilot which constitute grounds for disciplinary action  
870 include, but are not limited to:

871        (d) Navigating in channels where the depth of water under  
872 the keel is less than the prescribed bottom clearance as

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873 recommended by the licensed state pilots of that port and  
874 approved by the department board.

875 (g) Making or filing, or inducing another person to make  
876 or file, a report which the pilot knows to be false or  
877 intentionally or negligently failing to file, or willfully  
878 impeding or obstructing the filing of, a report or record  
879 required by state law or by rule of the ~~board or the~~ department.  
880 Such reports or records include only those which are signed by  
881 the pilot in his or her capacity as a licensed state pilot or  
882 certificated deputy pilot.

883 (h) Being unable to perform the duties of a pilot with  
884 reasonable skill and safety by reason of illness or use of  
885 alcohol, drugs, narcotics, chemicals, or any other type of  
886 material or as a result of any mental or physical condition such  
887 as, but not limited to, poor eyesight or hearing, heart disease,  
888 or diabetes. In enforcing this paragraph, the department shall  
889 have authority, upon recommendation of the probable cause panel  
890 of the department board, to compel a licensed state pilot or  
891 certificated deputy pilot to submit to a mental or physical  
892 examination by physicians designated by the department. The  
893 failure of a pilot to submit to such an examination when so  
894 directed constitutes an admission of the allegations against the  
895 pilot, unless the failure is due to circumstances beyond his or  
896 her control, consequent upon which an emergency suspension order  
897 may be entered by the department suspending the pilot's license

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898 until he or she complies with the order for a compulsory mental  
899 or physical examination. A licensed state pilot or certificated  
900 deputy pilot affected under this paragraph must be afforded, at  
901 reasonable intervals, an opportunity to demonstrate that he or  
902 she can resume the competent practice of piloting with  
903 reasonable skill and safety.

904 (2) When the department board finds any person has  
905 committed any act set forth in subsection (1), it may enter an  
906 order imposing one or more of the following penalties:

907 (a) Refusing to certify to the department an application  
908 for license or certification.

909 (b) Revoking or suspending the license or certificate.

910 (c) Restricting the practice of the violator.

911 (d) Imposing an administrative fine not to exceed \$5,000  
912 for each count or separate offense.

913 (e) Issuing a reprimand.

914 (f) Placing the licensed state pilot or certificated  
915 deputy pilot on probation for such period of time and subject to  
916 such conditions as the department board may specify, including,  
917 but not limited to, requiring the pilot to submit to treatment,  
918 submit to additional or remedial training, submit to  
919 reexamination, or undergo a complete physical examination.

920 (3) The department board shall not reinstate the license  
921 or certificate of a state pilot or deputy pilot or cause a  
922 license or certificate to be issued to a person whom it has

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923 determined to be unqualified until the department board is  
924 satisfied that such person has complied with all the terms and  
925 conditions set forth in the final order and that such person is  
926 capable of safely engaging in the practice of piloting.

927 (4) In any foreign vessel or foreign trading vessel  
928 movement that an individual holding a state pilot license or  
929 deputy pilot certificate is engaged in directing, whether  
930 movement of the vessel in or out of the port or movement in  
931 close proximity to a dock or any other movement undertaken in  
932 furtherance of his or her piloting duties, such individual is  
933 operating under the authority of his or her state license or  
934 certificate and is accountable to the department board for his  
935 or her actions.

936 **Section 18. Subsections (4) and (6) of section 310.102,**  
937 **Florida Statutes, are amended to read:**

938 310.102 Treatment programs for impaired pilots and deputy  
939 pilots.—

940 (4) In any disciplinary action for a violation other than  
941 impairment, if a pilot or deputy pilot establishes that the  
942 violation for which the pilot or deputy pilot is being  
943 prosecuted was due to or connected with impairment and further  
944 establishes that the pilot or deputy pilot is satisfactorily  
945 progressing through or has successfully completed an approved  
946 treatment program pursuant to this section, such information may  
947 be considered by the department board as a mitigating factor in

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948 determining the appropriate penalty. This subsection does not  
949 limit mitigating factors the department ~~board~~ may consider.

950 (6) A consultant, licensee, or approved treatment provider  
951 who makes a disclosure pursuant to this section is not subject  
952 to civil liability for such disclosure or its consequences. The  
953 provisions of s. 766.101 apply to any officer, employee, or  
954 agent of the department or the department ~~board~~ and to any  
955 officer, employee, or agent of any entity with which the  
956 department has contracted pursuant to this section.

957 **Section 19. Section 310.111, Florida Statutes, is amended**  
958 **to read:**

959 310.111 Marine incident reports.—Each collision,  
960 grounding, stranding, or other marine peril sustained or caused  
961 by a vessel on which there was employed a licensed state pilot  
962 or certificated deputy pilot shall be reported to the office of  
963 the department ~~board~~ or the piloting consultant within 48 hours  
964 of the occurrence. In addition, a written report shall be  
965 submitted to the department on forms and in the manner  
966 prescribed by the department within 7 days of the occurrence.  
967 However, any marine incident involving oil spillage, pollution,  
968 physical injury, or death shall be reported to the department  
969 ~~board~~ or the piloting consultant by telephone or telegram within  
970 24 hours of the occurrence in addition to submission of the  
971 required written report.

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972           **Section 20. Subsection (1) of section 310.1115, Florida**  
973 **Statutes, is amended to read:**

974           310.1115 Bridge electronic navigation protection  
975 equipment; duty of pilot.—

976           (1) When a piloted vessel passes under a bridge located in  
977 a harbor, in the approaches to a harbor, or in a river, and when  
978 electronic navigation protection equipment is available, it is  
979 the duty of the pilot or certificated deputy pilot on department  
980 ~~board~~ to use the electronic navigation protection equipment. If  
981 the electronic navigation protection equipment can be utilized  
982 only in conjunction with a portable device or devices located on  
983 department ~~board~~ the piloted vessel, it is the responsibility of  
984 the pilot to bring such device or devices on department ~~board~~  
985 the piloted vessel and to remove such device or devices upon  
986 completion of the pilot's duties aboard the piloted vessel.

987           **Section 21. Section 310.121, Florida Statutes, is amended**  
988 **to read:**

989           310.121 Application, examination, and biennial fees.—

990           (1) The department shall, in accordance with rules set by  
991 the department ~~board~~, assess and collect the following fees:

992           (a) A fee not to exceed \$300 for each application for  
993 licensure as a state pilot or certification as a deputy pilot.  
994 This fee shall be nonrefundable.

995           (b) A fee not to exceed \$300 for each examination for  
996 licensure as a state pilot or certification as a deputy pilot.

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997 (c) A fee not to exceed \$300 for each examination review.

998 (2) The department shall assess and collect biennially  
999 from each licensed state pilot and each certificated deputy  
1000 pilot a fee, not to exceed \$200 in the case of a licensed state  
1001 pilot or \$100 in the case of a certificated deputy pilot, such  
1002 fees to be set by the department board.

1003 **Section 22. Section 310.131, Florida Statutes, is amended**  
1004 **to read:**

1005 310.131 Assessment of percentage of gross pilotage.—The  
1006 department shall assess the licensed state pilots in the  
1007 respective ports of the state a percentage of the gross amount  
1008 of pilotage earned by such pilots during each year, which  
1009 percentage will be established by the department board not to  
1010 exceed 2 percent, to be paid into the Professional Regulation  
1011 Trust Fund by such pilots at such time and in such manner as the  
1012 department board prescribes or as is set forth in the General  
1013 Appropriations Act. The financial records of all pilots and  
1014 deputy pilots relating to pilotage are subject to audit by the  
1015 department and the Auditor General. The department shall by rule  
1016 set a procedure for verifying the amount of pilotage at each  
1017 port and may charge costs to the appropriate port if the port  
1018 does not comply with such procedure.

1019 **Section 23. Section 310.142, Florida Statutes, is amended**  
1020 **to read:**

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1021 310.142 Pilotage at St. Marys Entrance.—The department may  
1022 exercise ~~board is authorized to enter into an agreement with the~~  
1023 ~~Board of Pilotage Commissioners for the~~ corporate authority of  
1024 St. Marys, Georgia, for reciprocal pilotage of vessels in the  
1025 boundary waters and tributaries of St. Marys Entrance.

1026 **Section 24. Subsections (1) and (7) of section 310.151,**  
1027 **Florida Statutes, are amended to read:**

1028 310.151 Rates of pilotage; Pilotage Rate Review  
1029 Committee.—

1030 (1) (a) As used in this section, the term:

1031 1. "Committee" means the Pilotage Rate Review Committee  
1032 established under this section ~~as part of the Board of Pilot~~  
1033 ~~Commissioners.~~

1034 2. "Department" means the Department of Business and  
1035 Professional Regulation.

1036 ~~2. "Board" means the Board of Pilot Commissioners.~~

1037 (b) To carry out ~~the provisions of~~ this section, the  
1038 Pilotage Rate Review Committee is established as part of the  
1039 ~~Board of Pilot Commissioners within the department of Business~~  
1040 ~~and Professional Regulation.~~ The committee shall consist of the  
1041 following seven members ~~of the board~~: two ~~board~~ members who are  
1042 licensed state pilots actively practicing their profession, ~~who~~  
1043 ~~shall be appointed by majority vote of the licensed state pilots~~  
1044 ~~serving on the board~~; two ~~board~~ members who are actively  
1045 involved in a professional or business capacity in the maritime

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1046 industry, marine shipping industry, or commercial passenger  
1047 cruise industry; one ~~board~~ member who is a certified public  
1048 accountant with at least 5 years of experience in financial  
1049 management; and two ~~board~~ members who are citizens of the state.

1050 (c) Committee members shall comply with the disclosure  
1051 requirements of s. 112.3143(4) if participating in any matter  
1052 that would result in special private gain or loss as described  
1053 in that subsection.

1054 (d) The committee may ~~has authority to~~ adopt rules  
1055 pursuant to ss. 120.536(1) and 120.54 to implement ~~provisions of~~  
1056 this section conferring duties upon it. The department shall  
1057 provide the staff required by the committee to carry out its  
1058 duties under this section.

1059 (e) All funds received pursuant to this section shall be  
1060 placed in the account of the department ~~Board of Pilot~~  
1061 ~~Commissioners~~, and the department ~~Board of Pilot Commissioners~~  
1062 shall pay for all expenses incurred pursuant to this section.

1063 (7) The decisions of the committee regarding rates are not  
1064 appealable to the department ~~board~~.

1065 **Section 25. Section 310.183, Florida Statutes, is amended**  
1066 **to read:**

1067 310.183 Immediate inactivation of license or certificate  
1068 for certain violations.—The department shall issue an emergency  
1069 order placing on inactive status, for a period not to exceed 15  
1070 days, the license of any pilot or certificate of any deputy

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1071 pilot who, while providing piloting services, is involved in a  
1072 marine incident that results in the death of a human or, as  
1073 determined by rule ~~of the board~~, substantial physical injury to  
1074 a human or significant property or environmental damage, unless  
1075 the department determines that the incident is clearly not the  
1076 result of the actions of the pilot or deputy pilot.

1077 **Section 26. Subsection (1) of section 310.185, Florida**  
1078 **Statutes, is amended to read:**

1079 310.185 Rulemaking.—

1080 (1) The department ~~board~~ has authority to adopt rules  
1081 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~  
1082 ~~provisions of~~ this chapter.

1083 **Section 27. Subsection (3) of section 319.28, Florida**  
1084 **Statutes, is amended to read:**

1085 319.28 Transfer of ownership by operation of law.—

1086 (3) A dealer of industrial equipment who conducts a  
1087 repossession, as defined in s. 493.6101(19) ~~s. 493.6101(22)~~, of  
1088 such equipment is not subject to licensure as a recovery agent  
1089 or recovery agency if the dealer is regularly engaged in the  
1090 sale of the equipment for a particular manufacturer, the lender  
1091 is affiliated with that manufacturer, and the dealer uses his or  
1092 her own employees to make such repossessions.

1093 **Section 28. Subsections (2) of section 326.002, Florida**  
1094 **Statutes, is amended to read:**

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1095 326.002 Definitions.—As used in ss. 326.001-326.006, the  
1096 term:

1097 (2) "Division" means the Division of Professions Florida  
1098 ~~Condominiums, Timeshares, and Mobile Homes~~ of the Department of  
1099 Business and Professional Regulation.

1100 **Section 29. Subsection (3) of section 326.006, Florida**  
1101 **Statutes, is amended to read:**

1102 326.006 Powers and duties ~~of division~~.—

1103 (3) All fees must be deposited in the Professional  
1104 Regulation Division of Florida Condominiums, Timeshares, and  
1105 ~~Mobile Homes~~ Trust Fund as provided by law.

1106 **Section 30. Paragraph (a) of subsection (3) of section**  
1107 **376.303, Florida Statutes, is amended to read:**

1108 376.303 Powers and duties of the Department of  
1109 Environmental Protection.—

1110 (3) (a) The department may inspect the installation of any  
1111 pollutant storage tank. Any person installing a pollutant  
1112 storage tank, as defined in s. 489.105(16) ~~s. 489.105(17)~~, shall  
1113 certify that such installation is in accordance with the  
1114 standards adopted pursuant to this section. The department shall  
1115 promulgate a form for such certification which shall at a  
1116 minimum include:

1117 1. A signed statement by the certified pollutant storage  
1118 systems contractor, as defined in s. 489.105(2) (p) ~~s.~~

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1119 ~~489.105(3)(p)~~, that such installation is in accordance with  
1120 standards adopted pursuant to this section; and

1121 2. Signed statements by the onsite persons performing or  
1122 supervising the installation of a pollutant storage tank, which  
1123 statements shall be required of tasks that are necessary for the  
1124 proper installation of such tank.

1125 **Section 31. Paragraph (n) of subsection (3) of section**  
1126 **381.0065, Florida Statutes, is amended to read:**

1127 381.0065 Onsite sewage treatment and disposal systems;  
1128 regulation.—

1129 (3) DUTIES AND POWERS OF THE DEPARTMENT OF ENVIRONMENTAL  
1130 PROTECTION.—The department shall:

1131 (n) Regulate and permit maintenance entities for  
1132 performance-based treatment systems and aerobic treatment unit  
1133 systems. To ensure systems are maintained and operated according  
1134 to manufacturer's specifications and designs, the department  
1135 shall establish by rule minimum qualifying criteria for  
1136 maintenance entities. The criteria shall include training,  
1137 access to approved spare parts and components, access to  
1138 manufacturer's maintenance and operation manuals, and service  
1139 response time. The maintenance entity shall employ a contractor  
1140 licensed under s. 489.105(2)(m) ~~s. 489.105(3)(m)~~, or part III of  
1141 chapter 489, or a state-licensed wastewater plant operator, who  
1142 is responsible for maintenance and repair of all systems under  
1143 contract.

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1144           **Section 32. Section 403.868, Florida Statutes, is amended**  
1145 **to read:**

1146           403.868 Requirements by a utility.—A utility may have more  
1147 stringent requirements than set by law, including certification  
1148 requirements for water distribution systems and domestic  
1149 wastewater collection systems operations, except that a utility  
1150 may not require a licensed contractor, as defined in s.  
1151 489.105(2) ~~s. 489.105(3)~~ to have any additional license for work  
1152 in water distribution systems or domestic wastewater collection  
1153 systems.

1154           **Section 33. Paragraph (e) of subsection (1) of section**  
1155 **403.9329, Florida Statutes, is amended to read:**

1156           403.9329 Professional mangrove trimmers.—

1157           (1) For purposes of ss. 403.9321-403.9333, the following  
1158 persons are considered professional mangrove trimmers:

1159           (e) Persons licensed under part II of chapter 481. The  
1160 Department of Business and Professional Regulation ~~Board of~~  
1161 ~~Landscape Architecture~~ shall establish appropriate standards and  
1162 ~~continuing legal education requirements~~ to assure the competence  
1163 of licensees to conduct the activities authorized under ss.  
1164 403.9321-403.9333. Trimming by landscape architects as  
1165 professional mangrove trimmers is not allowed until the  
1166 establishment of standards by the department ~~board~~. The  
1167 department ~~board~~ shall also establish penalties for violating  
1168 ss. 403.9321-403.9333. Only those landscape architects who are

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1169 certified in the state may qualify as professional mangrove  
1170 trimmers under ss. 403.9321-403.9333, notwithstanding any  
1171 reciprocity agreements that may exist between this state and  
1172 other states;

1173 **Section 34. Paragraph (a) of subsection (19) of section**  
1174 **440.02, Florida Statutes, is amended to read:**

1175 440.02 Definitions.—When used in this chapter, unless the  
1176 context clearly requires otherwise, the following terms shall  
1177 have the following meanings:

1178 (19) (a) "Employer" means the state and all political  
1179 subdivisions thereof, all public and quasi-public corporations  
1180 therein, every person carrying on any employment, and the legal  
1181 representative of a deceased person or the receiver or trustees  
1182 of any person. The term also includes employee leasing  
1183 companies, as defined in s. 468.520(4) ~~s. 468.520(5)~~, and  
1184 employment agencies that provide their own employees to other  
1185 persons. If the employer is a corporation, parties in actual  
1186 control of the corporation, including, but not limited to, the  
1187 president, officers who exercise broad corporate powers,  
1188 directors, and all shareholders who directly or indirectly own a  
1189 controlling interest in the corporation, are considered the  
1190 employer for the purposes of ss. 440.105, 440.106, and 440.107.

1191 **Section 35. Section 448.26, Florida Statutes, is amended**  
1192 **to read:**

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1193 448.26 Application.—Nothing in this part shall exempt any  
1194 client of any labor pool or temporary help arrangement entity as  
1195 defined in s. 468.520(3)(a) ~~s. 468.520(4)(a)~~ or any assigned  
1196 employee from any other license requirements of state, local, or  
1197 federal law. Any employee assigned to a client who is licensed,  
1198 registered, or certified pursuant to law shall be deemed an  
1199 employee of the client for such licensure purposes but shall  
1200 remain an employee of the labor pool or temporary help  
1201 arrangement entity for purposes of chapters 440 and 443.

1202 **Section 36. Subsection (4) of section 468.382, Florida**  
1203 **Statutes, is amended to read:**

1204 468.382 Definitions.—As used in this act, the term:

1205 ~~(4) "Board" means the Florida Board of Auctioneers.~~

1206 **Section 37. Subsections (1), (4), (5), (6) and (7) of**  
1207 **section 468.385, Florida Statutes, are amended, and subsection**  
1208 **(3) of that section is republished, to read:**

1209 468.385 Licenses required; qualifications; examination.—

1210 (1) The department shall license any applicant who ~~the~~  
1211 ~~board certifies~~ is certified and qualified to practice  
1212 auctioneering.

1213 (3) A ~~No~~ person may not shall be licensed as an auctioneer  
1214 or apprentice if he or she:

1215 (a) Is under 18 years of age; or

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1216 (b) Has committed any act or offense in this state or any  
1217 other jurisdiction which would constitute a basis for  
1218 disciplinary action under s. 468.389.

1219 (4) Any person seeking a license as an auctioneer must  
1220 pass a written examination approved by the department ~~board~~  
1221 which tests his or her general knowledge of the laws of this  
1222 state relating to provisions of the Uniform Commercial Code that  
1223 are relevant to auctions, the laws of agency, and ~~the provisions~~  
1224 ~~of~~ this act.

1225 (5) Each apprentice application and license shall name a  
1226 licensed auctioneer who has agreed to serve as the supervisor of  
1227 the apprentice. An ~~No~~ apprentice may not conduct, or contract to  
1228 conduct, an auction without the express approval of his or her  
1229 supervisor. The supervisor shall regularly review the  
1230 apprentice's records, which are required by the department ~~board~~  
1231 to be maintained, to determine whether ~~if~~ such records are  
1232 accurate and current.

1233 (6) A ~~No~~ person may not ~~shall~~ be licensed as an auctioneer  
1234 unless he or she:

1235 (a) Has held an apprentice license and has served as an  
1236 apprentice for 1 year or more, or has completed a course of  
1237 study, consisting of not less than 80 classroom hours of  
1238 instruction, that meets standards adopted by the department  
1239 ~~board~~;

1240 (b) Has passed the required examination; and

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1241 (c) Is approved by the department board.

1242 (7) (a) Any auction that is subject to ~~the provisions of~~  
1243 this part must be conducted by an auctioneer who has an active  
1244 license or an apprentice who has an active apprentice auctioneer  
1245 license and who has received prior written sponsor consent.

1246 (b) A ~~No~~ business may not shall auction or offer to  
1247 auction any property in this state unless it is licensed as an  
1248 auction business by the department board or is exempt from  
1249 licensure under this act. An Each application for licensure must  
1250 ~~shall~~ include the names of the owner and the business, the  
1251 business mailing address and location, and any other information  
1252 which the department board may require. The owner of an auction  
1253 business shall report to the department board within 30 days  
1254 after ~~of~~ any change in this required information.

1255 **Section 38. Section 468.3852, Florida Statutes, is amended**  
1256 **to read:**

1257 468.3852 Reactivation of license; fee.—The department  
1258 ~~board~~ shall prescribe a fee not to exceed \$250 for the  
1259 reactivation of an inactive license. The fee shall be in  
1260 addition to the current biennial renewal fee.

1261 **Section 39. Subsections (2), (3), (4), (5), and (8) of**  
1262 **section 468.3855, Florida Statutes, are amended to read:**

1263 468.3855 Apprenticeship training requirements.—

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1264 (2) Any auctioneer who undertakes the sponsorship of an  
1265 apprentice shall ensure that the apprentice receives training as  
1266 required by department ~~board~~ rule.

1267 (3) An apprentice must actively participate in auction  
1268 sales as required by department ~~board~~ rule, and a record of each  
1269 auction for which participation credit is claimed must be made  
1270 as required by department ~~board~~ rule.

1271 (4) Apprentices are prohibited from conducting any auction  
1272 without the prior express written consent of the sponsor. The  
1273 apprentice's sponsor must be present at the auction site at any  
1274 time the apprentice is actively participating in the conduct of  
1275 the auction. If the apprentice's sponsor cannot attend a  
1276 particular auction, the sponsor may appoint a qualified  
1277 auctioneer who meets the requirements of department ~~board~~ rule  
1278 to attend the auction in his or her place. Prior written consent  
1279 must be given by the apprentice's sponsor for each substitution.

1280 (5) Each apprentice and sponsor shall file reports as  
1281 required by department ~~board~~ rule.

1282 (8) All apprentice applications shall be valid for a  
1283 period of 6 months after department ~~board~~ approval. Any  
1284 applicant who fails to complete the licensure process within  
1285 that time shall be required to make application as a new  
1286 applicant.

1287 **Section 40. Section 468.387, Florida Statutes, is amended**  
1288 **to read:**

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1289           468.387 Licensing of nonresidents; endorsement;  
1290 reciprocity.—The department shall issue a license by endorsement  
1291 to practice auctioneering to an applicant who, upon applying to  
1292 the department and remitting the required fee, set by the  
1293 department board, demonstrates to the department board that he  
1294 or she satisfies the requirements of s. 468.385(3) and holds a  
1295 valid license to practice auctioneering in another state,  
1296 provided that the requirements for licensure in that state are  
1297 substantially equivalent to or more stringent than those  
1298 existing in this state. The endorsement and reciprocity  
1299 provisions of this section shall apply to auctioneers only and  
1300 not to professions or occupations regulated by other statutes.

1301           **Section 41. Subsections (3) and (9) and paragraph (b) of**  
1302 **subsection (10) of section 468.388, Florida Statutes, are**  
1303 **amended to read:**

1304           468.388 Conduct of an auction.—

1305           (3) Each auctioneer or auction business shall maintain a  
1306 record book of all sales. The record book shall be open to  
1307 inspection by the department board at reasonable times.

1308           (9) The auction business under which the auction is  
1309 conducted is responsible for all other aspects of the auction as  
1310 required by department board rule. The auction business may  
1311 delegate in whole, or in part, different aspects of the auction  
1312 only to the extent that such delegation is permitted by law and  
1313 that such delegation will not impede the principal auctioneer's

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1314 ability to ensure the proper conduct of his or her independent  
1315 responsibility for the auction. The auction business under whose  
1316 auspices the auction is conducted is responsible for ensuring  
1317 compliance as required by department ~~board~~ rule.

1318 (10)

1319 (b) Each auction business shall maintain, for not less  
1320 than 2 years, a separate ledger showing the funds held for  
1321 another person deposited and disbursed by the auction business  
1322 for each auction. The escrow or trust account must be reconciled  
1323 monthly with the bank statement. A signed and dated record shall  
1324 be maintained for a 2-year period and be available for  
1325 inspection by the department or at the request of the department  
1326 ~~board~~.

1327 **Section 42. Paragraph (j) of subsection (1), subsection**  
1328 **(2), and paragraph (a) of subsection (3) of section 468.389,**  
1329 **Florida Statutes, are amended to read:**

1330 468.389 Prohibited acts; penalties.—

1331 (1) The following acts shall be grounds for the  
1332 disciplinary activities provided in subsections (2) and (3):

1333 (j) Violating a statute or administrative rule regulating  
1334 practice under this part or a lawful disciplinary order of the  
1335 ~~board or the~~ department.

1336 (2) When the department ~~board~~ finds any person guilty of  
1337 any of the prohibited acts set forth in subsection (1), it may  
1338 enter an order imposing one or more of the following penalties:

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1339 (a) Refusal to certify to the department an application  
1340 for licensure.

1341 (b) Revocation or suspension of a license.

1342 (c) Imposition of an administrative fine not to exceed  
1343 \$1,000 for each count or separate offense.

1344 (d) Issuance of a reprimand.

1345 (e) Placement of the auctioneer on probation for a period  
1346 of time and subject to conditions as the department ~~board~~ may  
1347 specify, including requiring the auctioneer to successfully  
1348 complete the licensure examination.

1349 (f) Requirement that the person in violation make  
1350 restitution to each consumer affected by that violation. Proof  
1351 of such restitution shall be a signed and notarized release  
1352 executed by the consumer or the consumer's estate.

1353 (3) (a) Failure to pay a fine within a reasonable time, as  
1354 prescribed by department ~~board~~ rule, may be grounds for  
1355 disciplinary action.

1356 **Section 43. Section 468.392, Florida Statutes, is amended**  
1357 **to read:**

1358 468.392 Auctioneer Recovery Fund.—There is created the  
1359 Auctioneer Recovery Fund as a separate account in the  
1360 Professional Regulation Trust Fund. The fund shall be  
1361 administered by the department ~~Florida Board of Auctioneers~~.

1362 (1) The Chief Financial Officer shall invest the money not  
1363 currently needed to meet the obligations of the fund in the same

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1364 manner as other public funds may be invested. Interest that  
1365 accrues from these investments shall be deposited to the credit  
1366 of the Auctioneer Recovery Fund and shall be available for the  
1367 same purposes as other moneys deposited in the Auctioneer  
1368 Recovery Fund.

1369 (2) All payments and disbursements from the Auctioneer  
1370 Recovery Fund shall be made by the Chief Financial Officer upon  
1371 a voucher signed by the Secretary of Business and Professional  
1372 Regulation or the secretary's designee.

1373 (3) If at any time the moneys in the Auctioneer Recovery  
1374 Fund are insufficient to satisfy any valid claim or portion  
1375 thereof, the department board shall satisfy such unpaid claim or  
1376 portion thereof as soon as a sufficient amount has been  
1377 deposited in or transferred to the fund. When there is more than  
1378 one unsatisfied claim outstanding, such claims shall be paid in  
1379 the order in which the claims were made.

1380 (4) Upon the payment of any amount from the Auctioneer  
1381 Recovery Fund in settlement of a claim in satisfaction of a  
1382 judgment against an auctioneer or auction business as described  
1383 in s. 468.395, the license of such auctioneer or auction  
1384 business shall be automatically suspended until the licensee has  
1385 complied with s. 468.398. A discharge of bankruptcy does ~~shall~~  
1386 not relieve a person from the penalties and disabilities  
1387 provided in this section.

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1388 (5) Moneys in the fund at the end of a fiscal year shall  
1389 be retained in the fund and shall accrue for the benefit of  
1390 auctioneers and auction businesses. When the fund exceeds the  
1391 amount as set forth in s. 468.393(2), all surcharges shall be  
1392 suspended until such time as the fund is reduced below the  
1393 amount as set forth in s. 468.393(3).

1394 **Section 44. Subsections (1), (3), and (4) of section**  
1395 **468.393, Florida Statutes, are amended to read:**

1396 468.393 Surcharge to license fee; assessments.—

1397 (1) At the time of licensure under s. 468.385, s.  
1398 468.3851, or s. 468.3852, each licensee shall pay, in addition  
1399 to an application and license fee, a surcharge in an amount to  
1400 be determined by the department board, not to exceed \$300, which  
1401 shall be deposited in the Auctioneer Recovery Fund.

1402 (3) After October 1, 1995, if the total amount in the  
1403 Auctioneer Recovery Fund, including principal and interest, is  
1404 less than \$200,000 at the end of the fiscal year after the  
1405 payment of all claims and expenses, the department board shall  
1406 assess, in addition to any other fees under s. 468.3852, a  
1407 surcharge against a licensee at the time of initial licensure or  
1408 at the time of license renewal, according to the following  
1409 formula in order to maintain the fund at \$500,000:

1410 (a) Determine the amount remaining in the fund at the end  
1411 of the state fiscal year after all expenses and claims have been  
1412 paid.

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1413 (b) Subtract the amount determined under paragraph (a)  
1414 from \$500,000.

1415 (c) Determine the number of initial licenses and license  
1416 renewals in the fiscal year that precedes the current fiscal  
1417 year.

1418 (d) Divide the amount determined under paragraph (b) by  
1419 the number determined under paragraph (c).

1420 (4) The department board shall assess the surcharge  
1421 described in subsection (3) against each licensee who receives  
1422 an initial license or receives a renewal license during the  
1423 fiscal year that follows the year in which the amount remaining  
1424 in the fund was less than \$200,000.

1425 **Section 45. Subsections (1) and (4) of section 468.395,**  
1426 **Florida Statutes, are amended to read:**

1427 468.395 Conditions of recovery; eligibility.—

1428 (1) Recovery from the Auctioneer Recovery Fund may be  
1429 obtained as follows:

1430 (a) Any aggrieved person is eligible to receive recovery  
1431 from the Auctioneer Recovery Fund if the department ~~Florida~~  
1432 ~~Board of Auctioneers~~ has issued a final order directing an  
1433 offending licensee to pay restitution to the claimant as the  
1434 result of the licensee violating, within this state, any  
1435 provision of s. 468.389 or any rule adopted by the department  
1436 ~~board~~ and if the department board determined that the order of  
1437 restitution cannot be enforced; or

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1438 (b) Any aggrieved person who obtains a final judgment in  
1439 any court against any licensee to recover damages for any actual  
1440 loss that results from the violation, within this state, by a  
1441 licensee of any provision of s. 468.389 or any rule adopted by  
1442 the department board may, upon termination of all proceedings,  
1443 including appeals and proceedings supplemental to judgment for  
1444 collection purposes, file a verified application to the  
1445 department board for an order directing payment out of the  
1446 Auctioneer Recovery Fund of the amount of actual loss in the  
1447 transaction that remains unpaid upon the judgment. The amount of  
1448 actual loss may include court costs, but may shall not include  
1449 attorney's fees or punitive damages awarded.

1450 (4) The department board may shall not issue an order for  
1451 payment of a claim from the Auctioneer Recovery Fund unless the  
1452 claimant has reasonably established to the department board that  
1453 she or he has taken proper and reasonable action to collect the  
1454 amount of her or his claim from the licensee responsible for the  
1455 loss and that any recovery made has been applied to reduce the  
1456 amount of the claim on the Auctioneer Recovery Fund.

1457 **Section 46. Subsections (2) and (3) of section 468.396,**  
1458 **Florida Statutes, are amended to read:**

1459 468.396 Claims against a single licensee in excess of  
1460 dollar limitation; joinder of claims, payment; insufficient  
1461 funds.-

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1462 (2) Upon petition of the department board, the court may  
1463 require all claimants and prospective claimants against one  
1464 licensee to be joined in one action, to the end that the  
1465 respective rights of all the claimants to the department board  
1466 may be equitably adjudicated and settled.

1467 (3) On June 30 and December 31 of each year, the  
1468 department board shall identify each claim that the court orders  
1469 to be paid during the 6-month period that ended on that day. The  
1470 department board shall pay the part of each claim that is so  
1471 identified within 15 days after the end of the 6-month period in  
1472 which the claim is ordered paid. However, if the balance in the  
1473 fund is insufficient to pay the full payable amount of each  
1474 claim that is ordered to be paid during a 6-month period, the  
1475 department board shall pay a prorated portion of each claim that  
1476 is ordered to be paid during the period. Any part of the payable  
1477 amount of a claim left unpaid due to the prorating of payments  
1478 under this subsection shall be paid, subject to the \$50,000  
1479 limit described in s. 468.395, before the payment of claims  
1480 ordered to be paid during the following 6 months.

1481 **Section 47. Section 468.397, Florida Statutes, is amended**  
1482 **to read:**

1483 468.397 Payment of claim.—Upon a final order of the court  
1484 directing that payment be made out of the Auctioneer Recovery  
1485 Fund, the department board shall, subject to the provisions of

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1486 this part, make the payment out of the Auctioneer Recovery Fund  
1487 as provided in s. 468.395.

1488 **Section 48. Section 468.398, Florida Statutes, is amended**  
1489 **to read:**

1490 468.398 Suspension of judgment debtor's license; repayment  
1491 by licensee; interest.—If the department board is required to  
1492 make any payment from the Auctioneer Recovery Fund in settlement  
1493 of a claim or toward the satisfaction of a judgment under this  
1494 part, the department board shall suspend the judgment debtor's  
1495 license. The licensee is not eligible to be licensed again as  
1496 either an auctioneer or auction business until the licensee has  
1497 repaid in full the amount paid from the Auctioneer Recovery  
1498 Fund, with interest at the current applicable rate.

1499 **Section 49. Subsection (5) of section 468.431, Florida**  
1500 **Statutes, is amended to read:**

1501 468.431 Definitions.—As used in this part:

1502 ~~(5) "Council" means the Regulatory Council of Community~~  
1503 ~~Association Managers.~~

1504 **Section 50. Paragraph (d) of subsection (2) and subsection**  
1505 **(3) of section 468.433, Florida Statutes, are amended to read:**

1506 468.433 Licensure by examination.—

1507 (2) The department shall examine each applicant who is at  
1508 least 18 years of age, who has successfully completed all  
1509 prelicensure education requirements, and who the department  
1510 certifies is of good moral character.

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1511 (d) The department ~~council~~ shall establish by rule the  
1512 required amount of prelicensure education, which shall consist  
1513 of not more than 24 hours of in-person instruction by a  
1514 department-approved provider and which shall cover all areas of  
1515 the examination specified in subsection (3). Such instruction  
1516 shall be completed within 12 months before ~~prior to~~ the date of  
1517 the examination. ~~Prelicensure education providers shall be~~  
1518 ~~considered continuing education providers for purposes of~~  
1519 ~~establishing provider approval fees. A licensee shall not be~~  
1520 ~~required to comply with the continuing education requirements of~~  
1521 ~~s. 468.4337 prior to the first license renewal.~~ The department  
1522 shall, by rule, set standards for exceptions to the requirement  
1523 of in-person instruction in cases of hardship or disability.

1524 (3) The department ~~council~~ shall approve an examination  
1525 for licensure. The examination must demonstrate that the  
1526 applicant has a fundamental knowledge of state and federal laws  
1527 relating to the operation of all types of community associations  
1528 and state laws relating to corporations and nonprofit  
1529 corporations, proper preparation of community association  
1530 budgets, proper procedures for noticing and conducting community  
1531 association meetings, insurance matters relating to community  
1532 associations, and management skills.

1533 **Section 51. Subsection (1) of section 468.4336, Florida**  
1534 **Statutes, is amended to read:**

1535 468.4336 Renewal of license.—

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1536 (1) The department shall renew a license upon receipt of  
1537 the renewal application and fee ~~and upon proof of compliance~~  
1538 ~~with the continuing education requirements of s. 468.4337.~~

1539 **Section 52. Section 468.435, Florida Statutes, is amended**  
1540 **to read:**

1541 468.435 Fees; establishment; disposition.—

1542 (1) The department ~~council~~ shall establish fees for the  
1543 described purposes and within the ranges specified in this  
1544 section:

1545 (a) Application fee: not less than \$25, or more than \$50.

1546 (b) Examination fee: not less than \$25, or more than \$100.

1547 (c) Initial license fee: not less than \$25, or more than  
1548 \$100.

1549 (d) Renewal of license fee: not less than \$25, or more  
1550 than \$100.

1551 (e) Delinquent license fee: not less than \$25, or more  
1552 than \$50.

1553 (f) Inactive license fee: not less than \$10, or more than  
1554 \$25.

1555 (2) Until the department ~~council~~ establishes fees under  
1556 subsection (1), the lower amount in each range shall apply.

1557 (3) Fees collected under this section shall be deposited  
1558 to the credit of the Professional Regulation Trust Fund.

1559 (4) The department ~~council~~ shall establish fees that are  
1560 adequate to fund the cost to implement the provisions of this

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1561 part. Fees shall be based on the department estimates of the  
1562 revenue required to implement this part and the provisions of  
1563 law with respect to the regulation of community association  
1564 managers.

1565 **Section 53. Paragraph (b) of subsection (2) and subsection**  
1566 **(3) of section 468.436, Florida Statutes, are amended to read:**

1567 468.436 Disciplinary proceedings.—

1568 (2) The following acts constitute grounds for which the  
1569 disciplinary actions in subsection (4) may be taken:

1570 (b)1. Violation of this part.

1571 2. Violation of any lawful order or rule rendered or  
1572 adopted by the department ~~or the council~~.

1573 3. Being convicted of or pleading nolo contendere to a  
1574 felony in any court in the United States.

1575 4. Obtaining a license or certification or any other  
1576 order, ruling, or authorization by means of fraud,  
1577 misrepresentation, or concealment of material facts.

1578 5. Committing acts of gross misconduct or gross negligence  
1579 in connection with the profession.

1580 6. Contracting, on behalf of an association, with any  
1581 entity in which the licensee has a financial interest that is  
1582 not disclosed.

1583 7. Failing to disclose any conflict of interest as  
1584 required by s. 468.4335.

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1585 8. Violating chapter 718, chapter 719, or chapter 720  
1586 during the course of performing community association management  
1587 services pursuant to a contract with a community association as  
1588 defined in s. 468.431(1).

1589 (3) The department council shall specify by rule the acts  
1590 or omissions that constitute a violation of subsection (2).

1591 **Section 54. Subsection (2) of section 468.520, Florida**  
1592 **Statutes, is amended to read:**

1593 468.520 Definitions.—As used in this part:

1594 ~~(2) "Board" means the Board of Employee Leasing Companies.~~

1595 **Section 55. Section 468.522, Florida Statutes, is amended**  
1596 **to read:**

1597 468.522 Rules of the department board.—The department  
1598 ~~board~~ has authority to adopt rules pursuant to ss. 120.536(1)  
1599 and 120.54 to implement the provisions of this part. Every  
1600 licensee shall be governed and controlled by this part and the  
1601 rules adopted by the department board.

1602 **Section 56. Subsection (2) and paragraph (b) of subsection**  
1603 **(4) of section 468.524, Florida Statutes, are amended to read:**

1604 468.524 Application for license.—

1605 (2) The department board may require information and  
1606 certifications necessary to determine that the applicant is of  
1607 good moral character and meets other licensure requirements of  
1608 this part.

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1609 (4) An applicant or licensee is ineligible to reapply for  
1610 a license for a period of 1 year following final agency action  
1611 on the denial or revocation of a license applied for or issued  
1612 under this part. This time restriction does not apply to  
1613 administrative denials or revocations entered because:

1614 (b) The experience documented to the department board was  
1615 insufficient at the time of the previous application;

1616 **Section 57. Section 468.5245, Florida Statutes, is amended**  
1617 **to read:**

1618 468.5245 Change of ownership.—

1619 (1) A license or registration issued to any entity under  
1620 this part may not be transferred or assigned. The department  
1621 ~~board~~ shall adopt rules to provide for a licensee's or  
1622 registrant's change of name or location.

1623 (2) A person or entity that seeks to purchase or acquire  
1624 control of an employee leasing company or group licensed or  
1625 registered under this part must first apply to the department  
1626 ~~board~~ for a certificate of approval for the proposed change of  
1627 ownership. However, prior approval is not required if, at the  
1628 time the purchase or acquisition occurs, a controlling person of  
1629 the employee leasing company or group maintains a controlling  
1630 person license under this part. Notification must be provided to  
1631 the department board within 30 days after the purchase or  
1632 acquisition of such company in the manner prescribed by the  
1633 department board.

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1634 (3) Any application that is submitted to the department  
1635 ~~board~~ under this section shall be deemed approved if the board  
1636 has not approved the application or rejected the application,  
1637 and provided the applicant with the basis for a rejection,  
1638 within 90 days after the receipt of the completed application.

1639 (4) The department ~~board~~ shall establish filing fees for a  
1640 change-of-ownership application in accordance with s.  
1641 468.524(1).

1642 **Section 58. Subsection (2) and paragraphs (c), (d), (e),**  
1643 **and (f) of subsection (3) of section 468.525, Florida Statutes,**  
1644 **are amended to read:**

1645 468.525 License requirements.—

1646 (2) (a) As used in this part, "good moral character" means  
1647 a personal history of honesty, trustworthiness, fairness, a good  
1648 reputation for fair dealings, and respect for the rights of  
1649 others and for the laws of this state and nation. A thorough  
1650 background investigation of the individual's good moral  
1651 character shall be instituted by the department. Such  
1652 investigation shall require:

1653 1. The submission of fingerprints, for processing through  
1654 appropriate law enforcement agencies, by the applicant and the  
1655 examination of police records by the department ~~board~~.

1656 2. Such other investigation of the individual as the  
1657 department ~~board~~ may deem necessary.

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1658 (b) The department board may deny an application for  
1659 licensure or renewal citing lack of good moral character.  
1660 Conviction of a crime within the last 7 years may ~~shall~~ not  
1661 automatically bar any applicant or licensee from obtaining a  
1662 license or continuing as a licensee. The department board shall  
1663 consider the type of crime committed, the crime's relevancy to  
1664 the employee leasing industry, the length of time since the  
1665 conviction and any other factors deemed relevant by the  
1666 department board.

1667 (3) Each employee leasing company licensed by the  
1668 department shall have a registered agent for service of process  
1669 in this state and at least one licensed controlling person. In  
1670 addition, each licensed employee leasing company shall comply  
1671 with the following requirements:

1672 (c) An applicant for initial or renewal license of an  
1673 employee leasing company license or employee leasing company  
1674 group shall have an accounting net worth or shall have  
1675 guaranties, letters of credit, or other security acceptable to  
1676 the department board in sufficient amounts to offset any  
1677 deficiency. A guaranty will not be acceptable to satisfy this  
1678 requirement unless the applicant submits sufficient evidence to  
1679 satisfy the department board that the guarantor has adequate  
1680 resources to satisfy the obligation of the guaranty.

1681 (d) Each employee leasing company shall maintain an  
1682 accounting net worth and positive working capital, as determined

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1683 in accordance with generally accepted accounting principles, or  
1684 shall have guaranties, letters of credit, or other security  
1685 acceptable to the department ~~board~~ in sufficient amounts to  
1686 offset any deficiency. A guaranty will not be acceptable to  
1687 satisfy this requirement unless the licensee submits sufficient  
1688 evidence, as defined by rule, that the guarantor has adequate  
1689 resources to satisfy the obligation of the guaranty. In  
1690 determining the amount of working capital, a licensee shall  
1691 include adequate reserves for all taxes and insurance, including  
1692 plans of self-insurance or partial self-insurance for claims  
1693 incurred but not paid and for claims incurred but not reported.  
1694 Compliance with the requirements of this paragraph is subject to  
1695 verification by department ~~or board~~ audit.

1696 (e) Each employee leasing company or employee leasing  
1697 company group shall submit annual financial statements audited  
1698 by an independent certified public accountant, with the  
1699 application and within 120 days after the end of each fiscal  
1700 year, in a manner and time prescribed by the department ~~board~~,  
1701 provided however, that any employee leasing company or employee  
1702 leasing company group with gross Florida payroll of less than  
1703 \$2.5 million during any fiscal year may submit financial  
1704 statements reviewed by an independent certified public  
1705 accountant for that year.

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1706 (f) The licensee shall notify the department ~~or board~~ in  
1707 writing within 30 days after any change in the application or  
1708 status of the license.

1709 **Section 59. Subsections (3) and (5) of section 468.526,**  
1710 **Florida Statutes, are amended to read:**

1711 468.526 License required; fees.—

1712 (3) Each employee leasing company and employee leasing  
1713 company group licensee shall pay to the department upon the  
1714 initial issuance of a license and upon each renewal thereafter a  
1715 license fee not to exceed \$2,500 to be established by the  
1716 department ~~board~~. In addition to the license fee, the department  
1717 ~~board~~ shall establish an annual assessment for each employee  
1718 leasing company and each employee leasing company group  
1719 sufficient to cover all costs for regulation of the profession  
1720 pursuant to this chapter, chapter 455, and any other applicable  
1721 provisions of law. The annual assessment shall:

1722 (a) Be due and payable upon initial licensure and  
1723 subsequent renewals thereof and 1 year before the expiration of  
1724 any licensure period; and

1725 (b) Be based on a fixed percentage, variable classes, or a  
1726 combination of both, as determined by the department ~~board~~, of  
1727 gross Florida payroll for employees leased to clients by the  
1728 applicant or licensee during the period beginning five quarters  
1729 before and ending one quarter before each assessment. It is the  
1730 intent of the Legislature that the greater weight of total fees

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1731 for licensure and assessments should be on larger companies and  
1732 groups.

1733 (5) Each controlling person licensee shall pay to the  
1734 department upon the initial issuance of a license and upon each  
1735 renewal thereafter a license fee to be established by the  
1736 department board in an amount not to exceed \$2,000.

1737 **Section 60. Subsection (1) of section 468.527, Florida**  
1738 **Statutes, is amended to read:**

1739 468.527 Licensure and license renewal.—

1740 (1) The department shall license any applicant who the  
1741 department board certifies is qualified to practice employee  
1742 leasing as an employee leasing company, employee leasing company  
1743 group, or controlling person.

1744 **Section 61. Subsection (2) of section 468.5275, Florida**  
1745 **Statutes, is amended to read:**

1746 468.5275 Registration and exemption of de minimis  
1747 operations.—

1748 (2) A registration is valid for 1 year. Each registrant  
1749 shall pay to the department upon initial registration, and upon  
1750 each renewal thereafter, a registration fee to be established by  
1751 the department board in an amount not to exceed:

1752 (a) Two hundred and fifty dollars for an employee leasing  
1753 company.

1754 (b) Five hundred dollars for an employee leasing company  
1755 group.

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1756           **Section 62. Subsections (2), (4), and (5) of section**  
1757 **468.529, Florida Statutes, are amended to read:**

1758           468.529 Licensee's insurance; employment tax; benefit  
1759 plans.—

1760           (2) An initial or renewal license may not be issued to any  
1761 employee leasing company unless the employee leasing company  
1762 first files with the department ~~board~~ evidence of workers'  
1763 compensation coverage for all leased employees in this state.  
1764 Each employee leasing company shall maintain and make available  
1765 to its workers' compensation carrier the following information:

1766           (a) The correct name and federal identification number of  
1767 each client company.

1768           (b) A listing of all covered employees provided to each  
1769 client company, by classification code.

1770           (c) The total eligible wages by classification code and  
1771 the premiums due to the carrier for the employees provided to  
1772 each client company.

1773           (4) An initial or renewal license may not be issued to any  
1774 employee leasing company unless the employee leasing company  
1775 first provides evidence to the department ~~board~~, as required by  
1776 department ~~board~~ rule, that the employee leasing company has  
1777 paid all of the employee leasing company's obligations for  
1778 payroll, payroll-related taxes, workers' compensation insurance,  
1779 and employee benefits. All disputed amounts must be disclosed in  
1780 the application.

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1781 (5) The provisions of this section are subject to  
1782 verification by department ~~or board~~ audit.

1783 **Section 63. Subsections (3) and (4) of section 468.530,**  
1784 **Florida Statutes, are amended to read:**

1785 468.530 License, contents; posting.—

1786 (3) A ~~No~~ license is not ~~shall be~~ valid for any person or  
1787 entity who engages in the business under any name other than  
1788 that specified in the license. A license issued under this part  
1789 is ~~shall~~ not be assignable, and a ~~no~~ licensee may not conduct a  
1790 business under a fictitious name without prior written  
1791 authorization of the department ~~board~~ to do so. The department  
1792 ~~board~~ may not authorize the use of a name which is so similar to  
1793 that of a public officer or agency, or of that used by another  
1794 licensee, that the public may be confused or misled thereby. A  
1795 ~~No~~ licensee ~~shall be~~ permitted to conduct business under more  
1796 than one name unless it has obtained a separate license. A  
1797 licensee desiring to change its licensed name at any time except  
1798 upon license renewal shall notify the department ~~board~~ and pay a  
1799 fee not to exceed \$50 for each authorized change of name.

1800 (4) Each employee leasing company or employee leasing  
1801 company group licensed under this part shall be properly  
1802 identified in all advertisements, which must include the license  
1803 number, licensed business name, and other appropriate  
1804 information in accordance with rules established by the  
1805 department ~~board~~.

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1806           **Section 64. Paragraph (e) of subsection (1) of section**  
1807 **468.531, Florida Statutes, is amended to read:**

1808           468.531 Prohibitions; penalties.—

1809           (1) No person or entity shall:

1810           (e) Knowingly give false or forged evidence to the  
1811 department board or a member thereof; or

1812           **Section 65. Section 468.532, Florida Statutes, is amended**  
1813 **to read:**

1814           468.532 Discipline.—

1815           (1) The following constitute grounds for which  
1816 disciplinary action against a licensee may be taken by the  
1817 department board:

1818           (a) Being convicted or found guilty of, or entering a plea  
1819 of nolo contendere to, regardless of adjudication, bribery,  
1820 fraud, or willful misrepresentation in obtaining, attempting to  
1821 obtain, or renewing a license.

1822           (b) Being convicted or found guilty of, or entering a plea  
1823 of nolo contendere to, regardless of adjudication, a crime in  
1824 any jurisdiction which relates to the operation of an employee  
1825 leasing business or the ability to engage in business as an  
1826 employee leasing company.

1827           (c) Being convicted or found guilty of, or entering a plea  
1828 of nolo contendere to, regardless of adjudication, fraud,  
1829 deceit, or misconduct in the classification of employees  
1830 pursuant to chapter 440.

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1831 (d) Being convicted or found guilty of, or entering a plea  
1832 of nolo contendere to, regardless of adjudication, fraud,  
1833 deceit, or misconduct in the establishment or maintenance of  
1834 self-insurance, be it health insurance or workers' compensation  
1835 insurance.

1836 (e) Being convicted or found guilty of, or entering a plea  
1837 of nolo contendere to, regardless of adjudication, fraud,  
1838 deceit, or misconduct in the operation of an employee leasing  
1839 company.

1840 (f) Conducting business without an active license.

1841 (g) Failing to maintain workers' compensation insurance as  
1842 required in s. 468.529.

1843 (h) Transferring or attempting to transfer a license  
1844 issued pursuant to this part.

1845 (i) Violating any provision of this part or any lawful  
1846 order or rule issued under the provisions of this part or  
1847 chapter 455.

1848 (j) Failing to notify the department board, in writing, of  
1849 any change of the primary business address or the addresses of  
1850 any of the licensee's offices in the state.

1851 (k) Having been confined in any county jail,  
1852 postadjudication, or being confined in any state or federal  
1853 prison or mental institution, or when through mental disease or  
1854 deterioration, the licensee can no longer safely be entrusted to  
1855 deal with the public or in a confidential capacity.

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1856 (l) Having been found guilty for a second time of any  
1857 misconduct that warrants suspension or being found guilty of a  
1858 course of conduct or practices which shows that the licensee is  
1859 so incompetent, negligent, dishonest, or untruthful that the  
1860 money, property, transactions, and rights of investors, or those  
1861 with whom the licensee may sustain a confidential relationship,  
1862 may not safely be entrusted to the licensee.

1863 (m) Failing to inform the department board in writing  
1864 within 30 days after being convicted or found guilty of, or  
1865 entering a plea of nolo contendere to, any felony, regardless of  
1866 adjudication.

1867 (n) Failing to conform to any lawful order of the  
1868 department board.

1869 (o) Being determined liable for civil fraud by a court in  
1870 any jurisdiction.

1871 (p) Having adverse material final action taken by any  
1872 state or federal regulatory agency for violations within the  
1873 scope of control of the licensee.

1874 (q) Failing to inform the department board in writing  
1875 within 30 days after any adverse material final action by a  
1876 state or federal regulatory agency.

1877 (r) Failing to meet or maintain the requirements for  
1878 licensure as an employee leasing company or controlling person.

1879 (s) Engaging as a controlling person any person who is not  
1880 licensed as a controlling person by the department board.

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1881 (t) Attempting to obtain, obtaining, or renewing a license  
1882 to practice employee leasing by bribery, misrepresentation, or  
1883 fraud.

1884 (2) When the department board finds any violation of  
1885 subsection (1), it may do one or more of the following:

1886 (a) Deny an application for licensure.

1887 (b) Permanently revoke, suspend, restrict, or not renew a  
1888 license.

1889 (c) Impose an administrative fine not to exceed \$5,000 for  
1890 every count or separate offense.

1891 (d) Issue a reprimand.

1892 (e) Place the licensee on probation for a period of time  
1893 and subject to such conditions as the department board may  
1894 specify.

1895 (f) Assess costs associated with investigation and  
1896 prosecution.

1897 (3) Upon revocation or suspension of a license, the  
1898 licensee must immediately return to the department the license  
1899 that was revoked or suspended.

1900 (4) The department board shall specify the penalties for  
1901 any violation of this part.

1902 **Section 66. Subsection (1) of section 468.603, Florida**  
1903 **Statutes, is amended to read:**

1904 468.603 Definitions.—As used in this part:

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1905           ~~(1) "Board" means the Florida Building Code Administrators~~  
1906 ~~and Inspectors Board.~~

1907           **Section 67. Section 468.606, Florida Statutes, is amended**  
1908 **to read:**

1909           468.606 Authority of the department ~~board~~.—The department  
1910 ~~may board is authorized to:~~

1911           (1) Adopt rules pursuant to ss. 120.536(1) and 120.54 to  
1912 implement the provisions of this part.

1913           (2) Certify individuals as being qualified under the  
1914 provisions of this part to be building code administrators,  
1915 plans examiners, and building code inspectors.

1916           **Section 68. Section 468.607, Florida Statutes, is amended**  
1917 **to read:**

1918           468.607 Certification of building code administration and  
1919 inspection personnel.—The department ~~board~~ shall issue a  
1920 certificate to any individual whom the department ~~board~~  
1921 determines to be qualified, within such class and level as  
1922 provided in this part and with such limitations as the  
1923 department ~~board~~ may place upon it. A ~~No~~ person may not be  
1924 employed by a state agency or local governmental authority to  
1925 perform the duties of a building code administrator, plans  
1926 examiner, or building code inspector after October 1, 1993,  
1927 without possessing the proper valid certificate issued in  
1928 accordance with the provisions of this part. Any person who acts  
1929 as an inspector and plans examiner under s. 1013.37 while

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1930 conducting activities authorized by certification under that  
1931 section is certified to continue to conduct inspections for a  
1932 local enforcement agency until the person's UBCI certification  
1933 expires, after which time such person must possess the proper  
1934 valid certificate issued in accordance with this part.

1935 **Section 69. Section 468.613, Florida Statutes, is amended**  
1936 **to read:**

1937 468.613 Certification by endorsement.—The department board  
1938 shall examine other certification or training programs, as  
1939 applicable, upon submission to the department board for its  
1940 consideration of an application for certification by  
1941 endorsement. The department board shall waive its examination,  
1942 qualification, education, or training requirements, to the  
1943 extent that such examination, qualification, education, or  
1944 training requirements of the applicant are determined by the  
1945 department board to be comparable with those established by the  
1946 department board. The department board shall waive its  
1947 examination, qualification, education, or training requirements  
1948 if an applicant for certification by endorsement is at least 18  
1949 years of age; is of good moral character; has held a valid  
1950 building administrator, inspector, plans examiner, or the  
1951 equivalent, certification issued by another state or territory  
1952 of the United States for at least 10 years before the date of  
1953 application; and has successfully passed an applicable  
1954 examination administered by the International Code Council. Such

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1955 application must be made either when the license in another  
1956 state or territory is active or within 2 years after such  
1957 license was last active.

1958 **Section 70. Subsections (5) and (7) of section 468.619,**  
1959 **Florida Statutes, are amended to read:**

1960 468.619 Building code enforcement officials' bill of  
1961 rights.—

1962 (5) The enforcement official shall be considered an agent  
1963 of the governmental entity employing him or her and as such  
1964 shall be defended by that entity in any action brought by the  
1965 department ~~or the board~~, provided the enforcement official is  
1966 working within the scope of his or her employment.

1967 (7) If any action taken against the enforcement official  
1968 by the department ~~or the board~~ is found to be without merit by a  
1969 court of competent jurisdiction, or if judgment in such an  
1970 action is awarded to the enforcement official, the department ~~or~~  
1971 ~~the board~~, or the assignee of the department ~~or board~~, shall  
1972 reimburse the enforcement official or his or her employer, as  
1973 appropriate, for reasonable legal costs and reasonable  
1974 attorney's fees incurred. The amount awarded may ~~shall~~ not  
1975 exceed the limit provided in s. 120.595.

1976 **Section 71. Paragraph (a) of subsection (1) and**  
1977 **subsections (2), (3), and (4) of section 468.621, Florida**  
1978 **Statutes, are amended to read:**

1979 468.621 Disciplinary proceedings.—

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1980 (1) The following acts constitute grounds for which the  
1981 disciplinary actions in subsection (2) may be taken:

1982 (a) Violating or failing to comply with any provision of  
1983 this part, or a valid rule or lawful order of the ~~board or~~  
1984 department pursuant thereto.

1985 (2) When the department ~~board~~ finds any person guilty of  
1986 any of the grounds set forth in subsection (1), it may enter an  
1987 order imposing one or more of the following penalties:

1988 (a) Denial of an application for certification.

1989 (b) Permanent revocation.

1990 (c) Suspension of a certificate.

1991 (d) Imposition of an administrative fine not to exceed  
1992 \$5,000 for each separate offense. Such fine must be rationally  
1993 related to the gravity of the violation.

1994 (e) Issuance of a reprimand.

1995 (f) Placement of the certificateholder on probation for a  
1996 period of time and subject to such conditions as the department  
1997 ~~board~~ may impose, including alteration of performance level.

1998 (g) Satisfactory completion of continuing education.

1999 (h) Issuance of a citation.

2000 (3) Where a certificate is suspended, placed on probation,  
2001 or has conditions imposed, the department ~~board~~ shall reinstate  
2002 the certificate of a disciplined building code administrator,  
2003 plans examiner, or building code inspector upon proof the

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2004 | disciplined individual has complied with all terms and  
2005 | conditions set forth in the final order.

2006 | (4) A ~~No~~ person may not ~~be allowed to~~ apply for  
2007 | certification under this part for a minimum of 5 years after the  
2008 | date of revocation of any certificate issued pursuant to this  
2009 | part. The department board may by rule establish additional  
2010 | criteria for certification following revocation.

2011 | **Section 72. Subsections (1) and (5) of section 468.627,**  
2012 | **Florida Statutes, are amended to read:**

2013 | 468.627 Application; examination; renewal; fees.—

2014 | (1) The department board shall establish by rule fees to  
2015 | be paid for application, examination, reexamination,  
2016 | certification and certification renewal, inactive status  
2017 | application, and reactivation of inactive certificates. The  
2018 | department board may establish by rule a late renewal penalty.  
2019 | The department board shall establish fees which are adequate,  
2020 | when combined with revenue generated by the provisions of s.  
2021 | 468.631, to ensure the continued operation of this part. Fees  
2022 | shall be based on department estimates of the revenue required  
2023 | to implement this part.

2024 | ~~(5) The certificateholder shall provide proof, in a form~~  
2025 | ~~established by board rule, that the certificateholder has~~  
2026 | ~~completed at least 14 classroom hours of at least 50 minutes~~  
2027 | ~~each of continuing education courses during each biennium since~~  
2028 | ~~the issuance or renewal of the certificate, including the~~

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2029 ~~specialized or advanced coursework approved by the Florida~~  
2030 ~~Building Commission, as part of the building code training~~  
2031 ~~program established pursuant to s. 553.841, appropriate to the~~  
2032 ~~licensing category sought. A minimum of 3 of the required 14~~  
2033 ~~classroom hours must be on state law, rules, and ethics relating~~  
2034 ~~to professional standards of practice, duties, and~~  
2035 ~~responsibilities of the certificateholder. The board shall by~~  
2036 ~~rule establish criteria for approval of continuing education~~  
2037 ~~courses and providers, and may by rule establish criteria for~~  
2038 ~~accepting alternative nonclassroom continuing education on an~~  
2039 ~~hour-for-hour basis.~~

2040 **Section 73. Paragraph (d) of subsection (1) of section**  
2041 **468.629, Florida Statutes, is amended to read:**

2042 468.629 Prohibitions; penalties.—

2043 (1) No person may:

2044 (d) Give false or forged evidence to the ~~board or the~~  
2045 department, or a member, an employee, or an officer thereof, for  
2046 the purpose of obtaining a certificate.

2047 **Section 74. Subsection (1) of section 468.631, Florida**  
2048 **Statutes, is amended to read:**

2049 468.631 Building Code Administrators and Inspectors Fund.—

2050 (1) This part shall be funded through a surcharge, to be  
2051 assessed pursuant to s. 125.56(4) or s. 166.201 at the rate of  
2052 1.5 percent of all permit fees associated with enforcement of  
2053 the Florida Building Code as defined by the uniform account

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2054 criteria and specifically the uniform account code for building  
2055 permits adopted for local government financial reporting  
2056 pursuant to s. 218.32. The minimum amount collected on any  
2057 permit issued shall be \$2. The unit of government responsible  
2058 for collecting permit fees pursuant to s. 125.56 or s. 166.201  
2059 shall collect such surcharge and shall remit the funds to the  
2060 department on a quarterly calendar basis beginning not later  
2061 than December 31, 2010, for the preceding quarter, and  
2062 continuing each third month thereafter; and such unit of  
2063 government shall retain 10 percent of the surcharge collected to  
2064 fund the participation of building departments in the national  
2065 and state building code adoption processes and to provide  
2066 education related to enforcement of the Florida Building Code.  
2067 There is created within the Professional Regulation Trust Fund a  
2068 separate account to be known as the Building Code Administrators  
2069 and Inspectors Fund, which shall deposit and disburse funds as  
2070 necessary for the implementation of this part. The proceeds from  
2071 this surcharge shall be allocated equally to fund the Florida  
2072 Homeowners' Construction Recovery Fund established by s. 489.140  
2073 ~~and the functions of the Building Code Administrators and~~  
2074 ~~Inspectors Board.~~ The department may transfer excess cash to the  
2075 Florida Homeowners' Construction Recovery Fund that it  
2076 determines is not required to fund the implementation of this  
2077 part ~~board from the board's account within the Professional~~  
2078 ~~Regulation Trust Fund.~~ However, the department may not transfer

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2079 excess cash that would exceed the amount appropriated in the  
2080 General Appropriations Act, and any amount approved by the  
2081 Legislative Budget Commission pursuant to s. 216.181, to be used  
2082 for the payment of claims from the Florida Homeowners'  
2083 Construction Recovery Fund.

2084 **Section 75. Subsection (7) of section 468.8312, Florida**  
2085 **Statutes, is amended to read:**

2086 468.8312 Fees.—

2087 ~~(7) The fee for applications from providers of continuing~~  
2088 ~~education may not exceed \$500.~~

2089 **Section 76. Subsection (1) of section 468.8315, Florida**  
2090 **Statutes, is amended to read:**

2091 468.8315 Renewal of license.—

2092 (1) The department shall renew a license upon receipt of  
2093 the renewal application and upon certification by the department  
2094 ~~that the licensee has satisfactorily completed the continuing~~  
2095 ~~education requirements of s. 468.8316.~~

2096 **Section 77. Subsection (1) of section 468.8415, Florida**  
2097 **Statutes, is amended to read:**

2098 468.8415 Renewal of license.—

2099 (1) The department shall renew a license upon receipt of  
2100 the renewal application and ~~fee and upon certification by the~~  
2101 ~~department that the licensee has satisfactorily completed the~~  
2102 ~~continuing education requirements of s. 468.8416.~~

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2103           **Section 78. Subsection (2) of section 468.8417, Florida**  
2104 **Statutes, is amended to read:**

2105           468.8417 Inactive license.—

2106           (2) A license that becomes inactive may be reactivated  
2107 upon application to the department. ~~The department may prescribe~~  
2108 ~~by rule continuing education requirements as a condition of~~  
2109 ~~reactivating a license. The rules may not require more than one~~  
2110 ~~renewal cycle of continuing education to reactivate a license.~~

2111           **Section 79. Paragraph (d) of subsection (1) and paragraph**  
2112 **(d) of subsection (2) of section 468.8419, Florida Statutes, are**  
2113 **amended to read:**

2114           468.8419 Prohibitions; penalties.—

2115           (1) A person may not:

2116           (d) Perform or offer to perform any mold remediation to a  
2117 structure on which the mold assessor or the mold assessor's  
2118 company provided a mold assessment within the last 12 months.  
2119 This paragraph does not apply to a certified contractor who is  
2120 classified in s. 489.105(2) ~~s. 489.105(3)~~ as a Division I  
2121 contractor. However, the department may adopt rules requiring  
2122 that, if such contractor performs the mold assessment and offers  
2123 to perform the mold remediation, the contract for mold  
2124 remediation provided to the homeowner discloses that he or she  
2125 has the right to request competitive bids.

2126           (2) A mold remediator, a company that employs a mold  
2127 remediator, or a company that is controlled by a company that

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2128 also has a financial interest in a company employing a mold  
2129 remediator may not:

2130 (d) Perform or offer to perform any mold assessment to a  
2131 structure on which the mold remediator or the mold remediator's  
2132 company provided a mold remediation within the last 12 months.  
2133 This paragraph does not apply to a certified contractor who is  
2134 classified in s. 489.105(2) ~~s. 489.105(3)~~ as a Division I  
2135 contractor. However, the department may adopt rules requiring  
2136 that, if such contractor performs the mold remediation and  
2137 offers to perform the mold assessment, the contract for mold  
2138 assessment provided to the homeowner discloses that he or she  
2139 has the right to request competitive bids.

2140 **Section 80. Subsection (4) of section 469.004, Florida**  
2141 **Statutes, is amended to read:**

2142 469.004 License; asbestos consultant; asbestos  
2143 contractor.—

2144 (4) A license issued under this chapter must be renewed  
2145 every 2 years. ~~Before an asbestos contractor's license may be~~  
2146 ~~renewed, the licensee must complete a 1-day course of continuing~~  
2147 ~~education during each of the preceding 2 years. Before an~~  
2148 ~~asbestos consultant's license may be renewed, the licensee must~~  
2149 ~~complete a 2-day course of continuing education during each of~~  
2150 ~~the preceding 2 years.~~

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2151           **Section 81. Subsection (5) of section 469.012, Florida**  
2152 **Statutes, is renumbered as subsection (4) and subsection (1) and**  
2153 **present subsection (4) of that section are amended, to read:**

2154           469.012 Course requirements for onsite supervisors and  
2155 asbestos abatement workers.-

2156           (1) Each asbestos contractor's onsite supervisor must  
2157 complete an asbestos contractor/supervisor course of not less  
2158 than 5 days before ~~prior to~~ engaging in onsite supervision. Such  
2159 training shall cover the nature of the health risks, the medical  
2160 effects of exposure, federal and state asbestos laws and  
2161 regulations, worker protection, and work area protection. ~~Each~~  
2162 ~~onsite supervisor must also complete a continuing education~~  
2163 ~~course of not less than 1 day in length each year.~~

2164           ~~(4) All asbestos abatement workers, including onsite~~  
2165 ~~supervisors, must complete, as a condition of renewal of~~  
2166 ~~accreditation, such courses of continuing education each year as~~  
2167 ~~are approved and required by the department.~~

2168           **Section 82. Subsection (1) of section 469.013, Florida**  
2169 **Statutes, is amended to read:**

2170           469.013 Course requirements for asbestos surveyors,  
2171 management planners, project monitors, and project designers.-

2172           (1) All asbestos surveyors, management planners, and  
2173 project monitors must comply with the requirements under ~~set~~  
2174 ~~forth in~~ this section before ~~prior to~~ commencing such activities

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2175 | ~~and must also complete the continuing education necessary to~~  
2176 | ~~maintain accreditation each year.~~

2177 | (a) Management planners must complete all requirements of  
2178 | s. 469.005(2) (b) and (d).

2179 | (b) Asbestos surveyors must complete all requirements of  
2180 | s. 469.005(2) (a).

2181 | (c) Project monitors must complete all requirements of s.  
2182 | 469.005(3) (a) and must also complete an asbestos sampling course  
2183 | which is equivalent to NIOSH Course 582.

2184 | (d) Project designers must complete all requirements of s.  
2185 | 469.005(2) (d).

2186 | **Section 83. Paragraph (b) of subsection (2) of section**  
2187 | **471.003, Florida Statutes, is amended to read:**

2188 | 471.003 Qualifications for practice; exemptions.—

2189 | (2) The following persons are not required to be licensed  
2190 | under the provisions of this chapter as a licensed engineer:

2191 | (b)1. A person acting as a public officer employed by any  
2192 | state, county, municipal, or other governmental unit of this  
2193 | state when working on any project the total estimated cost of  
2194 | which is \$10,000 or less.

2195 | 2. Persons who are employees of any state, county,  
2196 | municipal, or other governmental unit of this state and who are  
2197 | the subordinates of a person in responsible charge licensed  
2198 | under this chapter, to the extent that the supervision meets  
2199 | standards adopted by rule of the department board.

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2200           **Section 84. Section 471.0035, Florida Statutes, is amended**  
2201 **to read:**

2202           471.0035 Instructors in postsecondary educational  
2203 institutions; exemption from licensure requirement.—For the sole  
2204 purpose of teaching the principles and methods of engineering  
2205 design, notwithstanding the provisions of s. 471.005(6) ~~s.~~  
2206 ~~471.005(7)~~, a person employed by a public postsecondary  
2207 educational institution, or by an independent postsecondary  
2208 educational institution licensed or exempt from licensure  
2209 pursuant to the provisions of chapter 1005, is not required to  
2210 be licensed under the provisions of this chapter as a  
2211 professional engineer.

2212           **Section 85. Subsections (2) through (12) of section**  
2213 **471.005, Florida Statutes, are renumbered as subsections (1)**  
2214 **through (11), respectively, and present subsections (1), (6),**  
2215 **and (10) of that section are amended, to read:**

2216           471.005 Definitions.—As used in this chapter, the term:  
2217 ~~(1) "Board" means the Board of Professional Engineers.~~

2218           (5)~~(6)~~ "Engineer intern" means a person who has graduated  
2219 from an engineering curriculum approved by the department board  
2220 and has passed the fundamentals of engineering examination as  
2221 provided by rules adopted by the department board.

2222           (9)~~(10)~~ "Retired professional engineer" or "professional  
2223 engineer, retired" means a person who has been duly licensed as  
2224 a professional engineer by the department board and who chooses

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2225 to relinquish or not to renew his or her license and applies to  
2226 and is approved by the department board to be granted the title  
2227 "Professional Engineer, Retired."

2228 **Section 86. Subsection (1) of section 471.011, Florida**  
2229 **Statutes, is amended to read:**

2230 471.011 Fees.—

2231 (1) The department board by rule may establish fees to be  
2232 paid for applications, examination, reexamination, licensing and  
2233 renewal, inactive status application and reactivation of  
2234 inactive licenses, and recordmaking and recordkeeping. The  
2235 department board may also establish by rule a delinquency fee.  
2236 ~~The board shall establish fees that are adequate to ensure the~~  
2237 ~~continued operation of the board.~~ Fees shall be based on  
2238 department estimates of the revenue required to implement this  
2239 chapter and the provisions of law with respect to the regulation  
2240 of engineers.

2241 **Section 87. Section 471.013, Florida Statutes, is amended**  
2242 **to read:**

2243 471.013 Examinations; prerequisites.—

2244 (1) (a) A person shall be entitled to take an examination  
2245 for the purpose of determining whether she or he is qualified to  
2246 practice in this state as an engineer if the person is of good  
2247 moral character and:

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2248 1. Is a graduate from an approved engineering science  
2249 curriculum of 4 years or more in a school, college, or  
2250 university which has been approved by the department board; or

2251 2. Is a graduate of an approved engineering technology  
2252 curriculum of 4 years or more in a school, college, or  
2253 university which has been approved by the department board.

2254  
2255 The department board shall adopt rules providing for the review  
2256 and approval of schools or colleges and the courses of study in  
2257 engineering in such schools and colleges. The rules shall be  
2258 based on the educational requirements for engineering as defined  
2259 in s. 471.005. The department board may adopt rules providing  
2260 for the acceptance of the approval and accreditation of schools  
2261 and courses of study by a nationally accepted accreditation  
2262 organization.

2263 (b) A person shall be entitled to take the fundamentals  
2264 examination for the purpose of determining whether she or he is  
2265 qualified to practice in this state as an engineer intern if she  
2266 or he is in the final year of, or is a graduate of, an approved  
2267 engineering curriculum in a school, college, or university  
2268 approved by the department board.

2269 (c) A person may ~~shall~~ not be entitled to take the  
2270 principles and practice examination until that person has  
2271 successfully completed the fundamentals examination.

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2272           (2)~~(d)~~ The department board shall deem that an applicant  
2273 who seeks licensure by examination has passed the fundamentals  
2274 examination when such applicant has received a doctorate degree  
2275 in engineering from an institution that has an undergraduate  
2276 engineering program that is accredited by the Engineering  
2277 Accreditation Commission of the Accreditation Board for  
2278 Engineering and Technology, Inc., and has taught engineering  
2279 full time for at least 3 years, at the baccalaureate level or  
2280 higher, after receiving that degree.

2281           (3)~~(e)~~ Every applicant who is qualified to take the  
2282 fundamentals examination or the principles and practice  
2283 examination shall be allowed to take either examination three  
2284 times, notwithstanding the number of times either examination  
2285 has been previously failed. If an applicant fails either  
2286 examination three times, the department board shall require the  
2287 applicant to complete additional college-level education courses  
2288 or a department-approved ~~board-approved~~ relevant examination  
2289 review course as a condition of future eligibility to take that  
2290 examination. If the applicant is delayed in taking the  
2291 examination due to reserve or active duty service in the United  
2292 States Armed Forces or National Guard, the applicant is allowed  
2293 an additional two attempts to take the examination before the  
2294 department board may require additional college-level education  
2295 or review courses.

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2296           ~~(4)-(2)~~(a) The department board may refuse to certify an  
2297 applicant for failure to satisfy the requirement of good moral  
2298 character only if:

2299           1. There is a substantial connection between the lack of  
2300 good moral character of the applicant and the professional  
2301 responsibilities of a licensed engineer; and

2302           2. The finding by the department board of lack of good  
2303 moral character is supported by clear and convincing evidence.

2304           (b) When an applicant is found to be unqualified for a  
2305 license because of a lack of good moral character, the  
2306 department board shall furnish the applicant a statement  
2307 containing the findings of the department board, a complete  
2308 record of the evidence upon which the determination was based,  
2309 and a notice of the rights of the applicant to a rehearing and  
2310 appeal.

2311           **Section 88. Section 471.017, Florida Statutes, is amended**  
2312 **to read:**

2313           471.017 Renewal of license.—

2314           (1) The department management corporation shall renew a  
2315 license upon receipt of the renewal application and fee.

2316           (2) The department board shall adopt rules establishing a  
2317 procedure for the biennial renewal of licenses.

2318           ~~(3) (a) The board shall require a demonstration of~~  
2319 ~~continuing professional competency of engineers as a condition~~  
2320 ~~of license renewal or relicensure. Every licensee must complete~~

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2321 ~~9 continuing education hours for each year of the license~~  
2322 ~~renewal period, totaling 18 continuing education hours for the~~  
2323 ~~license renewal period. For each renewal period for such~~  
2324 ~~continuing education:~~

2325 ~~1. One hour must relate to this chapter and the rules~~  
2326 ~~adopted under this chapter.~~

2327 ~~2. One hour must relate to professional ethics.~~

2328 ~~3. Four hours must relate to the licensee's area of~~  
2329 ~~practice.~~

2330 ~~4. The remaining hours may relate to any topic pertinent~~  
2331 ~~to the practice of engineering.~~

2332  
2333 ~~Continuing education hours may be earned by presenting or~~  
2334 ~~attending seminars, in-house or nonclassroom courses, workshops,~~  
2335 ~~or professional or technical presentations made at meetings,~~  
2336 ~~webinars, conventions, or conferences, including those presented~~  
2337 ~~by vendors with specific knowledge related to the licensee's~~  
2338 ~~area of practice. Up to 4 hours may be earned by serving as an~~  
2339 ~~officer or actively participating on a committee of a board-~~  
2340 ~~recognized professional or technical engineering society. The 2~~  
2341 ~~required continuing education hours relating to this chapter,~~  
2342 ~~the rules adopted pursuant to this chapter, and ethics may be~~  
2343 ~~earned by serving as a member of the Legislature or as an~~  
2344 ~~elected state or local official. The hours required pursuant to~~

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2345 ~~s. 471.0195 may apply to any requirements of this section except~~  
2346 ~~for those required under subparagraph 1.~~

2347 ~~(b) The board shall adopt rules that are substantially~~  
2348 ~~consistent with the most recent published version of the~~  
2349 ~~Continuing Professional Competency Guidelines of the National~~  
2350 ~~Council of Examiners for Engineering and Surveying, and shall~~  
2351 ~~allow nonclassroom hours to be credited. The board may, by rule,~~  
2352 ~~exempt from continuing professional competency requirements~~  
2353 ~~retired professional engineers who no longer sign and seal~~  
2354 ~~engineering documents and licensees in unique circumstances that~~  
2355 ~~severely limit opportunities to obtain the required continuing~~  
2356 ~~education hours.~~

2357 **Section 89. Subsections (1) and (2) of section 471.021,**  
2358 **Florida Statutes, are amended to read:**

2359 471.021 Engineers and firms of other states; temporary  
2360 registration to practice in Florida.—

2361 (1) Upon approval of the department ~~board~~ and payment of  
2362 the fee set in s. 471.011, the department ~~management corporation~~  
2363 shall issue a temporary registration for work on one specified  
2364 project in this state for a period not to exceed 1 year to an  
2365 engineer holding a certificate to practice in another state,  
2366 provided Florida licensees are similarly permitted to engage in  
2367 work in such state and provided that the engineer be qualified  
2368 for licensure by endorsement.

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2369 (2) Upon approval by the department board and payment of  
2370 the fee set in s. 471.011, the department management corporation  
2371 shall issue a temporary registration for work on one specified  
2372 project in this state for a period not to exceed 1 year to an  
2373 out-of-state corporation, partnership, or firm, provided one of  
2374 the principal officers of the corporation, one of the partners  
2375 of the partnership, or one of the principals in the fictitiously  
2376 named firm has obtained a temporary registration in accordance  
2377 with subsection (1).

2378 **Section 90. Subsection (4) of section 471.023, Florida**  
2379 **Statutes, is amended to read:**

2380 471.023 Qualification of business organizations.—

2381 (4) Each qualifying agent of a business organization  
2382 qualified under this section must notify the department board  
2383 within 30 days after any change in the information contained in  
2384 the application upon which the qualification is based.

2385 (a) A qualifying agent who terminates an affiliation with  
2386 a qualified business organization shall notify the department  
2387 ~~management corporation~~ of such termination within 24 hours. If  
2388 such qualifying agent is the only qualifying agent for that  
2389 business organization, the business organization must be  
2390 qualified by another qualifying agent within 60 days after the  
2391 termination. Except as provided in paragraph (b), the business  
2392 organization may not engage in the practice of engineering until  
2393 it is qualified by another qualifying agent.

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2394 (b) In the event a qualifying agent ceases employment with  
2395 a qualified business organization and the qualifying agent is  
2396 the only licensed individual affiliated with the business  
2397 organization, the executive director of the department  
2398 ~~management corporation or the chair of the board~~ may authorize  
2399 another licensee employed by the business organization to  
2400 temporarily serve as its qualifying agent for a period of no  
2401 more than 60 days to proceed with incomplete contracts. The  
2402 business organization is not authorized to operate beyond such  
2403 period under this chapter absent replacement of the qualifying  
2404 agent.

2405 (c) A qualifying agent shall notify the department in  
2406 writing before engaging in the practice of engineering in the  
2407 licensee's name or in affiliation with a different business  
2408 organization.

2409 **Section 91. Subsections (1) and (2) of section 471.025,**  
2410 **Florida Statutes, are amended to read:**

2411 471.025 Seals.—

2412 (1) The department ~~board~~ shall prescribe, by rule, one or  
2413 more forms of seal to be used by licensees. Each licensee shall  
2414 obtain at least one seal in the form approved by rule of the  
2415 department ~~board~~ and may, in addition, register his or her seal  
2416 electronically in accordance with ss. 668.001-668.006. All final  
2417 drawings, specifications, plans, reports, or documents prepared  
2418 or issued by the licensee and being filed for public record and

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2419 all final documents provided to the owner or the owner's  
2420 representative shall be signed by the licensee, dated, and  
2421 sealed with said seal. Such signature, date, and seal shall be  
2422 evidence of the authenticity of that to which they are affixed.  
2423 Drawings, specifications, plans, reports, final documents, or  
2424 documents prepared or issued by a licensee may be transmitted  
2425 electronically and may be signed by the licensee, dated, and  
2426 sealed electronically with said seal in accordance with ss.  
2427 668.001-668.006.

2428 (2) It is unlawful for any person to seal or digitally  
2429 sign any document with a seal or digital signature after his or  
2430 her license has expired or been revoked or suspended, unless  
2431 such license has been reinstated or reissued. When an engineer's  
2432 license has been revoked or suspended by the department board,  
2433 the licensee shall, within a period of 30 days after the  
2434 revocation or suspension has become effective, surrender his or  
2435 her seal to the executive director of the department board and  
2436 confirm to the department ~~executive director~~ the cancellation of  
2437 the licensee's digital signature in accordance with ss. 668.001-  
2438 668.006. In the event the engineer's license has been suspended  
2439 for a period of time, his or her seal shall be returned to him  
2440 or her upon expiration of the suspension period.

2441 **Section 92. Paragraphs (b) and (d) of subsection (1) of**  
2442 **section 471.031, Florida Statutes, are amended to read:**

2443 471.031 Prohibitions; penalties.—

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2444 (1) A person may not:

2445 (b)1. Except as provided in subparagraph 2. or

2446 subparagraph 3., use the name or title "professional engineer"

2447 or any other title, designation, words, letters, abbreviations,

2448 or device tending to indicate that such person holds an active

2449 license as an engineer when the person is not licensed under

2450 this chapter, including, but not limited to, the following

2451 titles: "agricultural engineer," "air-conditioning engineer,"

2452 "architectural engineer," "building engineer," "chemical

2453 engineer," "civil engineer," "control systems engineer,"

2454 "electrical engineer," "environmental engineer," "fire

2455 protection engineer," "industrial engineer," "manufacturing

2456 engineer," "mechanical engineer," "metallurgical engineer,"

2457 "mining engineer," "minerals engineer," "marine engineer,"

2458 "nuclear engineer," "petroleum engineer," "plumbing engineer,"

2459 "structural engineer," "transportation engineer," "software

2460 engineer," "computer hardware engineer," or "systems engineer."

2461 2. Any person who is exempt from licensure under s.

2462 471.003(2)(j) may use the title or personnel classification of

2463 "engineer" in the scope of his or her work under that exemption

2464 if the title does not include or connote the term "professional

2465 engineer," "registered engineer," "licensed engineer,"

2466 "registered professional engineer," or "licensed professional

2467 engineer."

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2468 3. Any person who is exempt from licensure under s.  
2469 471.003(2)(c) or (e) may use the title or personnel  
2470 classification of "engineer" in the scope of his or her work  
2471 under that exemption if the title does not include or connote  
2472 the term "professional engineer," "registered engineer,"  
2473 "licensed engineer," "registered professional engineer," or  
2474 "licensed professional engineer" and if that person is a  
2475 graduate from an approved engineering curriculum of 4 years or  
2476 more in a school, college, or university which has been approved  
2477 by the department ~~board~~.

2478 (d) Give false or forged evidence to the department ~~board~~  
2479 or a member thereof.

2480 **Section 93. Paragraphs (a) and (k) of subsection (1) and**  
2481 **subsections (2), (3), and (4) of section 471.033, Florida**  
2482 **Statutes, are amended to read:**

2483 471.033 Disciplinary proceedings.—

2484 (1) The following acts constitute grounds for which the  
2485 disciplinary actions in subsection (3) may be taken:

2486 (a) Violating any provision of s. 455.227(1), s. 471.025,  
2487 or s. 471.031, or any other provision of this chapter or rule of  
2488 the ~~board~~ or department.

2489 (k) Violating any order of the ~~board~~ or department  
2490 previously entered in a disciplinary hearing.

2491 (2) The department ~~board~~ shall specify, by rule, what acts  
2492 or omissions constitute a violation of subsection (1).

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2493 (3) When the department board finds any person guilty of  
2494 any of the grounds set forth in subsection (1), it may enter an  
2495 order imposing one or more of the following penalties:

2496 (a) Denial of an application for licensure.

2497 (b) Revocation or suspension of a license.

2498 (c) Imposition of an administrative fine not to exceed  
2499 \$5,000 for each count or separate offense.

2500 (d) Issuance of a reprimand.

2501 (e) Placement of the licensee on probation for a period of  
2502 time and subject to such conditions as the department board may  
2503 specify.

2504 (f) Restriction of the authorized scope of practice by the  
2505 licensee.

2506 (g) Restitution.

2507 (4) The department management corporation shall reissue  
2508 the license of a disciplined engineer or business upon  
2509 certification by the department board that the disciplined  
2510 person has complied with all of the terms and conditions set  
2511 forth in the final order.

2512 **Section 94. Section 471.045, Florida Statutes, is amended**  
2513 **to read:**

2514 471.045 Professional engineers performing building code  
2515 inspector duties.—Notwithstanding any other provision of law, a  
2516 person who is currently licensed under this chapter to practice  
2517 as a professional engineer may provide building code inspection

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2518 services described in s. 468.603(4) and (7) ~~s. 468.603(5) and~~  
2519 ~~(8)~~ to a local government or state agency upon its request,  
2520 without being certified by the Florida Building Code  
2521 Administrators and Inspectors licensing program Board under part  
2522 XII of chapter 468. When performing these building code  
2523 inspection services, the professional engineer is subject to the  
2524 disciplinary guidelines of this chapter and s. 468.621(1)(c)-  
2525 (h). Any complaint processing, investigation, and discipline  
2526 that arise out of a professional engineer's performing building  
2527 code inspection services shall be conducted by the department  
2528 ~~Board of Professional Engineers rather than the Florida Building~~  
2529 ~~Code Administrators and Inspectors Board~~. A professional  
2530 engineer may not perform plans review as an employee of a local  
2531 government upon any job that the professional engineer or the  
2532 professional engineer's company designed.

2533 **Section 95. Subsections (1), (2), and (5) of section**  
2534 **471.055, Florida Statutes, are amended to read:**

2535 471.055 Structural Engineering Recognition Program for  
2536 Professional Engineers.—

2537 (1) The department board shall establish the Structural  
2538 Engineering Recognition Program for Professional Engineers to  
2539 recognize professional engineers who specialize in structural  
2540 engineering and have gone above and beyond the required minimum  
2541 professional engineer licensing standards. The department board  
2542 shall establish minimum requirements to receive recognition

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2543 through the program. The department board must recognize any  
2544 licensed professional engineer who has successfully passed the  
2545 National Council of Examiners for Engineering and Surveying  
2546 Structural Engineering 16-hour PE Structural examination or any  
2547 other examination approved by the department board. In addition,  
2548 the department board may recognize any licensed professional  
2549 engineer who specializes in structural engineering based on  
2550 alternative criteria determined by the department board.

2551 (2) Upon application to the department board, a  
2552 professional engineer who has the minimum program requirements  
2553 shall be recognized as a professional engineer who has gone  
2554 above and beyond in the field of structural engineering. The  
2555 department board may not collect a fee for such application or  
2556 for recognition by the program.

2557 (5) The department board shall adopt rules to implement  
2558 this section.

2559 **Section 96. Subsection (4) of section 472.003, Florida**  
2560 **Statutes, is amended to read:**

2561 472.003 Persons not affected by ss. 472.001-472.037.—  
2562 Sections 472.001-472.037 do not apply to:

2563 (4) Persons employed by county property appraisers, as  
2564 defined at s. 192.001(3), and persons employed by the Department  
2565 of Revenue, to prepare maps for property appraisal purposes  
2566 only, but only to the extent that they perform mapping services

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2567 which do not include any surveying activities as described in s.  
2568 472.005(3)(a) and (b) ~~s. 472.005(4)(a) and (b)~~.

2569 **Section 97. Subsection (1) of section 472.005, Florida**  
2570 **Statutes, is amended to read:**

2571 472.005 Definitions.—As used in ss. 472.001-472.037:

2572 ~~(1) "Board" means the Board of Professional Surveyors and~~  
2573 ~~Mappers.~~

2574 **Section 98. Subsections (2) through (9) of section**  
2575 **473.302, Florida Statutes, are renumbered as subsections (1)**  
2576 **through (8), respectively, and subsection (1), paragraph (c) of**  
2577 **present subsection (8), and present subsection (9) of that**  
2578 **section are amended, to read:**

2579 473.302 Definitions.—As used in this chapter, the term:

2580 ~~(1) "Board" means the Board of Accountancy.~~

2581 (7)(8) "Practice of," "practicing public accountancy," or  
2582 "public accounting" means:

2583 (c) Offering to perform or performing for the public one  
2584 or more types of service involving the preparation of financial  
2585 statements not included within paragraph (a), by a certified  
2586 public accountant who holds an active license, issued pursuant  
2587 to this chapter, or who is authorized to practice public  
2588 accounting pursuant to the practice privileges granted in s.  
2589 473.3141; by a firm of certified public accountants; or by a  
2590 firm in which a certified public accountant has an ownership  
2591 interest, including the performance of such services in the

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2592 employ of another person. The department board shall adopt rules  
2593 establishing standards of practice for such reports and  
2594 financial statements; provided, however, that nothing in this  
2595 paragraph shall be construed to permit the department board to  
2596 adopt rules that have the result of prohibiting Florida  
2597 certified public accountants employed by unlicensed firms from  
2598 preparing financial statements as authorized by this paragraph;  
2599 or

2600 (8)-(9) "Uniform Accountancy Act" means the Uniform  
2601 Accountancy Act, Eighth Edition, dated January 2018 and  
2602 published by the American Institute of Certified Public  
2603 Accountants and the National Association of State Boards of  
2604 Accountancy.

2605  
2606 However, these terms may ~~shall~~ not include services provided by  
2607 the American Institute of Certified Public Accountants or the  
2608 Florida Institute of Certified Public Accountants, or any full  
2609 service association of certified public accounting firms whose  
2610 plans of administration have been approved by the department  
2611 ~~board~~, to their members or services performed by these entities  
2612 in reviewing the services provided to the public by members of  
2613 these entities.

2614 **Section 99. Section 473.3035, Florida Statutes, is amended**  
2615 **to read:**

2616 473.3035 Division of Certified Public Accounting.—

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2617 (1) All services concerning this chapter, including, but  
2618 not limited to, recordkeeping services, examination services,  
2619 legal services, and investigative services, and those services  
2620 in chapter 455 necessary to perform the duties of this chapter  
2621 shall be provided by the Division of Certified Public  
2622 Accounting. The department board may, ~~by majority vote,~~ delegate  
2623 a duty or duties to the appropriate division within the  
2624 department. The department board may, ~~by majority vote,~~ rescind  
2625 any such delegation of duties at any time.

2626 (2) The Division of Certified Public Accounting shall be  
2627 funded by fees and assessments of the department board, and  
2628 funds collected by the department board shall be used only to  
2629 fund public accounting regulation. Funding for the Division of  
2630 Certified Public Accounting shall be governed by ss. 215.37 and  
2631 455.219.

2632 **Section 100. Section 473.304, Florida Statutes, is amended**  
2633 **to read:**

2634 473.304 Rules of department board; powers and duties;  
2635 legal services.—

2636 (1) The department board shall adopt rules pursuant to ss.  
2637 120.536(1) and 120.54 to implement the provisions of this act.  
2638 Every certified public accountant and firm shall be governed and  
2639 controlled by this act and the rules adopted by the department  
2640 board.

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2641 (2) Subject to the prior approval of the Attorney General,  
2642 the department board may retain independent legal counsel to  
2643 provide legal advice to the department board on a specific  
2644 matter.

2645 (3) An attorney employed or used by the department board  
2646 may not both prosecute a matter and provide legal services to  
2647 the department board with respect to the same matter.

2648 **Section 101. Section 473.305, Florida Statutes, is amended**  
2649 **to read:**

2650 473.305 Fees.—The department board, by rule, may establish  
2651 fees to be paid for applications, examination, reexamination,  
2652 licensing and renewal, reinstatement, and recordmaking and  
2653 recordkeeping. The fee for the examination shall be established  
2654 at an amount that covers the costs for the procurement or  
2655 development, administration, grading, and review of the  
2656 examination. The fee for the examination is refundable if the  
2657 applicant is found to be ineligible to sit for the examination.  
2658 The fee for initial application is nonrefundable, and the  
2659 combined fees for application and examination may not exceed  
2660 \$250 plus the actual per applicant cost to the department for  
2661 purchase of the examination from the American Institute of  
2662 Certified Public Accountants or a similar national organization.  
2663 The biennial renewal fee may not exceed \$250. The department  
2664 ~~board~~ may also establish, by rule, a reactivation fee, and a  
2665 delinquency fee not to exceed \$50 for continuing professional

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2666 education reporting forms. The department board shall establish  
2667 fees which are adequate to ensure the continued operation of the  
2668 department board and to fund the proportionate expenses incurred  
2669 by the department which are allocated to the regulation of  
2670 public accountants. Fees shall be based on department estimates  
2671 of the revenue required to implement this chapter and the  
2672 provisions of law with respect to the regulation of certified  
2673 public accountants.

2674 **Section 102. Paragraph (b) of subsection (3) and**  
2675 **subsections (4), (5), and (6) of section 473.306, Florida**  
2676 **Statutes, are amended to read:**

2677 473.306 Examinations.—

2678 (3) An applicant is entitled to take the licensure  
2679 examination to practice in this state as a certified public  
2680 accountant if:

2681 (b) The applicant shows that she or he has good moral  
2682 character. For purposes of this paragraph, the term "good moral  
2683 character" has the same meaning as provided in s. 473.308(6)(a)  
2684 ~~s. 473.308(7)(a)~~. The department board may refuse to allow an  
2685 applicant to take the licensure examination for failure to  
2686 satisfy this requirement if:

2687 1. The department board finds a reasonable relationship  
2688 between the lack of good moral character of the applicant and  
2689 the professional responsibilities of a certified public  
2690 accountant; and

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2691           2. The finding by the department board of lack of good  
2692 moral character is supported by competent substantial evidence.

2693  
2694 If an applicant is found pursuant to this paragraph to be  
2695 unqualified to take the licensure examination because of a lack  
2696 of good moral character, the department board shall furnish to  
2697 the applicant a statement containing the findings of the  
2698 department board, a complete record of the evidence upon which  
2699 the determination was based, and a notice of the rights of the  
2700 applicant to a rehearing and appeal.

2701           (4) The department board shall have the authority to  
2702 establish the standards for determining and shall determine:

2703           (a) What constitutes a passing grade for each subject or  
2704 part of the licensure examination;

2705           (b) Which educational institutions, in addition to the  
2706 universities in the State University System of Florida, shall be  
2707 deemed to be accredited colleges or universities;

2708           (c) What courses and number of hours constitute a major in  
2709 accounting; and

2710           (d) What courses and number of hours constitute additional  
2711 accounting courses acceptable under s. 473.308(4).

2712           (5) The department board may adopt an alternative  
2713 licensure examination for persons who have been licensed to  
2714 practice public accountancy or its equivalent in a foreign  
2715 country so long as the International Qualifications Appraisal

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2716 Board of the National Association of State Boards of Accountancy  
2717 has ratified an agreement with that country for reciprocal  
2718 licensure.

2719 (6) For the purposes of maintaining the proper educational  
2720 qualifications for licensure under this chapter, the department  
2721 ~~board~~ may appoint an Educational Advisory Committee, which shall  
2722 be composed of one member of the department board, two persons  
2723 in public practice who are licensed under this chapter, and four  
2724 academicians on faculties of universities in this state.

2725 **Section 103. Subsections (1), (2), and (3) of section**  
2726 **473.309, Florida Statutes, are amended to read:**

2727 473.309 Practice requirements for partnerships,  
2728 corporations, and limited liability companies; business entities  
2729 practicing public accounting.—

2730 (1) A partnership may not engage in the practice of public  
2731 accounting, as defined in s. 473.302(7)(a) ~~s. 473.302(8)(a)~~, or  
2732 meet the requirements of s. 473.3101(1)(b), unless:

2733 (a) It is a form of partnership recognized by Florida law.

2734 (b) Partners owning at least 51 percent of the financial  
2735 interest and voting rights of the partnership are certified  
2736 public accountants in some state. However, each partner who is a  
2737 certified public accountant in another state and is domiciled in  
2738 this state must be a certified public accountant of this state  
2739 and hold an active license.

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2740 (c) At least one general partner is a certified public  
2741 accountant of this state and holds an active license or, in the  
2742 case of a firm that must have a license pursuant to s.  
2743 473.3101(1)(c), at least one general partner is a certified  
2744 public accountant in some state and meets the requirements of s.  
2745 473.3141(1) ~~s. 473.3141(1)(a) or (b)~~.

2746 (d) All partners who are not certified public accountants  
2747 in any state are engaged in the business of the partnership as  
2748 their principal occupation.

2749 (e) It is in compliance with rules adopted by the  
2750 department board pertaining to minimum capitalization, letters  
2751 of credit, and adequate public liability insurance.

2752 (2) A corporation may not engage in the practice of public  
2753 accounting, as defined in s. 473.302(7)(a) ~~s. 473.302(8)(a)~~, or  
2754 meet the requirements of s. 473.3101(1)(b), unless:

2755 (a) It is a corporation duly organized in this or some  
2756 other state.

2757 (b) Shareholders of the corporation owning at least 51  
2758 percent of the financial interest and voting rights of the  
2759 corporation are certified public accountants in some state and  
2760 are principally engaged in the business of the corporation.  
2761 However, each shareholder who is a certified public accountant  
2762 in another state and is domiciled in this state must be a  
2763 certified public accountant of this state and hold an active  
2764 license.

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2765 (c) The principal officer of the corporation is a  
2766 certified public accountant in some state.

2767 (d) At least one shareholder of the corporation is a  
2768 certified public accountant and holds an active license in this  
2769 state or, in the case of a firm that must have a license  
2770 pursuant to s. 473.3101(1)(c), at least one shareholder is a  
2771 certified public accountant in some state and meets the  
2772 requirements of s. 473.3141(1) ~~s. 473.3141(1)(a) or (b)~~.

2773 (e) All shareholders who are not certified public  
2774 accountants in any state are engaged in the business of the  
2775 corporation as their principal occupation.

2776 (f) It is in compliance with rules adopted by the  
2777 department board ~~board~~ pertaining to minimum capitalization, letters  
2778 of credit, and adequate public liability insurance.

2779 (3) A limited liability company may not engage in the  
2780 practice of public accounting, as defined in s. 473.302(7)(a) ~~s.~~  
2781 ~~473.302(8)(a)~~, or meet the requirements of s. 473.3101(1)(b),  
2782 unless:

2783 (a) It is a limited liability company duly organized in  
2784 this or some other state.

2785 (b) Members of the limited liability company owning at  
2786 least 51 percent of the financial interest and voting rights of  
2787 the company are certified public accountants in some state.

2788 However, each member who is a certified public accountant in

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2789 some state and is domiciled in this state must be a certified  
2790 public accountant of this state and hold an active license.

2791 (c) At least one member of the limited liability company  
2792 is a certified public accountant and holds an active license in  
2793 this state or, in the case of a firm that must have a license  
2794 pursuant to s. 473.3101(1)(c), at least one member is a  
2795 certified public accountant in some state and meets the  
2796 requirements of s. 473.3141(1) ~~s. 473.3141(1)(a) or (b)~~.

2797 (d) All members who are not certified public accountants  
2798 in any state are engaged in the business of the company as their  
2799 principal occupation.

2800 (e) It is in compliance with rules adopted by the  
2801 department board ~~board~~ pertaining to minimum capitalization, letters  
2802 of credit, and adequate public liability insurance.

2803 (f) It is currently licensed as required by s. 473.3101.

2804 **Section 104. Subsections (1) and (4) of section 473.3101,**  
2805 **Florida Statutes, are amended to read:**

2806 473.3101 Licensure of firms or public accounting firms.—

2807 (1) The following must hold a license issued under this  
2808 section:

2809 (a) Any firm with an office in this state which performs  
2810 services as defined in s. 473.302(7)(a) ~~s. 473.302(8)(a)~~;

2811 (b) Any firm with an office in this state which uses the  
2812 title "CPA," "CPA firm," or any other title, designation, words,  
2813 letters, abbreviations, or device tending to indicate that it is

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2814 a CPA firm. The department board shall define by rule what  
2815 constitutes a CPA firm; or

2816 (c)1. Any firm that does not have an office in this state  
2817 but performs the services described in s. 473.3141(4) for a  
2818 client having its home office in this state, unless it:

2819 a. Complies with the qualifications described in s.  
2820 473.309.

2821 b. Is enrolled in a peer review program pursuant to s.  
2822 473.3125(4).

2823 c. Performs services through an individual with practice  
2824 privileges under s. 473.3141.

2825 d. Lawfully performs services in a state where an  
2826 individual with practice privileges granted under s. 473.3141  
2827 has his or her principal place of business.

2828 2. The department board shall define by rule what  
2829 constitutes an office.

2830 (4) The department board shall determine whether the firm  
2831 or public accounting firm meets the requirements for practice  
2832 and, pending that determination, may certify to the department  
2833 the firm or public accounting firm for provisional licensure.

2834 **Section 105. Subsection (1) of section 473.311, Florida**  
2835 **Statutes, is amended to read:**

2836 473.311 Renewal of license.—

2837 (1)(a) The department shall renew a license issued under  
2838 s. 473.308 upon receipt of the renewal application and fee and

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2839 ~~upon certification by the board that the Florida certified~~  
2840 ~~public accountant has satisfactorily completed the continuing~~  
2841 ~~education requirements of s. 473.312.~~

2842 ~~(b) A nonresident licensee seeking renewal of a license in~~  
2843 ~~this state shall be determined to have met the continuing~~  
2844 ~~education requirements in s. 473.312, except for the~~  
2845 ~~requirements in s. 473.312(1)(c), if the licensee has complied~~  
2846 ~~with the continuing education requirements applicable in the~~  
2847 ~~state in which his or her office is located. If the state in~~  
2848 ~~which the nonresident licensee's office is located has no~~  
2849 ~~continuing education requirements for license renewals, the~~  
2850 ~~nonresident licensee must comply with the continuing education~~  
2851 ~~requirements in s. 473.312.~~

2852 **Section 106. Paragraph (a) of subsection (1), and**  
2853 **subsections (2), (3), and (4) of section 473.3125, Florida**  
2854 **Statutes, are amended to read:**

2855 473.3125 Peer review.—

2856 (1) As used in this section, the term:

2857 (a) "Licensee" means a licensed firm or public accounting  
2858 firm as defined in s. 473.302 ~~s. 473.302(7)~~ and engaged in the  
2859 practice of public accounting as defined in s. 473.302(7)(a) ~~s.~~  
2860 ~~473.302(8)(a)~~ that is required to be licensed under s. 473.3101.

2861 (2) The department ~~board~~ shall adopt rules establishing  
2862 minimum standards for peer review programs, including, but not  
2863 limited to, standards for administering, performing, and

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2864 reporting peer reviews. The department board shall also adopt  
2865 rules establishing minimum criteria for the department's board's  
2866 approval of one or more organizations that facilitate and  
2867 administer peer review programs.

2868 (3) For the purposes of maintaining oversight of the  
2869 license renewal requirements of s. 473.311(2), the department  
2870 ~~board~~ may establish a peer review oversight committee, which  
2871 shall be composed of at least three, but no more than five,  
2872 members who are licensed under this chapter and whose firms are  
2873 subject to s. 473.311(2) and have received a review rating of  
2874 "pass" on the most recent peer review.

2875 (4) Effective January 1, 2015, a licensed firm or public  
2876 accounting firm as defined in s. 473.302 ~~s. 473.302(7)~~ and  
2877 licensed under s. 473.3101 and engaged in the practice of public  
2878 accounting as defined in s. 473.302(7)(a) ~~s. 473.302(8)(a)~~,  
2879 except for the performance of compilations and reviews as those  
2880 terms are defined by the department board, must be enrolled in a  
2881 peer review program.

2882 **Section 107. Section 473.313, Florida Statutes, is amended**  
2883 **to read:**

2884 473.313 Inactive status; retired status.—

2885 (1) A Florida certified public accountant may request that  
2886 her or his license be placed in an inactive status by making  
2887 application to the department. The department board may  
2888 prescribe by rule fees for placing a license on inactive status,

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2889 renewal of inactive status, and reactivation of an inactive  
2890 license.

2891 ~~(a) A license that has become inactive under this~~  
2892 ~~subsection or for failure to complete the requirements in s.~~  
2893 ~~473.312 may be reactivated under s. 473.311 upon application to~~  
2894 ~~the department. The board may prescribe by rule continuing~~  
2895 ~~education requirements as a condition of reactivating a license.~~  
2896 ~~The maximum continuing education requirements for reactivating a~~  
2897 ~~license are 120 hours, including at least 30 hours in~~  
2898 ~~accounting related and auditing related subjects, not more than~~  
2899 ~~30 hours in behavioral subjects, and a minimum of 8 hours in~~  
2900 ~~ethics subjects approved by the board, for the reactivation of a~~  
2901 ~~license that is inactive or delinquent.~~

2902 ~~(b) A license that is delinquent for failure to report~~  
2903 ~~completion of the requirements in s. 473.312 may be reactivated~~  
2904 ~~under s. 473.311 upon application to the department.~~  
2905 ~~Reactivation requires the payment of an application fee as~~  
2906 ~~determined by the board and certification by the Florida~~  
2907 ~~certified public accountant that the applicant satisfactorily~~  
2908 ~~completed the continuing education requirements set forth under~~  
2909 ~~s. 473.311. If the license is delinquent on January 1 because of~~  
2910 ~~failure to report completed continuing education requirements,~~  
2911 ~~the applicant must submit a complete application to the board by~~  
2912 ~~March 15 immediately after the delinquent period.~~

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2913        ~~(a)-(e)~~ Any Florida certified public accountant holding an  
2914 inactive license may be permitted to reactivate such license in  
2915 a conditional manner. The conditions of reactivation shall  
2916 require the payment of fees ~~and the completion of required~~  
2917 ~~continuing education.~~

2918        ~~(b)-(d)~~ Notwithstanding ~~the provisions of~~ s. 455.271, the  
2919 department board may, at its discretion, reinstate the license  
2920 of an individual whose license has become null and void if the  
2921 individual has made a good faith effort to comply with this  
2922 section but has failed to comply because of illness or unusual  
2923 hardship. The individual shall apply to the department board for  
2924 reinstatement in a manner prescribed by rules of the department  
2925 ~~board~~ and shall pay an application fee in an amount determined  
2926 by rule of the department board. The department board shall  
2927 require that the individual ~~meet all continuing education~~  
2928 ~~requirements as provided in paragraph (a),~~ pay appropriate  
2929 licensing fees, and otherwise be eligible for renewal of  
2930 licensure under this chapter.

2931        (2) A Florida certified public accountant who is at least  
2932 65 years of age, currently holds an active or inactive license  
2933 in good standing under this chapter, and is not the subject of  
2934 any sanction or disciplinary action may request that her or his  
2935 license be placed on retired status by making application to the  
2936 department. The department board may prescribe by rule the  
2937 application for placing a license on retired status, which must

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2938 state that the applicant has no association with accounting or  
2939 any of the services described in s. 473.302 ~~s. 473.302(8)~~. If a  
2940 licensee who has been granted retired status reenters the  
2941 workforce in a position that has an association with accounting  
2942 or any of the services described in s. 473.302 ~~s. 473.302(8)~~,  
2943 the licensee automatically loses her or his retired status.

2944 (a) A retired licensee may, without losing her or his  
2945 retired status, ~~serve without compensation on a board of~~  
2946 ~~directors or board of trustees,~~ provide volunteer tax  
2947 preparation services, participate in a government-sponsored  
2948 business mentoring program such as the Internal Revenue  
2949 Service's Volunteer Income Tax Assistance program or the Small  
2950 Business Administration's SCORE program, or participate in an  
2951 advisory role for a similar charitable, civic, or other non-  
2952 profit organization.

2953 (b) The department ~~board~~ shall require a retired licensee  
2954 to affirm in writing her or his understanding of the limited  
2955 types of activities in which she or he may engage while in  
2956 retired status and that she or he has a professional duty to  
2957 ensure that she or he holds the professional competencies  
2958 necessary to participate in such activities.

2959 (c) A retired licensee may accept routine reimbursement  
2960 for actual costs of travel and meals associated with volunteer  
2961 services or de minimis per diem amounts paid to the licensee to  
2962 cover such expenses as allowed by law.

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2963 (d) A retired licensee may use the title of "retired CPA"  
2964 on any business card or letterhead or any other printed or  
2965 electronic document. However, such title must not be applied in  
2966 such a manner that could confuse the public as to the current  
2967 status of the licensee. The licensee is not required to have a  
2968 certificate issued with the word "retired" on the certificate.

2969 ~~(e) A retired licensee is not required to maintain the~~  
2970 ~~continuing education requirements under s. 473.312.~~

2971 ~~(e)-(f)~~ A retired licensee may not offer or render  
2972 professional services that require her or his signature and the  
2973 use of the CPA title, regardless of whether "retired" is  
2974 attached to such title.

2975 ~~(f)-(g)~~ A retired licensee may be permitted to reactivate  
2976 her or his license in a conditional manner as determined by the  
2977 department board. The conditions of reactivation must require  
2978 the payment of fees and ~~the completion of required continuing~~  
2979 ~~education.~~ The department board may prescribe by rule an  
2980 application for reactivating a license placed on retired status  
2981 and ~~continuing education requirements as a condition of~~  
2982 ~~reactivating a license placed on retired status.~~ The minimum  
2983 ~~continuing education requirements for reactivating a license~~  
2984 ~~placed on retired status are those of the most recent biennium~~  
2985 ~~plus one-half of the requirements in s. 473.312 for each~~  
2986 ~~biennium or part thereof during which the license was on retired~~  
2987 ~~status.~~

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2988  
2989 For the purposes of this subsection, the term "retired licensee"  
2990 means a licensee whose license has been placed in retired status  
2991 by the department.

2992 **Section 108. Subsections (1), (2), and (4) of section**  
2993 **473.314, Florida Statutes, are amended to read:**

2994 473.314 Temporary license.—

2995 (1) The department ~~board~~ shall adopt rules providing for  
2996 the issuance of temporary licenses to certified public  
2997 accountants or firms of other states who do not meet the  
2998 requirements of s. 473.3141, for the purpose of enabling them or  
2999 their employees to perform specific engagements involving the  
3000 practice of public accountancy in this state. No temporary  
3001 license shall be valid for more than 90 days after its issuance,  
3002 and no license shall cover more than one engagement. After the  
3003 expiration of 90 days, a new license shall be required.

3004 (2) Each application for a temporary license shall state  
3005 the names of all persons who are to enter this state and shall  
3006 be accompanied by a fee in an amount established by the  
3007 department ~~board~~ not to exceed \$400.

3008 (4) Upon certification of the applicant by the department  
3009 ~~board~~, the department shall issue a temporary license to the  
3010 applicant.

3011 **Section 109. Subsections (3) and (4) of section 473.315,**  
3012 **Florida Statutes, are amended to read:**

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3013 473.315 Independence, technical standards.—

3014 (3) The department board shall adopt rules establishing  
3015 the standards of practice of public accounting, including, but  
3016 not limited to, independence, competence, and technical  
3017 standards.

3018 (4) Attorneys who are admitted to practice law by the  
3019 Supreme Court of Florida are exempt from the standards of  
3020 practice of public accounting as defined in s. 473.302(7)(b) and  
3021 (c) ~~s. 473.302(8)(b) and (c)~~ when such standards conflict with  
3022 the rules of The Florida Bar or orders of the Florida Supreme  
3023 Court.

3024 **Section 110. Subsections (5) and (6) of section 473.316,**  
3025 **Florida Statutes, are amended to read:**

3026 473.316 Communications between the accountant and client  
3027 privileged.—

3028 (5) Communications are not privileged from disclosure in  
3029 any disciplinary investigation or proceeding conducted pursuant  
3030 to this act by the department or before the department board or  
3031 in any judicial review of such a proceeding. In any such  
3032 proceeding, a certified public accountant or public accountant,  
3033 without the consent of her or his client, may testify with  
3034 respect to any communication between the accountant and the  
3035 accountant's client or be compelled, pursuant to a subpoena of  
3036 the department ~~or the board~~, to testify or produce records,  
3037 books, or papers. Such a communication disclosed to the

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3038 ~~department board~~ and records of the ~~department board~~ relating to  
3039 the communication shall for all other purposes and proceedings  
3040 be a privileged communication in all of the courts of this  
3041 state.

3042 (6) The proceedings, records, and workpapers of a review  
3043 committee are privileged and are not subject to discovery,  
3044 subpoena, or other means of legal process or to introduction  
3045 into evidence in a civil action or arbitration, administrative  
3046 proceeding, ~~or state accountancy board proceeding~~. A member of a  
3047 review committee or person who was involved in a quality review  
3048 may not testify in a civil action or arbitration, administrative  
3049 proceeding, ~~or state accountancy board proceeding~~ as to any  
3050 matter produced or disclosed during the quality review or as to  
3051 any findings, recommendations, evaluations, opinions, or other  
3052 actions of the review committee or any members thereof. Public  
3053 records and materials prepared for a particular engagement are  
3054 not privileged merely because they were presented during the  
3055 quality review. This privilege does not apply to disputes  
3056 between a review committee and a person subject to a quality  
3057 review.

3058 **Section 111. Section 473.319, Florida Statutes, is amended**  
3059 **to read:**

3060 473.319 Contingent fees.—Public accounting services as  
3061 defined in s. 473.302(7)(a) and (c) ~~s. 473.302(8)(a) and (c)~~,  
3062 and those that include tax filings with federal, state, or local

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3063 government, may ~~shall~~ not be offered or rendered for a fee  
3064 contingent upon the findings or results of such service. This  
3065 section does not apply to services involving federal, state, or  
3066 other taxes in which the findings are those of the tax  
3067 authorities and not those of the certified public accountant or  
3068 firm. Fees to be fixed by courts or other public authorities,  
3069 which are of an indeterminate amount at the time a public  
3070 accounting service is undertaken, may ~~shall~~ not be regarded as  
3071 contingent fees for purposes of this section.

3072 **Section 112. Section 473.3205, Florida Statutes, is**  
3073 **amended to read:**

3074 473.3205 Commissions or referral fees.—A certified public  
3075 accountant or firm may not accept or pay a commission or  
3076 referral fee in connection with the sale or referral of public  
3077 accounting services as defined in s. 473.302(7)(a) and (c) ~~s.~~  
3078 ~~473.302(8)(a) and (c)~~. Any certified public accountant or firm  
3079 that is engaged in the practice of public accounting and that  
3080 accepts a commission for the sale of a product or service to a  
3081 client must disclose that fact to the client in writing in  
3082 accordance with rules adopted by the department ~~board~~. However,  
3083 this section may ~~shall~~ not prohibit:

- 3084 (1) Payments for the purchase of an accounting practice;  
3085 (2) Retirement payments to individuals formerly engaged in  
3086 the practice of public accounting or payments to their heirs or  
3087 estates; or

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3088 (3) Payment of fees to a referring certified public  
3089 accountant or firm for public accounting services to the  
3090 successor certified public accountant or firm or the client in  
3091 connection with an engagement.

3092 **Section 113. Subsection (3) of section 473.321, Florida**  
3093 **Statutes, is amended to read:**

3094 473.321 Fictitious names.—

3095 (3) The department board shall adopt rules for  
3096 interpretation of this section.

3097 **Section 114. Paragraphs (c) and (e) of subsection (1) of**  
3098 **section 473.322, Florida Statutes, are amended to read:**

3099 473.322 Prohibitions; penalties.—

3100 (1) A person may not knowingly:

3101 (c) Perform or offer to perform any services described in  
3102 s. 473.302(7)(a) or (d) ~~s. 473.302(8)(a) or (d)~~ unless such  
3103 person holds an active license under this chapter and is a  
3104 licensed firm, provides such services through a licensed firm,  
3105 or complies with ss. 473.3101 and 473.3141. This paragraph does  
3106 not prohibit the performance by persons other than certified  
3107 public accountants of other services involving the use of  
3108 accounting skills, including the preparation of tax returns and  
3109 the preparation of financial statements without expression of  
3110 opinion thereon;

3111 (e) Give false or forged evidence to the department board  
3112 ~~or a member thereof~~;

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3113           **Section 115. Paragraph (m) of subsection (1) and**  
3114 **subsections (2), (3), and (4) of section 473.323, Florida**  
3115 **Statutes, are amended to read:**

3116           473.323 Disciplinary proceedings.—

3117           (1) The following acts constitute grounds for which the  
3118 disciplinary actions in subsection (3) may be taken:

3119           (m) Failing to provide any written disclosure to a client  
3120 or the public which is required by this chapter or rule of the  
3121 department board.

3122           (2) The department board shall specify, by rule, what acts  
3123 or omissions constitute a violation of subsection (1).

3124           (3) When the department board finds any certified public  
3125 accountant or firm guilty of any of the grounds set forth in  
3126 subsection (1), it may enter an order imposing one or more of  
3127 the following penalties:

3128           (a) Denial of an application for licensure.

3129           (b) Revocation or suspension of the certified public  
3130 accountant or firm's license or practice privileges in this  
3131 state.

3132           (c) Imposition of an administrative fine not to exceed  
3133 \$5,000 for each count or separate offense.

3134           (d) Issuance of a reprimand.

3135           (e) Placement of the certified public accountant on  
3136 probation for a period of time and subject to such conditions as  
3137 the department board may specify, including requiring the

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3138 certified public accountant to attend continuing education  
3139 courses or to work under the supervision of another licensee.

3140 (f) Restriction of the authorized scope of practice by the  
3141 certified public accountant.

3142 (4) The department shall reissue the license of a  
3143 disciplined licensee upon certification by the department board ~~board~~  
3144 that the disciplined licensee has complied with all of the terms  
3145 and conditions set forth in the final order.

3146 **Section 116. Subsections (2) of section 474.202, Florida**  
3147 **Statutes, is amended to read:**

3148 474.202 Definitions.—As used in this chapter:

3149 ~~(2) "Board" means the Board of Veterinary Medicine.~~

3150 **Section 117. Subsection (3) and paragraph (e) of**  
3151 **subsection (4) of section 474.2021, Florida Statutes, are**  
3152 **amended to read:**

3153 474.2021 Veterinary telehealth.—

3154 (3) The department board ~~board~~ has jurisdiction over a  
3155 veterinarian practicing veterinary telehealth, regardless of  
3156 where the veterinarian's physical office is located. The  
3157 practice of veterinary medicine is deemed to occur when the  
3158 veterinarian, the patient, or both are located within this state  
3159 at the time the veterinarian practices veterinary telehealth.

3160 (4) A veterinarian practicing veterinary telehealth:

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3161 (e) Shall prescribe all drugs and medications in  
3162 accordance with all federal and state laws and the following  
3163 requirements:

3164 1. A veterinarian practicing veterinary telehealth may  
3165 order, prescribe, or make available medicinal drugs or drugs  
3166 specifically approved for use in animals by the United States  
3167 Food and Drug Administration, the use of which conforms to the  
3168 approved labeling. Prescriptions based solely on a telehealth  
3169 evaluation may be issued for up to 1 year ~~month~~ for products  
3170 labeled solely for flea and tick control and up to 14 days of  
3171 treatment for other animal drugs. Prescriptions based solely on  
3172 a telehealth evaluation may not be renewed without an in-person  
3173 examination.

3174 2. A veterinarian practicing veterinary telehealth may not  
3175 order, prescribe, or make available medicinal drugs or drugs as  
3176 defined in s. 465.003 approved by the United States Food and  
3177 Drug Administration for human use or compounded antibacterial,  
3178 antifungal, antiviral, or antiparasitic medications, unless the  
3179 veterinarian has conducted an in-person physical examination of  
3180 the animal or made medically appropriate and timely visits to  
3181 the premises where the animal is kept.

3182 3. A veterinarian may not use veterinary telehealth to  
3183 prescribe a controlled substance as defined in chapter 893  
3184 unless the veterinarian has conducted an in-person physical  
3185 examination of the animal or made medically appropriate and

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3186 | timely visits within the past year to the premises where the  
3187 | animal is kept.

3188 |         4. A veterinarian practicing veterinary telehealth may not  
3189 | prescribe a drug or other medication for use on a horse engaged  
3190 | in racing or training at a facility under the jurisdiction of  
3191 | the Florida Gaming Control Commission or on a horse that is a  
3192 | covered horse as defined in the federal Horseracing Integrity  
3193 | and Safety Act, 15 U.S.C. ss. 3051 et seq.;

3194 |         **Section 118. Section 474.2065, Florida Statutes, is**  
3195 | **amended to read:**

3196 |         474.2065 Fees.—The department board, by rule, shall  
3197 | establish fees for application and examination, reexamination,  
3198 | license renewal, inactive status, renewal of inactive status,  
3199 | license reactivation, periodic inspection of veterinary  
3200 | establishments, and duplicate copies of licenses, certificates,  
3201 | and permits. The fee for the initial application and examination  
3202 | may not exceed \$650 plus the actual per applicant cost to the  
3203 | department for purchase of portions of the examination from the  
3204 | Professional Examination Service for the American Veterinary  
3205 | Medical Association or a similar national organization. The fee  
3206 | for licensure by endorsement may not exceed \$500. The fee for  
3207 | temporary licensure may not exceed \$200. The department board  
3208 | shall establish fees that are adequate to ensure its continued  
3209 | operation and to fund the proportionate expenses incurred by the  
3210 | department which are allocated to the regulation of

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3211 veterinarians. Fees shall be based on departmental estimates of  
3212 the revenue required to administer this chapter and the  
3213 provisions relating to the regulation of veterinarians.

3214 **Section 119. Subsections (1) through (4) of section**  
3215 **474.207, Florida Statutes, are amended to read:**

3216 474.207 Licensure by examination.—

3217 (1) Any person desiring to be licensed as a veterinarian  
3218 shall apply to the department to take a licensure examination.  
3219 The department board ~~board~~ may by rule adopt use of a national  
3220 examination in lieu of part or all of the examination required  
3221 by this section, with a reasonable passing score to be set by  
3222 rule of the department board.

3223 (2) The department shall license each applicant who the  
3224 board certifies has:

3225 (a) Completed the application form and remitted an  
3226 examination fee set by the department board ~~board~~.

3227 (b)1. Graduated from a college of veterinary medicine  
3228 accredited by the American Veterinary Medical Association  
3229 Council on Education; or

3230 2. Graduated from a college of veterinary medicine listed  
3231 in the American Veterinary Medical Association Roster of  
3232 Veterinary Colleges of the World and obtained a certificate from  
3233 the Education Commission for Foreign Veterinary Graduates or the  
3234 Program for the Assessment of Veterinary Education Equivalence.

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3235 (c) Successfully completed the examination provided by the  
3236 department for this purpose, or an examination determined by the  
3237 department board to be equivalent.

3238 (d) Demonstrated knowledge of the laws and rules governing  
3239 the practice of veterinary medicine in Florida in a manner  
3240 designated by rules of the department board.

3241  
3242 The department may ~~shall~~ not issue a license to any applicant  
3243 who is under investigation in any state or territory of the  
3244 United States or in the District of Columbia for an act which  
3245 would constitute a violation of this chapter until the  
3246 investigation is complete and disciplinary proceedings have been  
3247 terminated, at which time the provisions of s. 474.214 shall  
3248 apply.

3249 (3) Notwithstanding ~~the provisions of~~ paragraph (2) (b), an  
3250 applicant shall be deemed to have met the education requirements  
3251 for licensure upon submission of evidence that the applicant  
3252 meets one of the following:

3253 (a) The applicant was certified for examination by the  
3254 board prior to October 1, 1989; or

3255 (b) The applicant immigrated to the United States after  
3256 leaving her or his home country because of political reasons,  
3257 provided such country is located in the Western Hemisphere and  
3258 lacks diplomatic relations with the United States; and

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3259 1. Was a Florida resident immediately preceding her or his  
3260 application for licensure;

3261 2. Demonstrates to the department ~~board~~, through  
3262 submission of documentation verified by the applicant's  
3263 respective professional association in exile, that she or he  
3264 received a professional degree in veterinary medicine from a  
3265 college or university located in the country from which she or  
3266 he emigrated. However, the department ~~board~~ may not require  
3267 receipt transcripts from the Republic of Cuba as a condition of  
3268 eligibility under this section; and

3269 3. Lawfully practiced her or his profession for at least 3  
3270 years.

3271 (4) Applicants certified for examination or reexamination  
3272 under subsection (3) who fail the examination three times  
3273 subsequent to October 1, 1989, shall be required to demonstrate  
3274 to the department ~~board~~ that they meet the requirements of  
3275 paragraph (2)(b) before ~~prior to~~ any further reexamination or  
3276 certification for licensure.

3277 **Section 120. Section 474.211, Florida Statutes, is amended**  
3278 **to read:**

3279 474.211 Renewal of license.—

3280 (1) The department shall renew a license upon receipt of  
3281 the renewal application and fee ~~and an affidavit of compliance~~  
3282 ~~with continuing education requirements set by rule of the board.~~

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3283 (2) The department shall adopt rules establishing a  
3284 procedure for the biennial renewal of licenses.

3285 ~~(3) The board may by rule prescribe continuing education,~~  
3286 ~~not to exceed 30 hours biennially, as a condition for renewal of~~  
3287 ~~a license or certificate. The criteria for such programs,~~  
3288 ~~providers, and courses shall be approved by the board.~~

3289 **Section 121. Subsections (1), (2), and (3) of section**  
3290 **474.2125, Florida Statutes, are amended to read:**

3291 474.2125 Temporary license.—

3292 (1) The department board shall adopt rules providing for  
3293 the issuance of a temporary license to a licensed veterinarian  
3294 of another state for the purpose of enabling her or him to  
3295 provide veterinary medical services in this state for the  
3296 animals of a specific owner or, as may be needed in an emergency  
3297 as defined in s. 252.34(4), for the animals of multiple owners,  
3298 provided the applicant would qualify for licensure by  
3299 endorsement under s. 474.217. No temporary license shall be  
3300 valid for more than 30 days after its issuance, and no license  
3301 shall cover more than the treatment of the animals of one owner  
3302 except in an emergency as defined in s. 252.34(4). After the  
3303 expiration of 30 days, a new license is required.

3304 (2) Each application for a temporary license shall state  
3305 the names of all persons who are to enter this state and shall  
3306 be accompanied by a fee in an amount established by the  
3307 department board.

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3308 (3) Upon certification of the applicant by the department  
3309 ~~board~~, the department shall issue a temporary license to the  
3310 applicant.

3311 **Section 122. Paragraph (d) of subsection (1) of section**  
3312 **474.213, Florida Statutes, is amended to read:**

3313 474.213 Prohibitions; penalties.—

3314 (1) No person shall:

3315 (d) Give false or forged evidence to the department ~~board~~  
3316 or a member thereof for the purpose of obtaining a license;

3317 **Section 123. Paragraphs (a), (f), (h), (j), (v), (aa),**  
3318 **(ee), (jj), and (nn) of subsection (1) and subsections (2) and**  
3319 **(3) of section 474.214, Florida Statutes, are amended to read:**

3320 474.214 Disciplinary proceedings.—

3321 (1) The following acts shall constitute grounds for which  
3322 the disciplinary actions in subsection (2) may be taken:

3323 (a) Attempting to procure a license to practice veterinary  
3324 medicine by bribery, by fraudulent representations, or through  
3325 an error of the department ~~or the board~~.

3326 (f) Violating any provision of this chapter or chapter  
3327 455, a rule of the ~~board~~ ~~or~~ department, or a lawful order of the  
3328 ~~board~~ ~~or~~ department previously entered in a disciplinary  
3329 hearing, or failing to comply with a lawfully issued subpoena of  
3330 the department.

3331 (h) Being unable to practice veterinary medicine with  
3332 reasonable skill or safety to patients by reason of illness,

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3333 drunkenness, use of drugs, narcotics, chemicals, or any other  
3334 material or substance or as a result of any mental or physical  
3335 condition. In enforcing this paragraph, upon a finding by the  
3336 secretary, the secretary's designee, or the probable cause panel  
3337 of the department board that probable cause exists to believe  
3338 that the licensee is unable to practice the profession because  
3339 of the reasons stated in this paragraph, the department shall  
3340 have the authority to compel a licensee to submit to a mental or  
3341 physical examination by a physician designated by the  
3342 department. If the licensee refuses to comply with the  
3343 department's order, the department may file a petition for  
3344 enforcement in the circuit court of the circuit in which the  
3345 licensee resides or does business. The licensee may ~~shall~~ not be  
3346 named or identified by initials in any other public court  
3347 records or documents and the enforcement proceedings shall be  
3348 closed to the public. The department shall be entitled to the  
3349 summary procedure provided in s. 51.011. A licensee affected  
3350 under this paragraph shall be afforded an opportunity at  
3351 reasonable intervals to demonstrate that she or he can resume  
3352 the competent practice for which she or he is licensed with  
3353 reasonable skill and safety to patients. Neither the record of  
3354 proceedings nor the orders entered by the department board in  
3355 any proceedings under this paragraph shall be used against a  
3356 licensee in any other proceedings.

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3357 (j) Knowingly maintaining a professional connection or  
3358 association with any person who is in violation of the  
3359 provisions of this chapter or the rules of the ~~board or~~  
3360 department. However, if the licensee verifies that the person is  
3361 actively participating in a department-approved ~~board-approved~~  
3362 program for the treatment of a physical or mental condition, the  
3363 licensee is required only to report such person to the  
3364 consultant.

3365 (v) Failing to keep the equipment and premises of the  
3366 business establishment in a clean and sanitary condition, having  
3367 a premises permit suspended or revoked pursuant to s. 474.215,  
3368 or operating or managing premises that do not comply with  
3369 requirements established by rule of the department ~~board~~.

3370 (aa) Failing to report to the department any person the  
3371 licensee knows to be in violation of this chapter or of the  
3372 rules of the department ~~or board~~. However, if the licensee  
3373 verifies that the person is actively participating in a  
3374 department-approved ~~board-approved~~ program for the treatment of  
3375 a physical or mental condition, the licensee is required only to  
3376 report such person to the consultant.

3377 (ee) Failing to keep contemporaneously written medical  
3378 records as required by rule of the department ~~board~~.

3379 (jj) Failing to report to the department ~~board~~ within 30  
3380 days, in writing, any action set forth in paragraph (b) that has  
3381 been taken against the practitioner's license to practice

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3382 veterinary medicine by any jurisdiction, including any agency or  
3383 subdivision thereof.

3384 (nn) Failing to report a change of address to the  
3385 department board within 60 days thereof.

3386 (2) When the department board finds any applicant or  
3387 veterinarian guilty of any of the grounds set forth in  
3388 subsection (1), regardless of whether the violation occurred  
3389 before ~~prior to~~ licensure, it may enter an order imposing one or  
3390 more of the following penalties:

3391 (a) Denial of certification for examination or licensure.

3392 (b) Revocation or suspension of a license.

3393 (c) Imposition of an administrative fine not to exceed  
3394 \$5,000 for each count or separate offense.

3395 (d) Issuance of a reprimand.

3396 (e) Placement of the veterinarian on probation for a  
3397 period of time and subject to such conditions as the department  
3398 ~~board~~ may specify, including requiring the veterinarian to  
3399 attend continuing education courses or to work under the  
3400 supervision of another veterinarian.

3401 (f) Restricting the authorized scope of practice.

3402 (g) Imposition of costs of the investigation and  
3403 prosecution.

3404 (h) Requiring the veterinarian to undergo remedial  
3405 education.

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3407 In determining appropriate action, the department ~~board~~ must  
3408 first consider those sanctions necessary to protect the public.  
3409 Only after those sanctions have been imposed may the  
3410 disciplining authority consider and include in its order  
3411 requirements designed to rehabilitate the veterinarian. All  
3412 costs associated with compliance with any order issued under  
3413 this subsection are the obligation of the veterinarian.

3414 (3) The department shall reissue the license of a  
3415 disciplined veterinarian upon certification by the department  
3416 ~~board~~ that the disciplined veterinarian has complied with all of  
3417 the terms and conditions set forth in the final order and is  
3418 capable of competently and safely engaging in the practice of  
3419 veterinary medicine.

3420 **Section 124. Subsections (1), (5), (7), (8), and (9) of**  
3421 **section 474.215, Florida Statutes, are amended to read:**

3422 474.215 Premises permits.—

3423 (1) Any establishment, permanent or mobile, where a  
3424 licensed veterinarian practices must have a premises permit  
3425 issued by the department. Upon application and payment of a fee  
3426 not to exceed \$250, ~~as set by rule of the board,~~ the department  
3427 shall cause such establishment to be inspected. A premises  
3428 permit shall be issued if the establishment meets minimum  
3429 standards, to be adopted by rule of the department ~~board~~, as to  
3430 sanitary conditions, recordkeeping, equipment, radiation  
3431 monitoring, services required, and physical plant.

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3432 (5) The department may issue a temporary premises permit  
3433 to a responsible veterinarian who has submitted the application  
3434 fee and a completed application form affirming compliance with  
3435 the standards set by rule of the department ~~board~~. If the  
3436 department inspects the establishment and discovers that it is  
3437 not in compliance with the department's standards, the  
3438 department shall notify the veterinarian in writing of the  
3439 deficiencies and shall provide 30 days for correction of the  
3440 deficiencies and reinspection. Such temporary permit shall  
3441 become void upon notification by the department that the  
3442 establishment has failed, after reinspection, to meet those  
3443 standards. Upon receipt of such notice, the responsible  
3444 veterinarian shall close the establishment until completion of a  
3445 subsequent inspection affirming that the required standards have  
3446 been met and until another permit has been issued by the  
3447 department.

3448 (7) The department ~~board~~ by rule shall establish minimum  
3449 standards for the operation of limited service veterinary  
3450 medical practices. Such rules may ~~shall~~ not restrict limited  
3451 service veterinary medical practices and shall be consistent  
3452 with the type of limited veterinary medical service provided.

3453 (a) Any person that offers or provides limited service  
3454 veterinary medical practice shall obtain a biennial permit from  
3455 the department ~~board~~ the cost of which may ~~shall~~ not exceed  
3456 \$250. The limited service permittee shall register each location

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3457 where a limited service clinic is held and shall pay a fee set  
3458 by rule not to exceed \$25 to register each such location.

3459 (b) All permits issued under this subsection are subject  
3460 to the provisions of ss. 474.213 and 474.214.

3461 (c) Notwithstanding any provision of this subsection to  
3462 the contrary, any temporary rabies vaccination effort operated  
3463 by a county health department in response to a public health  
3464 threat, as declared by the State Health Officer in consultation  
3465 with the State Veterinarian, is not subject to any  
3466 preregistration, time limitation, or fee requirements, but must  
3467 adhere to all other requirements for limited service veterinary  
3468 medical practice as prescribed by rule. The fee charged to the  
3469 public for a rabies vaccination administered during such  
3470 temporary rabies vaccination effort may not exceed the actual  
3471 cost of administering the rabies vaccine. Such rabies  
3472 vaccination efforts may not be used for any purpose other than  
3473 to address the public health consequences of the rabies  
3474 outbreak. The department board shall be immediately notified in  
3475 writing of any temporary rabies vaccination effort operated  
3476 under this paragraph.

3477 (8) Any person who is not a veterinarian licensed under  
3478 this chapter but who desires to own and operate a veterinary  
3479 medical establishment or limited service clinic shall apply to  
3480 the department board for a premises permit. If the department  
3481 board certifies that the applicant complies with the applicable

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3482 laws and rules of the department ~~board~~, the department shall  
3483 issue a premises permit. No permit shall be issued unless a  
3484 licensed veterinarian is designated to undertake the  
3485 professional supervision of the veterinary medical practice and  
3486 the minimum standards set by rule of the department ~~board~~ for  
3487 premises where veterinary medicine is practiced. Upon  
3488 application, the department shall submit the permittee's name  
3489 for a statewide criminal records correspondence check through  
3490 the Department of Law Enforcement. The permittee shall notify  
3491 the department ~~board~~ within 10 days after any designation of a  
3492 new licensed veterinarian responsible for such duties. A  
3493 permittee under this subsection is subject to the provisions of  
3494 subsection (9) and s. 474.214.

3495 (9) (a) The department ~~or the board~~ may deny, revoke, or  
3496 suspend the permit of any permittee under this section and may  
3497 fine, place on probation, or otherwise discipline any such  
3498 permittee who has:

3499 1. Obtained a permit by misrepresentation or fraud or  
3500 through an error of the department ~~or board~~;

3501 2. Attempted to procure, or has procured, a permit for any  
3502 other person by making, or causing to be made, any false  
3503 representation;

3504 3. Violated any of the requirements of this chapter or any  
3505 rule of the department ~~board~~; or

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3506 4. Been convicted or found guilty of, or entered a plea of  
3507 nolo contendere to, regardless of adjudication, a felony in any  
3508 court of this state, of any other state, or of the United  
3509 States.

3510 (b) If the permit is revoked or suspended, the owner,  
3511 manager, or proprietor shall cease to operate the premises as a  
3512 veterinary medical practice as of the effective date of the  
3513 suspension or revocation. In the event of such revocation or  
3514 suspension, the owner, manager, or proprietor shall remove from  
3515 the premises all signs and symbols identifying the premises as a  
3516 veterinary medical practice. The period of any such suspension  
3517 shall be prescribed by rule of the department board, but may not  
3518 exceed 1 year. If the permit is revoked, the person owning or  
3519 operating the establishment may not apply for a permit to  
3520 operate a premises for a period of 1 year after the effective  
3521 date of such revocation. Upon the effective date of such  
3522 revocation, the permittee must advise the department board of  
3523 the disposition of all medicinal drugs and must provide for  
3524 ensuring the security, confidentiality, and availability to  
3525 clients of all patient medical records.

3526 **Section 125. Section 474.216, Florida Statutes, is amended**  
3527 **to read:**

3528 474.216 License and premises permit to be displayed.—Each  
3529 person to whom a license or premises permit is issued shall keep  
3530 such document conspicuously displayed in her or his office,

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3531 place of business, or place of employment, whether a permanent  
3532 or mobile veterinary establishment or clinic, and shall,  
3533 whenever required, exhibit said document to any member or  
3534 authorized representative of the department board.

3535 **Section 126. Subsections (6), (8), (10), and (11) of**  
3536 **section 474.2165, Florida Statutes, are amended to read:**

3537 474.2165 Ownership and control of veterinary medical  
3538 patient records; report or copies of records to be furnished.-

3539 (6) The department may obtain patient records pursuant to  
3540 a subpoena without written authorization from the client if the  
3541 department ~~and the probable cause panel of the board~~ find  
3542 reasonable cause to believe that a veterinarian has excessively  
3543 or inappropriately prescribed any controlled substance specified  
3544 in chapter 893 in violation of this chapter or that a  
3545 veterinarian has practiced his or her profession below that  
3546 level of care, skill, and treatment required as defined by this  
3547 chapter.

3548 (8) Notwithstanding the provisions of s. 455.242, records  
3549 owners shall notify the department board office ~~board office~~ when they are  
3550 terminating practice, retiring, or relocating and are no longer  
3551 available to patients, specifying who the new records owner is  
3552 and where the medical records can be found.

3553 (10) Veterinarians in violation of the provisions of this  
3554 section shall be disciplined by the department board.

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3555 (11) A records owner furnishing copies of reports or  
3556 records pursuant to this section shall charge no more than the  
3557 actual cost of copying, including reasonable staff time, or the  
3558 amount specified in administrative rule by the department board.

3559 **Section 127. Subsection (1) of section 474.217, Florida**  
3560 **Statutes, is amended to read:**

3561 474.217 Licensure by endorsement.—

3562 (1) The department shall issue a license by endorsement to  
3563 any applicant who, upon applying to the department and remitting  
3564 a fee set by the department board, demonstrates to the  
3565 department board that she or he:

3566 (a) Has demonstrated, in a manner designated by rule of  
3567 the department board, knowledge of the laws and rules governing  
3568 the practice of veterinary medicine in this state; and

3569 (b)1. Holds, and has held for the 3 years immediately  
3570 preceding the application for licensure, a valid, active license  
3571 to practice veterinary medicine in another state of the United  
3572 States, the District of Columbia, or a territory of the United  
3573 States, provided that the applicant has successfully completed a  
3574 state, regional, national, or other examination that is  
3575 equivalent to or more stringent than the examination required by  
3576 the department board; or

3577 2. Meets the qualifications of s. 474.207(2)(b) and has  
3578 successfully completed a state, regional, national, or other  
3579 examination which is equivalent to or more stringent than the

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3580 examination given by the department and has passed the ~~board's~~  
3581 clinical competency examination or another clinical competency  
3582 examination specified by rule of the department ~~board~~.

3583 **Section 128. Section 474.221, Florida Statutes, is amended**  
3584 **to read:**

3585 474.221 Impaired practitioner provisions; applicability.—  
3586 Notwithstanding the transfer of the Division of Medical Quality  
3587 Assurance to the Department of Health or any other provision of  
3588 law to the contrary, veterinarians licensed under this chapter  
3589 shall be governed by the impaired practitioner program  
3590 provisions of s. 456.076 as if they were under the jurisdiction  
3591 of the Division of Medical Quality Assurance, except that for  
3592 veterinarians the Department of Business and Professional  
3593 Regulation shall, at its option, exercise any of the powers  
3594 granted to the Department of Health by that section, ~~and "board"~~  
3595 ~~shall mean board as defined in this chapter.~~

3596 **Section 129. Subsection (4) of section 476.034, Florida**  
3597 **Statutes, is amended to read:**

3598 476.034 Definitions.—As used in this act:

3599 ~~(4) "Board" means the Barbers' Board.~~

3600 **Section 130. Subsection (2) of section 476.074, Florida**  
3601 **Statutes, is amended to read:**

3602 476.074 Legal, investigative, and inspection services.—

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3603 (2) The department shall provide all investigative  
3604 services required by the ~~board or the~~ department in carrying out  
3605 ~~the provisions of~~ this act.

3606 **Section 131. Paragraph (c) of subsection (2) and**  
3607 **subsection (3) of section 476.114, Florida Statutes, are amended**  
3608 **to read:**

3609 476.114 Examination; prerequisites.—

3610 (2) An applicant is eligible for licensure by examination  
3611 to practice barbering if the applicant:

3612 (c) Has received a minimum of 900 hours of training in  
3613 sanitation, safety, and laws and rules, as established by the  
3614 department ~~board~~, which must include, but is not limited to, the  
3615 equivalent of completion of services directly related to the  
3616 practice of barbering at one of the following:

- 3617 1. A school of barbering licensed pursuant to chapter  
3618 1005;
- 3619 2. A barbering program within the public school system; or
- 3620 3. A government-operated barbering program in this state.

3621  
3622 The department ~~board~~ shall establish by rule procedures whereby  
3623 the school or program may certify that a person is qualified to  
3624 take the required examination after the completion of a minimum  
3625 of 600 actual school hours. If the person passes the  
3626 examination, she or he has satisfied this requirement; but if  
3627 the person fails the examination, she or he may not be qualified

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3628 to take the examination again until the completion of the full  
3629 requirements provided by this section.

3630 (3) An applicant who meets the requirements set forth in  
3631 paragraph (2)(c) who fails to pass the examination may take  
3632 subsequent examinations as many times as necessary to pass,  
3633 except that the department board ~~board~~ may specify by rule reasonable  
3634 timeframes for rescheduling the examination and additional  
3635 training requirements for applicants who, after the third  
3636 attempt, fail to pass the examination. Before ~~Prior to~~  
3637 reexamination, the applicant must file the appropriate form and  
3638 pay the reexamination fee as required by rule.

3639 **Section 132. Subsections (1) and (2) of section 476.134,**  
3640 **Florida Statutes, are amended to read:**

3641 476.134 Examinations.—

3642 (1) Examinations of applicants for licenses as barbers  
3643 shall be offered not less than four times each year. The  
3644 examination of applicants for licenses as barbers shall include  
3645 a written test. The department may board ~~shall have the~~  
3646 ~~authority to~~ adopt rules with respect to the examination of  
3647 applicants for licensure. The department board ~~board~~ may provide rules  
3648 with respect to written examinations in such manner as the  
3649 department board ~~board~~ may deem fit.

3650 (2) The department board ~~board~~ shall adopt rules specifying the  
3651 areas of competency to be covered by the examination. Such rules  
3652 shall include the relative weight assigned in grading each area.

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3653 All areas tested shall be reasonably related to the protection  
3654 of the public and the applicant's competency to practice  
3655 barbering in a manner which will not endanger the public.

3656 **Section 133. Subsections (1), (2), (5), and (6) of section**  
3657 **476.144, Florida Statutes, are amended to read:**

3658 476.144 Licensure.—

3659 (1) The department shall license any applicant who the  
3660 department board certifies is qualified to practice barbering in  
3661 this state.

3662 (2) The department board shall certify for licensure any  
3663 applicant who satisfies the requirements of s. 476.114, and who  
3664 passes the required examination, achieving a passing grade as  
3665 established by department board rule.

3666 (5) The department board shall certify as qualified for  
3667 licensure by endorsement as a barber in this state an applicant  
3668 who holds a current active license to practice barbering in  
3669 another state. The department board shall adopt rules specifying  
3670 procedures for the licensure by endorsement of practitioners  
3671 desiring to be licensed in this state who hold a current active  
3672 license in another country and who have met qualifications  
3673 substantially similar to, equivalent to, or greater than the  
3674 qualifications required of applicants from this state.

3675 (6) A person may apply for a restricted license to  
3676 practice barbering. The department board shall adopt rules

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3677 specifying procedures for an applicant to obtain a restricted  
3678 license if the applicant:

3679 (a)1. Has successfully completed a restricted barber  
3680 course, as established by rule of the department board, at a  
3681 school of barbering licensed pursuant to chapter 1005, a  
3682 barbering program within the public school system, or a  
3683 government-operated barbering program in this state; or

3684 2.a. Holds or has within the previous 5 years held an  
3685 active valid license to practice barbering in another state or  
3686 country or has held a Florida barbering license which has been  
3687 declared null and void for failure to renew the license, and the  
3688 applicant fulfilled the requirements of s. 476.114(2)(c) for  
3689 initial licensure; and

3690 b. Has not been disciplined relating to the practice of  
3691 barbering in the previous 5 years; and

3692 (b) Passes a written examination on the laws and rules  
3693 governing the practice of barbering in Florida, as established  
3694 by the department board.

3695

3696 The restricted license shall limit the licensee's practice to  
3697 those specific areas in which the applicant has demonstrated  
3698 competence pursuant to rules adopted by the department board.

3699 **Section 134. Subsection (2) of section 476.154, Florida**  
3700 **Statutes, is amended to read:**

3701 476.154 Biennial renewal of licenses.—

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3702 (2) Any license or certificate of registration issued  
3703 pursuant to this act for a period less than the established  
3704 biennial issuance period may be issued for that lesser period of  
3705 time, and the department shall adjust the required fee  
3706 accordingly. The department board shall adopt rules providing  
3707 for such partial period fee adjustments.

3708 **Section 135. Subsection (2) of section 476.155, Florida**  
3709 **Statutes, is amended to read:**

3710 476.155 Inactive status; reactivation of inactive  
3711 license.—

3712 (2) The department board shall adopt promulgate rules  
3713 relating to licenses which have become inactive and for the  
3714 renewal of inactive licenses. The department board shall  
3715 prescribe by rule a fee not to exceed \$100 for the reactivation  
3716 of an inactive license and a fee not to exceed \$50 for the  
3717 renewal of an inactive license.

3718 **Section 136. Subsection (1) of section 476.192, Florida**  
3719 **Statutes, is amended to read:**

3720 476.192 Fees; disposition.—

3721 (1) The department board shall set by rule fees according  
3722 to the following schedule:

3723 (a) For barbers, fees for original licensing, license  
3724 renewal, and delinquent renewal may shall not exceed \$100.

3725 (b) For barbers, fees for endorsement application,  
3726 examination, and reexamination may shall not exceed \$150.

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3727 (c) For barbershops, fees for license application,  
3728 original licensing, license renewal, and delinquent renewal may  
3729 ~~shall~~ not exceed \$150.

3730 (d) For duplicate licenses and certificates, fees may  
3731 ~~shall~~ not exceed \$25.

3732 **Section 137. Paragraph (i) of subsection (1) and**  
3733 **subsection (2) of section 476.204, Florida Statutes, are amended**  
3734 **to read:**

3735 476.204 Penalties.—

3736 (1) It is unlawful for any person to:

3737 (i) Violate or refuse to comply with any provision of this  
3738 chapter or chapter 455 or a rule or final order of the  
3739 department ~~board~~.

3740 (2) Any person who violates any provision of this section  
3741 shall be subject to one or more of the following penalties, as  
3742 determined by the department ~~board~~:

3743 (a) Revocation or suspension of any license or  
3744 registration issued pursuant to this chapter.

3745 (b) Issuance of a reprimand or censure.

3746 (c) Imposition of an administrative fine not to exceed  
3747 \$500 for each count or separate offense.

3748 (d) Placement on probation for a period of time and  
3749 subject to such reasonable conditions as the department ~~board~~  
3750 may specify.

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3751 (e) Refusal to certify to the department an applicant for  
3752 licensure.

3753 **Section 138. Section 476.214, Florida Statutes, is amended**  
3754 **to read:**

3755 476.214 Grounds for suspending, revoking, or refusing to  
3756 grant license or certificate.—

3757 (1) The department ~~may board~~ shall have the power to  
3758 revoke or suspend any license, registration card, or certificate  
3759 of registration issued pursuant to this act, or to reprimand,  
3760 censure, deny subsequent licensure of, or otherwise discipline  
3761 any holder of a license, registration card, or certificate of  
3762 registration issued pursuant to this act, for any of the  
3763 following causes:

3764 (a) Gross malpractice or gross incompetency in the  
3765 practice of barbering;

3766 (b) Practice by a person knowingly having an infectious or  
3767 contagious disease; or

3768 (c) Commission of any of the offenses described in s.  
3769 476.194.

3770 (2) The department ~~board~~ shall keep a record of its  
3771 disciplinary proceedings against holders of licenses or  
3772 certificates of registration issued pursuant to this act.

3773 (3) The department may ~~shall~~ not issue or renew a license  
3774 or certificate of registration under this chapter to any person  
3775 against whom or barbershop against which the department ~~board~~

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3776 has assessed a fine, interest, or costs associated with  
3777 investigation and prosecution until the person or barbershop has  
3778 paid in full such fine, interest, or costs associated with  
3779 investigation and prosecution or until the person or barbershop  
3780 complies with or satisfies all terms and conditions of the final  
3781 order.

3782 **Section 139. Section 476.234, Florida Statutes, is amended**  
3783 **to read:**

3784 476.234 Civil proceedings.—In addition to any other  
3785 remedy, the department may file a proceeding in the name of the  
3786 state seeking issuance of a restraining order, injunction, or  
3787 writ of mandamus against any person who is or has been violating  
3788 any of the provisions of this act or the lawful rules or orders  
3789 of the ~~board,~~ commission, or department.

3790 **Section 140. Subsections (2) through (13) of section**  
3791 **477.013, Florida Statutes, are renumbered as subsections (1)**  
3792 **through (12), respectively, and present subsections (1) and (8)**  
3793 **of that section are amended, to read:**

3794 477.013 Definitions.—As used in this chapter:

3795 ~~(1) "Board" means the Board of Cosmetology.~~

3796 ~~(7)(8)~~ "Specialty salon" means any place of business  
3797 wherein the practice of one or all of the specialties as defined  
3798 in subsection (5) ~~(6)~~ are engaged in or carried on.

3799 **Section 141. Subsections (7), (8), and (9) of section**  
3800 **477.0135, Florida Statutes, are amended to read:**

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3801 477.0135 Exemptions.—

3802 (7) A license or registration is not required for a person  
3803 whose occupation or practice is confined solely to hair braiding  
3804 as defined in s. 477.013(8) ~~s. 477.013(9)~~.

3805 (8) A license or registration is not required for a person  
3806 whose occupation or practice is confined solely to hair wrapping  
3807 as defined in s. 477.013(9) ~~s. 477.013(10)~~.

3808 (9) A license or registration is not required for a person  
3809 whose occupation or practice is confined solely to body wrapping  
3810 as defined in s. 477.013(11) ~~s. 477.013(12)~~.

3811 **Section 142. Section 477.016, Florida Statutes, is amended**  
3812 **to read:**

3813 477.016 Rulemaking.—

3814 (1) The department ~~board~~ may adopt rules pursuant to ss.  
3815 120.536(1) and 120.54 to implement the provisions of this  
3816 chapter conferring duties upon it.

3817 (2) The department ~~board~~ may by rule adopt any restriction  
3818 established by a regulation of the United States Food and Drug  
3819 Administration related to the use of a cosmetic product or any  
3820 substance used in the practice of cosmetology if the department  
3821 ~~board~~ finds that the product or substance poses a risk to the  
3822 health, safety, and welfare of clients or persons providing  
3823 cosmetology services.

3824 **Section 143. Section 477.018, Florida Statutes, is amended**  
3825 **to read:**

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3826 477.018 Investigative services.—The department shall  
3827 provide all investigative services required by the ~~board or the~~  
3828 department in carrying out the provisions of this act.

3829 **Section 144. Subsections (2), (3), (5), (6), and (7) of**  
3830 **section 477.019, Florida Statutes, are amended to read:**

3831 477.019 Cosmetologists; qualifications; licensure;  
3832 supervised practice; license renewal; endorsement; ~~continuing~~  
3833 ~~education.~~—

3834 (2) An applicant is eligible for licensure by examination  
3835 to practice cosmetology if the applicant:

3836 (a) Is at least 16 years of age or has received a high  
3837 school diploma;

3838 (b) Pays the required application fee, which is not  
3839 refundable, and the required examination fee, which is  
3840 refundable if the applicant is determined to not be eligible for  
3841 licensure for any reason other than failure to successfully  
3842 complete the licensure examination; and

3843 (c) Has received a minimum of 1,200 hours of training as  
3844 established by the department ~~board~~, which must include, but is  
3845 not limited to, the equivalent of completion of services  
3846 directly related to the practice of cosmetology at one of the  
3847 following:

3848 1. A school of cosmetology licensed pursuant to chapter  
3849 1005.

3850 2. A cosmetology program within the public school system.

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3851           3. The Cosmetology Division of the Florida School for the  
3852 Deaf and the Blind, provided the division meets the standards of  
3853 this chapter.

3854           4. A government-operated cosmetology program in this  
3855 state.

3856  
3857 The department ~~board~~ shall establish by rule procedures whereby  
3858 the school or program may certify that a person is qualified to  
3859 take the required examination after the completion of a minimum  
3860 of 1,000 actual school hours. If the person then passes the  
3861 examination, he or she has satisfied this requirement; but if  
3862 the person fails the examination, he or she may not be qualified  
3863 to take the examination again until the completion of the full  
3864 requirements provided by this section.

3865           (3) Upon an applicant receiving a passing grade, as  
3866 established by department ~~board~~ rule, on the examination and  
3867 paying the initial licensing fee, the department shall issue a  
3868 license to practice cosmetology.

3869           (5) Renewal of license registration shall be accomplished  
3870 pursuant to rules adopted by the department ~~board~~.

3871           (6) The department ~~board~~ shall certify as qualified for  
3872 licensure by endorsement as a cosmetologist in this state an  
3873 applicant who holds a current active license to practice  
3874 cosmetology in another state.

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

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

**Section 145. Paragraphs (b) and (c) of subsection (1) and subsections (4) and (5) of section 477.0201, Florida Statutes, are amended to read:**

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3899 477.0201 Specialty registration; qualifications;  
3900 registration renewal; endorsement.—

3901 (1) Any person is qualified for registration as a  
3902 specialist in any specialty practice within the practice of  
3903 cosmetology under this chapter who:

3904 (b) Has received a certificate of completion for:

3905 1. One hundred and eighty hours of training, as  
3906 established by the department board, which shall focus primarily  
3907 on sanitation and safety, to practice specialties as defined in  
3908 s. 477.013(11) (a) and (b) ~~s. 477.013(6) (a) and (b)~~;

3909 2. Two hundred and twenty hours of training, as  
3910 established by the department board, which shall focus primarily  
3911 on sanitation and safety, to practice the specialty as defined  
3912 in s. 477.013(11) (c) ~~s. 477.013(6) (c)~~; or

3913 3. Four hundred hours of training or the number of hours  
3914 of training required to maintain minimum Pell Grant  
3915 requirements, as established by the department board, which  
3916 shall focus primarily on sanitation and safety, to practice the  
3917 specialties as defined in s. 477.013(11) (a)-(c) ~~s.~~  
3918 ~~477.013(6) (a)-(c)~~.

3919 (c) The certificate of completion specified in paragraph  
3920 (b) must be from one of the following:

3921 1. A school licensed pursuant to s. 477.023.

3922 2. A school licensed pursuant to chapter 1005 or the  
3923 equivalent licensing authority of another state.

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3924 3. A specialty program within the public school system.

3925 4. A specialty division within the Cosmetology Division of  
3926 the Florida School for the Deaf and the Blind, provided the  
3927 training programs comply with minimum curriculum requirements  
3928 established by the department board.

3929 (4) Renewal of registration shall be accomplished pursuant  
3930 to rules adopted by the department board.

3931 (5) The department board shall adopt rules specifying  
3932 procedures for the registration of specialty practitioners  
3933 desiring to be registered in this state who have been registered  
3934 or licensed and are practicing in states which have registering  
3935 or licensing standards substantially similar to, equivalent to,  
3936 or more stringent than the standards of this state.

3937 **Section 146. Subsection (2) of section 477.0212, Florida**  
3938 **Statutes, is amended to read:**

3939 477.0212 Inactive status.—

3940 (2) The department board shall adopt rules relating to  
3941 licenses that become inactive and for the renewal of inactive  
3942 licenses. ~~The rules may not require more than one renewal cycle~~  
3943 ~~of continuing education to reactivate a license.~~ The department  
3944 ~~board~~ shall prescribe by rule a fee not to exceed \$50 for the  
3945 reactivation of an inactive license and a fee not to exceed \$50  
3946 for the renewal of an inactive license.

3947 **Section 147. Subsections (1) and (2) of section 477.022,**  
3948 **Florida Statutes, are amended to read:**

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3949 477.022 Examinations.—

3950 (1) The department board shall ensure that examinations  
3951 adequately measure both an applicant's competency and her or his  
3952 knowledge of related statutory requirements. Professional  
3953 testing services may be utilized to formulate the examinations.  
3954 The department board may offer a written clinical examination or  
3955 a performance examination, or both, in addition to a written  
3956 theory examination.

3957 (2) The department board shall ensure that examinations  
3958 comply with state and federal equal employment opportunity  
3959 guidelines.

3960 **Section 148. Subsections (2), (8), (9), and (10) of**  
3961 **section 477.025, Florida Statutes, are amended to read:**

3962 477.025 Cosmetology salons; specialty salons; requisites;  
3963 licensure; inspection; mobile cosmetology salons.—

3964 (2) The department board shall adopt rules governing the  
3965 licensure and operation of salons and specialty salons and their  
3966 facilities, personnel, safety and sanitary requirements, and the  
3967 license application and granting process.

3968 (8) Renewal of license registration for cosmetology salons  
3969 or specialty salons shall be accomplished pursuant to rules  
3970 adopted by the department board. The department board is further  
3971 authorized to adopt rules governing delinquent renewal of  
3972 licenses and may impose penalty fees for delinquent renewal.

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3973 (9) The department ~~board~~ is authorized to adopt rules  
3974 governing the periodic inspection of cosmetology salons and  
3975 specialty salons licensed under this chapter.

3976 (10) (a) The department ~~board~~ shall adopt rules governing  
3977 the licensure, operation, and inspection of mobile cosmetology  
3978 salons, including their facilities, personnel, and safety and  
3979 sanitary requirements.

3980 (b) Each mobile salon must comply with all licensure and  
3981 operating requirements specified in this chapter or chapter 455  
3982 or rules of the ~~board or~~ department that apply to cosmetology  
3983 salons at fixed locations, except to the extent that such  
3984 requirements conflict with this subsection or rules adopted  
3985 pursuant to this subsection.

3986 (c) A mobile cosmetology salon must maintain a permanent  
3987 business address, located in the inspection area of the local  
3988 department office, at which records of appointments,  
3989 itineraries, license numbers of employees, and vehicle  
3990 identification numbers of the licenseholder's mobile salon shall  
3991 be kept and made available for verification purposes by  
3992 department personnel, and at which correspondence from the  
3993 department can be received.

3994 (d) To facilitate periodic inspections of mobile  
3995 cosmetology salons, before ~~prior to~~ the beginning of each month  
3996 each mobile salon licenseholder must file with the department

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3997 ~~board~~ a written monthly itinerary listing the locations where  
3998 and the dates and hours when the mobile salon will be operating.

3999 (e) The department ~~board~~ shall establish fees for mobile  
4000 cosmetology salons, not to exceed the fees for cosmetology  
4001 salons at fixed locations.

4002 (f) The operation of mobile cosmetology salons must be in  
4003 compliance with all local laws and ordinances regulating  
4004 business establishments, with all applicable requirements of the  
4005 Americans with Disabilities Act relating to accommodations for  
4006 persons with disabilities, and with all applicable OSHA  
4007 requirements.

4008 **Section 149. Section 477.026, Florida Statutes, is amended**  
4009 **to read:**

4010 477.026 Fees; disposition.—

4011 (1) The department ~~board~~ shall set fees according to the  
4012 following schedule:

4013 (a) For cosmetologists, fees for original licensing,  
4014 license renewal, and delinquent renewal may ~~shall~~ not exceed  
4015 \$50.

4016 (b) For cosmetologists, fees for endorsement application,  
4017 examination, and reexamination may ~~shall~~ not exceed \$50.

4018 (c) For cosmetology and specialty salons, fees for license  
4019 application, original licensing, license renewal, and delinquent  
4020 renewal may ~~shall~~ not exceed \$50.

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4021 (d) For specialists, fees for application and endorsement  
4022 registration may ~~shall~~ not exceed \$30.

4023 (e) For specialists, fees for initial registration,  
4024 registration renewal, and delinquent renewal may ~~shall~~ not  
4025 exceed \$50.

4026 (2) All moneys collected by the department from fees  
4027 authorized by this chapter shall be paid into the Professional  
4028 Regulation Trust Fund, which fund is created in the department,  
4029 and shall be applied in accordance with ss. 215.37 and 455.219.  
4030 The Legislature may appropriate any excess moneys from this fund  
4031 to the General Revenue Fund.

4032 (3) The department, with the advice of the department  
4033 ~~board~~, shall prepare and submit a proposed budget in accordance  
4034 with law.

4035 **Section 150. Subsections (2) and (4) of section 477.0263,**  
4036 **Florida Statutes, are amended to read:**

4037 477.0263 Cosmetology services to be performed in licensed  
4038 salon; exceptions.—

4039 (2) Pursuant to rules established by the department ~~board~~,  
4040 cosmetology services may be performed by a licensed  
4041 cosmetologist in a location other than a licensed salon,  
4042 including, but not limited to, a nursing home, hospital, or  
4043 residence, when a client for reasons of ill health is unable to  
4044 go to a licensed salon. Arrangements for the performance of such

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4045 cosmetology services in a location other than a licensed salon  
4046 shall be made only through a licensed salon.

4047 (4) Pursuant to rules adopted by the department ~~board~~, any  
4048 cosmetology or specialty service may be performed in a location  
4049 other than a licensed salon when the service is performed in  
4050 connection with a special event and is performed by a person who  
4051 holds the proper license or specialty registration.

4052 **Section 151. Section 477.028, Florida Statutes, is amended**  
4053 **to read:**

4054 477.028 Disciplinary proceedings.—

4055 (1) The department ~~may board shall have the power to~~  
4056 revoke or suspend the license of a cosmetologist licensed under  
4057 this chapter, or the registration of a specialist registered  
4058 under this chapter, and to reprimand, censure, deny subsequent  
4059 licensure or registration of, or otherwise discipline a  
4060 cosmetologist or a specialist licensed or registered under this  
4061 chapter in any of the following cases:

4062 (a) Upon proof that a license or registration has been  
4063 obtained by fraud or misrepresentation.

4064 (b) Upon proof that the holder of a license or  
4065 registration is guilty of fraud or deceit or of gross  
4066 negligence, incompetency, or misconduct in the practice or  
4067 instruction of cosmetology or a specialty.

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4068 (c) Upon proof that the holder of a license or  
4069 registration is guilty of aiding, assisting, procuring, or  
4070 advising any unlicensed person to practice as a cosmetologist.

4071 (2) The department may ~~board shall have the power to~~  
4072 revoke or suspend the license of a cosmetology salon or a  
4073 specialty salon licensed under this chapter, to deny subsequent  
4074 licensure of such salon, or to reprimand, censure, or otherwise  
4075 discipline the owner of such salon in either of the following  
4076 cases:

4077 (a) Upon proof that a license has been obtained by fraud  
4078 or misrepresentation.

4079 (b) Upon proof that the holder of a license is guilty of  
4080 fraud or deceit or of gross negligence, incompetency, or  
4081 misconduct in the operation of the salon so licensed.

4082 (3) Disciplinary proceedings shall be conducted pursuant  
4083 to the provisions of chapter 120.

4084 (4) The department may ~~shall~~ not issue or renew a license  
4085 or certificate of registration under this chapter to any person  
4086 against whom or salon against which the department ~~board~~ has  
4087 assessed a fine, interest, or costs associated with  
4088 investigation and prosecution until the person or salon has paid  
4089 in full such fine, interest, or costs associated with  
4090 investigation and prosecution or until the person or salon  
4091 complies with or satisfies all terms and conditions of the final  
4092 order.

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4093           **Section 152. Paragraph (i) of subsection (1) and**  
4094 **subsection (2) of section 477.029, Florida Statutes, are amended**  
4095 **to read:**

4096           477.029 Penalty.—

4097           (1) It is unlawful for any person to:

4098           (i) Violate or refuse to comply with any provision of this  
4099 chapter or chapter 455 or a rule or final order of the ~~board or~~  
4100 ~~the~~ department.

4101           (2) Any person who violates the provisions of this section  
4102 shall be subject to one or more of the following penalties, as  
4103 determined by the department ~~board~~:

4104           (a) Revocation or suspension of any license or  
4105 registration issued pursuant to this chapter.

4106           (b) Issuance of a reprimand or censure.

4107           (c) Imposition of an administrative fine not to exceed  
4108 \$500 for each count or separate offense.

4109           (d) Placement on probation for a period of time and  
4110 subject to such reasonable conditions as the department ~~board~~  
4111 may specify.

4112           (e) Refusal to certify to the department an applicant for  
4113 licensure.

4114           **Section 153. Subsections (4) through (16) of section**  
4115 **481.203, Florida Statutes, are renumbered as subsections (3)**  
4116 **through (15), respectively, and subsection (3) and present**  
4117 **subsection (8) of that section are amended, to read:**

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4118 481.203 Definitions.—As used in this part, the term:  
4119 ~~(3) "Board" means the Board of Architecture and Interior~~  
4120 ~~Design.~~

4121 ~~(7)(8)~~ "Diversified interior design experience" means  
4122 experience which substantially encompasses the various elements  
4123 of interior design services set forth under the definition of  
4124 "interior design" in subsection (9) ~~(10)~~.

4125 **Section 154. Section 481.207, Florida Statutes, is amended**  
4126 **to read:**

4127 481.207 Fees.—The department board, by rule, may establish  
4128 fees for architects and registered interior designers, to be  
4129 paid for applications, examination, reexamination, licensing and  
4130 renewal, delinquency, reinstatement, and recordmaking and  
4131 recordkeeping. The examination fee shall be in an amount that  
4132 covers the cost of obtaining and administering the examination  
4133 and shall be refunded if the applicant is found ineligible to  
4134 sit for the examination. The application fee is nonrefundable.  
4135 The fee for initial application and examination for architects  
4136 may not exceed \$775 plus the actual per applicant cost to the  
4137 department for purchase of the examination from the National  
4138 Council of Architectural Registration Boards or similar national  
4139 organizations. The initial nonrefundable fee for registered  
4140 interior designers may not exceed \$75. The biennial renewal fee  
4141 for architects may not exceed \$200. The biennial renewal fee for  
4142 registered interior designers may not exceed \$75. The

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4143 delinquency fee may not exceed the biennial renewal fee  
4144 established by the department board for an active license. The  
4145 department board shall establish fees that are adequate to  
4146 ensure the continued operation of the department board and to  
4147 fund the proportionate expenses incurred by the department which  
4148 are allocated to the regulation of architects and registered  
4149 interior designers. Fees shall be based on department estimates  
4150 of the revenue required to implement this part and the  
4151 provisions of law with respect to the regulation of architects  
4152 and interior designers.

4153 **Section 155. Subsection (1) of section 481.209, Florida**  
4154 **Statutes, is amended to read:**

4155 481.209 Examinations.—

4156 (1) A person desiring to be licensed as a registered  
4157 architect by initial examination shall apply to the department,  
4158 complete the application form, and remit a nonrefundable  
4159 application fee. The department shall license any applicant who  
4160 the department board certifies has passed the licensure  
4161 examination prescribed by department board rule and is a  
4162 graduate of a school or college of architecture with a program  
4163 accredited by the National Architectural Accreditation Board.

4164 **Section 156. Section 481.211, Florida Statutes, is amended**  
4165 **to read:**

4166 481.211 Architecture internship required.—An applicant for  
4167 licensure as a registered architect shall complete, before

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4168 licensure, an internship of diversified architectural experience  
4169 approved by the department board, which meets the requirements  
4170 set forth by rule.

4171 **Section 157. Subsections (3), (4), and (5) of section**  
4172 **481.215, Florida Statutes, are amended to read:**

4173 481.215 Renewal of license or certificate of  
4174 registration.—

4175 ~~(3) A license or certificate of registration renewal may~~  
4176 ~~not be issued to an architect or a registered interior designer~~  
4177 ~~by the department until the licensee or registrant submits proof~~  
4178 ~~satisfactory to the department that, during the 2 years before~~  
4179 ~~application for renewal, the licensee or registrant participated~~  
4180 ~~per biennium in not less than 20 hours of at least 50 minutes~~  
4181 ~~each per biennium of continuing education approved by the board.~~  
4182 ~~The board shall approve only continuing education that builds~~  
4183 ~~upon the basic knowledge of architecture or interior design. The~~  
4184 ~~board may make exception from the requirements of continuing~~  
4185 ~~education in emergency or hardship cases.~~

4186 ~~(4) The board shall by rule establish criteria for the~~  
4187 ~~approval of continuing education courses and providers and shall~~  
4188 ~~by rule establish criteria for accepting alternative~~  
4189 ~~nonclassroom continuing education on an hour-for-hour basis.~~

4190 ~~(5) For a license or certificate of registration, the~~  
4191 ~~board shall require, by rule adopted pursuant to ss. 120.536(1)~~  
4192 ~~and 120.54, 2 hours in specialized or advanced courses on any~~

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~~portion of the Florida Building Code, adopted pursuant to part  
IV of chapter 553, relating to the licensee's respective area of  
practice. Such hours count toward the continuing education hours  
required under subsection (3). A licensee may complete the  
courses required under this subsection online.~~

**Section 158. Section 481.217, Florida Statutes, is amended  
to read:**

481.217 Inactive status.—

~~(1) The board may prescribe by rule continuing education  
requirements as a condition of reactivating a license. The rules  
may not require more than one renewal cycle of continuing  
education to reactivate a license or registration for a  
registered architect or registered interior designer.~~

~~(2) The department board shall adopt rules relating to  
application procedures for inactive status and for the  
reactivation of inactive licenses and registrations.~~

**Section 159. Subsection (2), paragraph (b) of subsection  
(3), and subsection (5) of section 481.219, Florida Statutes,  
are amended to read:**

481.219 Qualification of business organizations.—

(2) If a licensee or an applicant proposes to engage in  
the practice of architecture as a business organization, the  
licensee or applicant shall qualify the business organization  
upon approval of the department board.

(3)

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4218 (b) In the event a qualifying agent ceases employment with  
4219 a qualified business organization, the department executive  
4220 ~~director or the chair of the board~~ may authorize another  
4221 registered architect employed by the business organization to  
4222 temporarily serve as its qualifying agent for a period of no  
4223 more than 60 days. The business organization is not authorized  
4224 to operate beyond such period under this chapter absent  
4225 replacement of the qualifying agent who has ceased employment.

4226 (5) The department board shall allow a licensee or an  
4227 applicant to qualify one or more business organizations to offer  
4228 architectural services, or to use a fictitious name to offer  
4229 such services, if one or more of the principal officers of the  
4230 corporation or limited liability company, or one or more  
4231 partners of the partnership, and all personnel of the  
4232 corporation, limited liability company, or partnership who act  
4233 in its behalf in this state as architects, are registered as  
4234 provided by this part.

4235 **Section 160. Subsections (1), (2), (6), (11), and (12) of**  
4236 **section 481.221, Florida Statutes, are amended to read:**

4237 481.221 Seals; display of certificate number.—

4238 (1) The department board shall prescribe, by rule, one or  
4239 more forms of seals to be used by registered architects holding  
4240 valid certificates of registration.

4241 (2) Each registered architect shall obtain one seal in a  
4242 form approved by rule of the department board and may, in

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4243 addition, register her or his seal electronically in accordance  
4244 with ss. 668.001-668.006. All final construction documents and  
4245 instruments of service which include drawings, plans,  
4246 specifications, or reports prepared or issued by the registered  
4247 architect and being filed for public record shall bear the  
4248 signature and seal of the registered architect who prepared or  
4249 approved the document and the date on which they were sealed.  
4250 The signature, date, and seal shall be evidence of the  
4251 authenticity of that to which they are affixed. Final plans,  
4252 specifications, or reports prepared or issued by a registered  
4253 architect may be transmitted electronically and may be signed by  
4254 the registered architect, dated, and sealed electronically with  
4255 the seal in accordance with ss. 668.001-668.006.

4256 (6) No registered architect shall affix her or his  
4257 signature or seal to any final construction document or  
4258 instrument of service which includes drawings, plans,  
4259 specifications, or architectural documents which were not  
4260 prepared by her or him or under her or his responsible  
4261 supervising control or by another registered architect and  
4262 reviewed, approved, or modified and adopted by her or him as her  
4263 or his own work according to rules adopted by the department  
4264 ~~board~~.

4265 (11) When the certificate of registration of a registered  
4266 architect or interior designer has been revoked or suspended by  
4267 the department ~~board~~, the registered architect or interior

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4268 designer shall surrender her or his seal to the secretary of the  
4269 department ~~board~~ within a period of 30 days after the revocation  
4270 or suspension has become effective. If the certificate of the  
4271 registered architect or interior designer has been suspended for  
4272 a period of time, her or his seal shall be returned to her or  
4273 him upon expiration of the suspension period.

4274 (12) A person may not sign and seal by any means any final  
4275 plan, specification, or report after her or his certificate of  
4276 registration has expired or is suspended or revoked. A  
4277 registered architect or interior designer whose certificate of  
4278 registration is suspended or revoked shall, within 30 days after  
4279 the effective date of the suspension or revocation, surrender  
4280 her or his seal to the department ~~executive director of the~~  
4281 ~~board~~ and confirm in writing to the department ~~executive~~  
4282 ~~director~~ the cancellation of the registered architect's or  
4283 interior designer's electronic signature in accordance with ss.  
4284 668.001-668.006. When a registered architect's or interior  
4285 designer's certificate of registration is suspended for a period  
4286 of time, her or his seal shall be returned upon expiration of  
4287 the period of suspension.

4288 **Section 161. Section 481.222, Florida Statutes, is amended**  
4289 **to read:**

4290 481.222 Architects performing building code inspection  
4291 services.—Notwithstanding any other provision of law, a person  
4292 who is currently licensed to practice as an architect under this

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4293 part may provide building code inspection services described in  
4294 s. 468.603(4) and (7) ~~s. 468.603(5) and (8)~~ to a local  
4295 government or state agency upon its request, without being  
4296 certified by the Florida Building Code Administrators and  
4297 Inspectors licensing program ~~Board~~ under part XII of chapter  
4298 468. With respect to the performance of such building code  
4299 inspection services, the architect is subject to the  
4300 disciplinary guidelines of this part and s. 468.621(1)(c)-(h).  
4301 Any complaint processing, investigation, and discipline that  
4302 arise out of an architect's performance of building code  
4303 inspection services shall be conducted by the Department of  
4304 Business and Professional Regulation ~~Board of Architecture and~~  
4305 ~~Interior Design~~ rather than the Florida Building Code  
4306 ~~Administrators and Inspectors Board~~. An architect may not  
4307 perform plans review as an employee of a local government upon  
4308 any job that the architect or the architect's company designed.

4309 **Section 162. Paragraphs (a) and (d) of subsection (1) of**  
4310 **section 481.223, Florida Statutes, are amended to read:**

4311 481.223 Prohibitions; penalties; injunctive relief.—

4312 (1) A person may not knowingly:

4313 (a) Practice architecture unless the person is an  
4314 architect or a registered architect; however, a licensed  
4315 architect who has been licensed by the department ~~board~~ and who  
4316 chooses to relinquish or not to renew his or her license may use

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4317 the title "Architect, Retired" but may not otherwise render any  
4318 architectural services.

4319 (d) Give false or forged evidence to the department board  
4320 ~~or a member thereof~~.

4321 **Section 163. Paragraphs (a), (g), and (i) of subsection**  
4322 **(1) and subsections (2), (3), and (4) of section 481.225,**  
4323 **Florida Statutes, are amended to read:**

4324 481.225 Disciplinary proceedings against registered  
4325 architects.—

4326 (1) The following acts constitute grounds for which the  
4327 disciplinary actions in subsection (3) may be taken:

4328 (a) Violating any provision of s. 455.227(1), s. 481.221,  
4329 or s. 481.223, or any rule of the ~~board or~~ department lawfully  
4330 adopted pursuant to this part or chapter 455.

4331 (g) Committing an act of fraud or deceit, or of  
4332 negligence, incompetency, or misconduct, in the practice of  
4333 architecture, including, but not limited to, allowing the  
4334 preparation of any architectural studies, plans, or other  
4335 instruments of service in an office that does not have a full-  
4336 time Florida-registered architect assigned to such office or  
4337 failing to ensure the responsible supervising control of  
4338 services or projects, as required by department board rule.

4339 (i) Aiding, assisting, procuring, or advising any  
4340 unlicensed person to practice architecture contrary to this part  
4341 or to a rule of the department ~~or the board~~.

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4342 (2) The department board shall specify, by rule, what acts  
4343 or omissions constitute a violation of subsection (1).

4344 (3) When the department board finds any registered  
4345 architect guilty of any of the grounds set forth in subsection  
4346 (1), it may enter an order imposing one or more of the following  
4347 penalties:

4348 (a) Denial of an application for licensure.

4349 (b) Revocation or suspension of a license.

4350 (c) Imposition of an administrative fine not to exceed  
4351 \$1,000 for each count or separate offense and a fine of up to  
4352 \$5,000 for matters pertaining to a material violation of the  
4353 Florida Building Code as reported by a local jurisdiction.

4354 (d) Issuance of a reprimand.

4355 (e) Placement of the registered architect on probation for  
4356 a period of time and subject to such conditions as the  
4357 department board may specify, including requiring the registered  
4358 architect to attend continuing education courses or to work  
4359 under the supervision of another registered architect.

4360 (f) Restriction of the authorized scope of practice by the  
4361 registered architect.

4362 (4) The department shall reissue the license of a  
4363 disciplined registered architect upon certification by the  
4364 department board that he or she has complied with all of the  
4365 terms and conditions set forth in the final order.

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4366           **Section 164. Paragraph (a) of subsection (1) and**  
4367 **subsection (2) of section 481.2251, Florida Statutes, are**  
4368 **amended to read:**

4369           481.2251 Disciplinary proceedings against registered  
4370 interior designers.—

4371           (1) The following acts constitute grounds for which the  
4372 disciplinary actions specified in subsection (2) may be taken:

4373           (a) Attempting to register or renewing registration by  
4374 bribery, by fraudulent misrepresentation, or through an error of  
4375 the department ~~board~~;

4376           (2) When the department ~~board~~ finds any person guilty of  
4377 any of the grounds set forth in subsection (1), it may enter an  
4378 order taking the following action or imposing one or more of the  
4379 following penalties:

4380           (a) Refusal to register the applicant;

4381           (b) Refusal to renew an existing registration;

4382           (c) Removal from the state registry; or

4383           (d) Imposition of an administrative fine not to exceed  
4384 \$500 for each violation or separate offense and a fine of up to  
4385 \$2,500 for matters pertaining to a material violation of the  
4386 Florida Building Code as reported by a local jurisdiction.

4387           **Section 165. Subsection (1) of section 481.303, Florida**  
4388 **Statutes, is amended to read:**

4389           481.303 Definitions.—As used in this chapter, the term:

4390           ~~(1) "Board" means the Board of Landscape Architecture.~~

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4391           **Section 166. Section 481.306, Florida Statutes, is amended**  
4392 **to read:**

4393           481.306 Authority to make rules.—The department may board  
4394 ~~has authority to~~ adopt rules pursuant to ss. 120.536(1) and  
4395 120.54 to implement the provisions of this chapter and chapter  
4396 455 conferring duties upon it.

4397           **Section 167. Section 481.307, Florida Statutes, is amended**  
4398 **to read:**

4399           481.307 Fees.—The department board, by rule, may establish  
4400 fees to be paid for applications, examination, reexamination,  
4401 licensing and renewal, delinquency, reinstatement, and  
4402 recordmaking and recordkeeping. The examination fee shall be in  
4403 an amount that covers the costs of obtaining and administering  
4404 the examination and shall be refunded if the applicant is found  
4405 ineligible to sit for the examination. The application fee is  
4406 nonrefundable. The combined fees for initial application and  
4407 examination may not exceed \$800 plus the actual per applicant  
4408 cost to the department for purchase of portions of the  
4409 examination from the Council of Landscape Architectural  
4410 Registration Boards or a similar national organization. The  
4411 biennial renewal fee may not exceed \$600. The delinquency fee  
4412 may not exceed the biennial renewal fee established by the  
4413 department board for an active license. The department board  
4414 shall establish fees that are adequate to ensure the continued  
4415 operation of the department board and to fund the proportionate

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4416 expenses incurred by the department which are allocated to the  
4417 regulation of landscape architects. Fees shall be based on  
4418 department estimates of the revenue required to implement this  
4419 part and the provisions of law with respect to the regulation of  
4420 landscape architects.

4421 **Section 168. Subsection (1) of section 481.309, Florida**  
4422 **Statutes, is amended to read:**

4423 481.309 Examinations.—

4424 (1) A person desiring to be licensed as a registered  
4425 landscape architect shall apply to the department to take the  
4426 licensure examination. The department shall examine each  
4427 applicant who the department board certifies:

4428 (a) Has completed the application form and remitted a  
4429 nonrefundable application fee and an examination fee which is  
4430 refundable if the applicant is found to be ineligible to take  
4431 the examination; and

4432 (b)1. Has completed a professional degree program in  
4433 landscape architecture as approved by the department Landscape  
4434 ~~Architectural Accreditation Board~~; or

4435 2. Presents evidence of not less than 6 years of actual  
4436 practical experience in landscape architectural work of a grade  
4437 and character satisfactory to the department board. Each year of  
4438 education completed in a recognized school shall be considered  
4439 to be equivalent to 1 year of experience, with a maximum credit  
4440 of 4 years.

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4441           **Section 169. Section 481.310, Florida Statutes, is amended**  
4442 **to read:**

4443           481.310 Practical experience requirement.—Beginning  
4444 October 1, 1990, every applicant for licensure as a registered  
4445 landscape architect shall demonstrate, before ~~prior to~~  
4446 licensure, 1 year of practical experience in landscape  
4447 architectural work. An applicant who holds a master of landscape  
4448 architecture degree and a bachelor's degree in a related field  
4449 is not required to demonstrate 1 year of practical experience in  
4450 landscape architectural work to obtain licensure. The department  
4451 ~~board~~ shall adopt rules providing standards for the required  
4452 experience. An applicant who qualifies for examination pursuant  
4453 to s. 481.309(1)(b)1. may obtain the practical experience after  
4454 completing the required professional degree. Experience used to  
4455 qualify for examination pursuant to s. 481.309(1)(b)2. may not  
4456 be used to satisfy the practical experience requirement under  
4457 this section.

4458           **Section 170. Section 481.311, Florida Statutes, is amended**  
4459 **to read:**

4460           481.311 Licensure.—

4461           (1) The department shall license any applicant who the  
4462 department ~~board~~ certifies is qualified to practice landscape  
4463 architecture and who has paid the initial licensure fee.

4464           (2) The department ~~board~~ shall certify for licensure any  
4465 applicant who:

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- 4466 (a) Passes the examination required by s. 481.309; and  
4467 (b) Satisfies the experience requirement of s. 481.310.  
4468 (3) The department board shall certify as qualified for a  
4469 license by endorsement an applicant who:  
4470 (a) Qualifies to take the examination as set forth in s.  
4471 481.309; and has passed a national, regional, state, or  
4472 territorial licensing examination which is substantially  
4473 equivalent to the examination required by s. 481.309;  
4474 (b) Holds a valid license to practice landscape  
4475 architecture issued by another state or territory of the United  
4476 States, if the criteria for issuance of such license were  
4477 substantially identical to the licensure criteria which existed  
4478 in this state at the time the license was issued; or  
4479 (c) Has held a valid license to practice landscape  
4480 architecture in another state or territory of the United States  
4481 for at least 10 years before the date of application and has  
4482 successfully completed a state, regional, national, or other  
4483 examination that is equivalent to or more stringent than the  
4484 examination required by the department board, subject to  
4485 subsection (5). An applicant who has met the requirements to be  
4486 qualified for a license by endorsement, except for successful  
4487 completion of an examination that is equivalent to or more  
4488 stringent than the examination required by the department board,  
4489 may take the examination required by the department board  
4490 without completing additional education requirements. Such

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4491 application must be submitted to the department board while the  
4492 applicant holds a valid license in another state or territory or  
4493 within 2 years after the expiration of such license.

4494 (4) The department board may refuse to certify any  
4495 applicant who is under investigation in any jurisdiction for any  
4496 act which would constitute a violation of this act or of chapter  
4497 455, until the investigation is complete and disciplinary  
4498 proceedings have been terminated.

4499 (5) The department board may refuse to certify any  
4500 applicant who has violated any of the provisions of s. 481.325.

4501 **Section 171. Subsections (3), (4), and (5) of section**  
4502 **481.313, Florida Statutes, are amended to read:**

4503 481.313 Renewal of license.—

4504 ~~(3) No license renewal shall be issued to a landscape~~  
4505 ~~architect by the department until the licensee submits proof,~~  
4506 ~~satisfactory to the department, that during the 2-year period~~  
4507 ~~prior to application for renewal, the licensee participated in~~  
4508 ~~such continuing education courses required by the board. The~~  
4509 ~~board shall approve only continuing education courses that~~  
4510 ~~relate to and increase the basic knowledge of landscape~~  
4511 ~~architecture. The board may make an exception from the~~  
4512 ~~requirements of continuing education in emergency or hardship~~  
4513 ~~eases.~~

4514 ~~(4) The board, by rule adopted pursuant to ss. 120.536(1)~~  
4515 ~~and 120.54, shall establish criteria for the approval of~~

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4516 ~~continuing education courses and providers, and shall by rule~~  
4517 ~~establish criteria for accepting alternative nonclassroom~~  
4518 ~~continuing education on an hour-for-hour basis. A landscape~~  
4519 ~~architect shall receive hour-for-hour credit for attending~~  
4520 ~~continuing education courses approved by the Landscape~~  
4521 ~~Architecture Continuing Education System or another nationally~~  
4522 ~~recognized clearinghouse for continuing education that relate to~~  
4523 ~~and increase his or her basic knowledge of landscape~~  
4524 ~~architecture, as determined by the board, if the landscape~~  
4525 ~~architect submits proof satisfactory to the board that such~~  
4526 ~~course was approved by the Landscape Architecture Continuing~~  
4527 ~~Education System or another nationally recognized clearinghouse~~  
4528 ~~for continuing education, along with the syllabus or outline for~~  
4529 ~~such course and proof of course attendance.~~

4530 ~~(5) The board shall require, by rule adopted pursuant to~~  
4531 ~~ss. 120.536(1) and 120.54, a specified number of hours in~~  
4532 ~~specialized or advanced courses, approved by the Florida~~  
4533 ~~Building Commission, on any portion of the Florida Building~~  
4534 ~~Code, adopted pursuant to part IV of chapter 553, relating to~~  
4535 ~~the licensee's respective area of practice.~~

4536 **Section 172. Section 481.315, Florida Statutes, is amended**  
4537 **to read:**

4538 481.315 Inactive status.—

4539 (1) A license that has become inactive or delinquent may  
4540 be reactivated under this section upon application to the

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4541 department and payment of any applicable biennial renewal or  
4542 delinquency fee, or both, and a reactivation fee. ~~The board may~~  
4543 ~~not require a licensee to complete more than one renewal cycle~~  
4544 ~~of continuing education requirements.~~

4545 (2) The department ~~board~~ shall adopt rules relating to  
4546 application procedures for inactive status and for the  
4547 reactivation of inactive licenses.

4548 **Section 173. Subsection (1) of section 481.317, Florida**  
4549 **Statutes, is amended to read:**

4550 481.317 Temporary certificates.—

4551 (1) Upon the approval by the department ~~board~~ and payment  
4552 of the fee set in s. 481.307, the department shall grant a  
4553 temporary certificate of registration for work on a specified  
4554 project in this state for a period not to exceed 1 year to an  
4555 applicant who is licensed in another state or territory to  
4556 practice landscape architecture.

4557 **Section 174. Subsection (3) of section 481.319, Florida**  
4558 **Statutes, is amended to read:**

4559 481.319 Corporate and partnership practice of landscape  
4560 architecture.—

4561 (3) A landscape architect applying to practice in the name  
4562 of a corporation must file with the department the names and  
4563 addresses of all officers and department ~~board~~ members of the  
4564 corporation, including the principal officer or officers, duly  
4565 registered to practice landscape architecture in this state and,

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4566 also, of all individuals duly registered to practice landscape  
4567 architecture in this state who shall be in responsible charge of  
4568 the practice of landscape architecture by the corporation in  
4569 this state. A landscape architect applying to practice in the  
4570 name of a partnership must file with the department the names  
4571 and addresses of all partners of the partnership, including the  
4572 partner or partners duly registered to practice landscape  
4573 architecture in this state and, also, of an individual or  
4574 individuals duly registered to practice landscape architecture  
4575 in this state who shall be in responsible charge of the practice  
4576 of landscape architecture by said partnership in this state.

4577 **Section 175. Subsections (1) and (2) of section 481.321,**  
4578 **Florida Statutes, are amended to read:**

4579 481.321 Seals; display of certificate number.—

4580 (1) The department ~~board~~ shall prescribe, by rule, one or  
4581 more forms of seals for use by a registered landscape architect  
4582 who holds a valid certificate of registration. Each registered  
4583 landscape architect shall obtain one seal in a form approved by  
4584 rule of the department ~~board~~ and may, in addition, register her  
4585 or his seal electronically in accordance with ss. 668.001-  
4586 668.006. All final plans, specifications, or reports prepared or  
4587 issued by the registered landscape architect and filed for  
4588 public record shall be signed by the registered landscape  
4589 architect, dated, and stamped or sealed electronically with her  
4590 or his seal. The signature, date, and seal constitute evidence

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4591 of the authenticity of that to which they are affixed. Final  
4592 plans, specifications, or reports prepared or issued by a  
4593 registered landscape architect may be transmitted electronically  
4594 and may be signed by the registered landscape architect, dated,  
4595 and sealed electronically with the seal in accordance with ss.  
4596 668.001-668.006.

4597 (2) It is unlawful for any person to sign and seal by any  
4598 means any final plan, specification, or report after her or his  
4599 certificate of registration is expired, suspended, or revoked. A  
4600 registered landscape architect whose certificate of registration  
4601 is suspended or revoked shall, within 30 days after the  
4602 effective date of the suspension or revocation, surrender her or  
4603 his seal to the department ~~executive director of the board~~ and  
4604 confirm in writing to the department ~~executive director~~ the  
4605 cancellation of the landscape architect's electronic signature  
4606 in accordance with ss. 668.001-668.006. When a landscape  
4607 architect's certificate of registration is suspended for a  
4608 period of time, her or his seal shall be returned upon  
4609 expiration of the period of suspension.

4610 **Section 176. Paragraph (d) of subsection (1) of section**  
4611 **481.323, Florida Statutes, is amended to read:**

4612 481.323 Prohibitions; penalties.—

4613 (1) A person may not knowingly:

4614 (d) Give false or forged evidence to the department ~~board~~  
4615 or a member thereof;

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4616           **Section 177. Subsections (2), (3), and (4) of section**  
4617 **481.325, Florida Statutes, are amended to read:**

4618           481.325 Disciplinary proceedings.—

4619           (2) The department board shall specify, by rule, what acts  
4620 or omissions constitute a violation of subsection (1).

4621           (3) When the department board finds any registered  
4622 landscape architect guilty of any of the grounds set forth in  
4623 subsection (1), it may enter an order imposing one or more of  
4624 the following penalties:

4625           (a) Denial of an application for licensure.

4626           (b) Revocation or suspension of a license.

4627           (c) Imposition of an administrative fine not to exceed  
4628 \$1,000 for each count or separate offense and a fine of up to  
4629 \$5,000 for matters pertaining to a material violation of the  
4630 Florida Building Code as reported by a local jurisdiction.

4631           (d) Issuance of a reprimand.

4632           (e) Placement of the registered landscape architect on  
4633 probation for a period of time and subject to such conditions as  
4634 the department board may specify, including requiring the  
4635 registered landscape architect to attend continuing education  
4636 courses or to work under the supervision of another registered  
4637 landscape architect.

4638           (f) Restriction of the authorized scope of practice by the  
4639 registered landscape architect.

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4640 (4) The department shall reissue the license of a  
4641 disciplined registered landscape architect upon certification by  
4642 the department board ~~board~~ that she or he has complied with all of the  
4643 terms and conditions set forth in the final order.

4644 **Section 178. Paragraph (c) of subsection (7) of section**  
4645 **489.103, Florida Statutes, is amended to read:**

4646 489.103 Exemptions.—This part does not apply to:

4647 (7)

4648 (c) To qualify for exemption under this subsection, an  
4649 owner must personally appear and sign the building permit  
4650 application and must satisfy local permitting agency  
4651 requirements, if any, proving that the owner has a complete  
4652 understanding of the owner's obligations under the law as  
4653 specified in the disclosure statement in this section. However,  
4654 for purposes of implementing a "United States Department of  
4655 Energy SunShot Initiative: Rooftop Solar Challenge" grant and  
4656 the participation of county and municipal governments, including  
4657 local permitting agencies under the jurisdiction of such county  
4658 and municipal governments, an owner's notarized signature or  
4659 personal appearance to sign the permit application is not  
4660 required for a solar project, as described in subparagraph  
4661 (a)3., if the building permit application is submitted  
4662 electronically to the permitting agency and the owner certifies  
4663 the application and disclosure statement using the permitting  
4664 agency's electronic confirmation system. If any person violates

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4665 the requirements of this subsection, the local permitting agency  
4666 shall withhold final approval, revoke the permit, or pursue any  
4667 action or remedy for unlicensed activity against the owner and  
4668 any person performing work that requires licensure under the  
4669 permit issued. The local permitting agency shall provide the  
4670 person with a disclosure statement in substantially the  
4671 following form:

## DISCLOSURE STATEMENT

- 4672
- 4673 1. I understand that state law requires construction to be done  
4674 by a licensed contractor and have applied for an owner-builder  
4675 permit under an exemption from the law. The exemption specifies  
4676 that I, as the owner of the property listed, may act as my own  
4677 contractor with certain restrictions even though I do not have a  
4678 license.
- 4679 2. I understand that building permits are not required to be  
4680 signed by a property owner unless he or she is responsible for  
4681 the construction and is not hiring a licensed contractor to  
4682 assume responsibility.
- 4683 3. I understand that, as an owner-builder, I am the responsible  
4684 party of record on a permit. I understand that I may protect  
4685 myself from potential financial risk by hiring a licensed  
4686 contractor and having the permit filed in his or her name  
4687 instead of my own name. I also understand that a contractor is  
4688 required by law to be licensed in Florida and to list his or her  
4689 license numbers on permits and contracts.

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4690 4. I understand that I may build or improve a one-family or  
4691 two-family residence or a farm outbuilding. I may also build or  
4692 improve a commercial building if the costs do not exceed  
4693 \$75,000. The building or residence must be for my own use or  
4694 occupancy. It may not be built or substantially improved for  
4695 sale or lease, unless I am completing the requirements of a  
4696 building permit where the contractor listed on the permit  
4697 substantially completed the project. If a building or residence  
4698 that I have built or substantially improved myself is sold or  
4699 leased within 1 year after the construction is complete, the law  
4700 will presume that I built or substantially improved it for sale  
4701 or lease, which violates the exemption.

4702 5. I understand that, as the owner-builder, I must provide  
4703 direct, onsite supervision of the construction.

4704 6. I understand that I may not hire an unlicensed person to act  
4705 as my contractor or to supervise persons working on my building  
4706 or residence. It is my responsibility to ensure that the persons  
4707 whom I employ have the licenses required by law and by county or  
4708 municipal ordinance.

4709 7. I understand that it is a frequent practice of unlicensed  
4710 persons to have the property owner obtain an owner-builder  
4711 permit that erroneously implies that the property owner is  
4712 providing his or her own labor and materials. I, as an owner-  
4713 builder, may be held liable and subjected to serious financial  
4714 risk for any injuries sustained by an unlicensed person or his

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4715 or her employees while working on my property. My homeowner's  
4716 insurance may not provide coverage for those injuries. I am  
4717 willfully acting as an owner-builder and am aware of the limits  
4718 of my insurance coverage for injuries to workers on my property.  
4719 8. I understand that I may not delegate the responsibility for  
4720 supervising work to a licensed contractor who is not licensed to  
4721 perform the work being done. Any person working on my building  
4722 who is not licensed must work under my direct supervision and  
4723 must be employed by me, which means that I must comply with laws  
4724 requiring the withholding of federal income tax and social  
4725 security contributions under the Federal Insurance Contributions  
4726 Act (FICA) and must provide workers' compensation for the  
4727 employee. I understand that my failure to follow these laws may  
4728 subject me to serious financial risk.

4729 9. I agree that, as the party legally and financially  
4730 responsible for this proposed construction activity, I will  
4731 abide by all applicable laws and requirements that govern owner-  
4732 builders as well as employers. I also understand that the  
4733 construction must comply with all applicable laws, ordinances,  
4734 building codes, and zoning regulations.

4735 10. I understand that I may obtain more information regarding  
4736 my obligations as an employer from the Internal Revenue Service,  
4737 the United States Small Business Administration, the Florida  
4738 Department of Financial Services, and the Florida Department of  
4739 Revenue. I also understand that I may contact the Department of

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4740 Business and Professional Regulation ~~Florida Construction~~  
4741 ~~Industry Licensing Board~~ at ...(telephone number)... or  
4742 ...(Internet website address)... for more information about  
4743 licensed contractors.

4744 11. I am aware of, and consent to, an owner-builder building  
4745 permit applied for in my name and understand that I am the party  
4746 legally and financially responsible for the proposed  
4747 construction activity at the following address: ...(address of  
4748 property)....

4749 12. I agree to notify ...(issuer of disclosure statements)...  
4750 immediately of any additions, deletions, or changes to any of  
4751 the information that I have provided on this disclosure.

4752 Licensed contractors are regulated by laws designed to protect  
4753 the public. If you contract with a person who does not have a  
4754 license, the ~~Construction Industry Licensing Board~~ and  
4755 Department of Business and Professional Regulation may be unable  
4756 to assist you with any financial loss that you sustain as a  
4757 result of a complaint. Your only remedy against an unlicensed  
4758 contractor may be in civil court. It is also important for you  
4759 to understand that, if an unlicensed contractor or employee of  
4760 an individual or firm is injured while working on your property,  
4761 you may be held liable for damages. If you obtain an owner-  
4762 builder permit and wish to hire a licensed contractor, you will  
4763 be responsible for verifying whether the contractor is properly

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4764 licensed and the status of the contractor's workers'  
4765 compensation coverage.  
4766 Before a building permit can be issued, this disclosure  
4767 statement must be completed and signed by the property owner and  
4768 returned to the local permitting agency responsible for issuing  
4769 the permit. A copy of the property owner's driver license, the  
4770 notarized signature of the property owner, or other type of  
4771 verification acceptable to the local permitting agency is  
4772 required when the permit is issued.

4773 Signature: ...(signature of property owner)....

4774 Date: ...(date)....

4775 **Section 179. Subsections (2) through (19) of section**  
4776 **489.105, Florida Statutes, are renumbered as subsections (1)**  
4777 **through (18), respectively, and subsection (1) and present**  
4778 **subsection (6) of that section are amended, to read:**

4779 489.105 Definitions.—As used in this part:

4780 ~~(1) "Board" means the Construction Industry Licensing~~  
4781 ~~Board.~~

4782 (5)~~(6)~~ "Contracting" means, except as exempted in this  
4783 part, engaging in business as a contractor and includes, but is  
4784 not limited to, performance of any of the acts as set forth in  
4785 subsection (2) ~~(3)~~ which define types of contractors. The  
4786 attempted sale of contracting services and the negotiation or  
4787 bid for a contract on these services also constitutes  
4788 contracting. If the services offered require licensure or agent

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4789 qualification, the offering, negotiation for a bid, or attempted  
4790 sale of these services requires the corresponding licensure.  
4791 However, the term "contracting" does ~~shall~~ not extend to an  
4792 individual, partnership, corporation, trust, or other legal  
4793 entity that offers to sell or sells completed residences on  
4794 property on which the individual or business entity has any  
4795 legal or equitable interest, or to the individual or business  
4796 entity that offers to sell or sells manufactured or factory-  
4797 built buildings that will be completed on site on property on  
4798 which either party to a contract has any legal or equitable  
4799 interest, if the services of a qualified contractor certified or  
4800 registered pursuant to the requirements of this chapter have  
4801 been or will be retained for the purpose of constructing or  
4802 completing such residences.

4803 **Section 180. Section 489.108, Florida Statutes, is amended**  
4804 **to read:**

4805 489.108 Rulemaking authority.—The department ~~board~~ has  
4806 authority to adopt rules pursuant to ss. 120.536(1) and 120.54  
4807 to implement the provisions of this chapter conferring duties  
4808 upon it.

4809 **Section 181. Paragraphs (c), (e), (f), and (g) of**  
4810 **subsection (1) and subsection (2) of section 489.109, Florida**  
4811 **Statutes, are amended to read:**

4812 489.109 Fees.—

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4813 (1) The department board, by rule, shall establish  
4814 reasonable fees to be paid for applications, certification and  
4815 renewal, registration and renewal, and recordmaking and  
4816 recordkeeping. The fees shall be established as follows:

4817 (c) The department board, by rule, may establish  
4818 delinquency fees, not to exceed the applicable renewal fee for  
4819 renewal applications made after the expiration date of the  
4820 certificate or registration.

4821 (e) The department board, by rule, shall impose a renewal  
4822 fee for an inactive status certificate or registration, not to  
4823 exceed the renewal fee for an active status certificate or  
4824 registration. Neither the inactive certification fee nor the  
4825 inactive registration fee may exceed \$50. The department board,  
4826 by rule, may provide for a different fee for inactive status  
4827 where such status is sought by a building code administrator,  
4828 plans examiner, or inspector certified pursuant to part XII of  
4829 chapter 468 who is employed by a local government and is not  
4830 allowed by the terms of such employment to maintain a  
4831 certificate on active status issued pursuant to this part.

4832 (f) The department board, by rule, shall impose an  
4833 additional late fee on a delinquent status certificateholder or  
4834 registrant when such certificateholder or registrant applies for  
4835 active or inactive status.

4836 (g) The department board, by rule, shall impose an  
4837 additional fee, not to exceed the applicable renewal fee, which

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4838 reasonably reflects the costs of processing a  
4839 certificateholder's or registrant's request to change licensure  
4840 status at any time other than at the beginning of a licensure  
4841 cycle.

4842 (2) ~~The board shall establish fees that are adequate to~~  
4843 ~~ensure the continued operation of the board.~~ Fees shall be based  
4844 on department estimates of the revenue required to implement  
4845 this part and the provisions of law with respect to the  
4846 regulation of the construction industry.

4847 **Section 182. Paragraph (c) of subsection (2) and**  
4848 **subsection (3) of section 489.111, Florida Statutes, are amended**  
4849 **to read:**

4850 489.111 Licensure by examination.—

4851 (2) A person shall be eligible for licensure by  
4852 examination if the person:

4853 (c) Meets eligibility requirements according to one of the  
4854 following criteria:

4855 1. Has received a baccalaureate degree from an accredited  
4856 4-year college in the appropriate field of engineering,  
4857 architecture, or building construction and has 1 year of proven  
4858 experience in the category in which the person seeks to qualify.  
4859 For the purpose of this part, a minimum of 2,000 person-hours  
4860 shall be used in determining full-time equivalency. An applicant  
4861 who is exempt from passing an examination under s. 489.113(1) is  
4862 eligible for a license under this section.

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4863           2. Has a total of at least 4 years of active experience as  
4864 a worker who has learned the trade by serving an apprenticeship  
4865 as a skilled worker who is able to command the rate of a  
4866 mechanic in the particular trade or as a foreman who is in  
4867 charge of a group of workers and usually is responsible to a  
4868 superintendent or a contractor or his or her equivalent;  
4869 provided, however, that at least 1 year of active experience  
4870 shall be as a foreman.

4871           3. Has a combination of not less than 1 year of experience  
4872 as a foreman and not less than 3 years of credits for any  
4873 accredited college-level courses; has a combination of not less  
4874 than 1 year of experience as a skilled worker, 1 year of  
4875 experience as a foreman, and not less than 2 years of credits  
4876 for any accredited college-level courses; or has a combination  
4877 of not less than 2 years of experience as a skilled worker, 1  
4878 year of experience as a foreman, and not less than 1 year of  
4879 credits for any accredited college-level courses. All junior  
4880 college or community college-level courses shall be considered  
4881 accredited college-level courses.

4882           4.a. An active certified residential contractor is  
4883 eligible to receive a certified building contractor license  
4884 after passing or having previously passed the building  
4885 contractors' examination if he or she possesses a minimum of 3  
4886 years of proven experience in the classification in which he or  
4887 she is certified.

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4888           b. An active certified residential contractor is eligible  
4889 to receive a certified general contractor license after passing  
4890 or having previously passed the general contractors' examination  
4891 if he or she possesses a minimum of 4 years of proven experience  
4892 in the classification in which he or she is certified.

4893           c. An active certified building contractor is eligible to  
4894 receive a certified general contractor license after passing or  
4895 having previously passed the general contractors' examination if  
4896 he or she possesses a minimum of 4 years of proven experience in  
4897 the classification in which he or she is certified.

4898           5.a. An active certified air-conditioning Class C  
4899 contractor is eligible to receive a certified air-conditioning  
4900 Class B contractor license after passing or having previously  
4901 passed the air-conditioning Class B contractors' examination if  
4902 he or she possesses a minimum of 3 years of proven experience in  
4903 the classification in which he or she is certified.

4904           b. An active certified air-conditioning Class C contractor  
4905 is eligible to receive a certified air-conditioning Class A  
4906 contractor license after passing or having previously passed the  
4907 air-conditioning Class A contractors' examination if he or she  
4908 possesses a minimum of 4 years of proven experience in the  
4909 classification in which he or she is certified.

4910           c. An active certified air-conditioning Class B contractor  
4911 is eligible to receive a certified air-conditioning Class A  
4912 contractor license after passing or having previously passed the

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4913 air-conditioning Class A contractors' examination if he or she  
4914 possesses a minimum of 1 year of proven experience in the  
4915 classification in which he or she is certified.

4916 6.a. An active certified swimming pool servicing  
4917 contractor is eligible to receive a certified residential  
4918 swimming pool contractor license after passing or having  
4919 previously passed the residential swimming pool contractors'  
4920 examination if he or she possesses a minimum of 3 years of  
4921 proven experience in the classification in which he or she is  
4922 certified.

4923 b. An active certified swimming pool servicing contractor  
4924 is eligible to receive a certified commercial swimming pool  
4925 contractor license after passing or having previously passed the  
4926 swimming pool commercial contractors' examination if he or she  
4927 possesses a minimum of 4 years of proven experience in the  
4928 classification in which he or she is certified.

4929 c. An active certified residential swimming pool  
4930 contractor is eligible to receive a certified commercial  
4931 swimming pool contractor license after passing or having  
4932 previously passed the commercial swimming pool contractors'  
4933 examination if he or she possesses a minimum of 1 year of proven  
4934 experience in the classification in which he or she is  
4935 certified.

4936 d. An applicant is eligible to receive a certified  
4937 swimming pool/spa servicing contractor license after passing or

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4938 having previously passed the swimming pool/spa servicing  
4939 contractors' examination if he or she has satisfactorily  
4940 completed 60 hours of instruction in courses related to the  
4941 scope of work covered by that license and approved by the  
4942 department ~~Construction Industry Licensing Board~~ by rule and has  
4943 at least 1 year of proven experience related to the scope of  
4944 work of such a contractor.

4945 (3) (a) The department ~~board~~ may refuse to certify an  
4946 applicant for failure to satisfy the requirement of good moral  
4947 character only if:

4948 1. There is a substantial connection between the lack of  
4949 good moral character of the applicant and the professional  
4950 responsibilities of a certified contractor; and

4951 2. The finding by the department ~~board~~ of lack of good  
4952 moral character is supported by clear and convincing evidence.

4953 (b) When an applicant is found to be unqualified for a  
4954 certificate because of a lack of good moral character, the  
4955 department ~~board~~ shall furnish the applicant a statement  
4956 containing the findings of the department ~~board~~, a complete  
4957 record of the evidence upon which the determination was based,  
4958 and a notice of the rights of the applicant to a rehearing and  
4959 appeal.

4960 **Section 183. Subsections (1) and (2), paragraph (f) of**  
4961 **subsection (3), and subsections (6), (7), and (8) of section**  
4962 **489.113, Florida Statutes, are amended to read:**

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## 4963 489.113 Qualifications for practice; restrictions.—

4964 (1) Any person who desires to engage in contracting on a  
4965 statewide basis shall, as a prerequisite thereto, establish his  
4966 or her competency and qualifications to be certified pursuant to  
4967 this part. To establish competency, a person shall pass the  
4968 appropriate examination approved ~~by the board~~ and certified by  
4969 the department. If an applicant has received a baccalaureate  
4970 degree in building construction from an accredited 4-year  
4971 college, or a related degree as approved by the department board  
4972 by rule, and has a grade point average of 3.0 or higher, such  
4973 applicant is only required to take and pass the business and  
4974 finance portion of the examination. Any person who desires to  
4975 engage in contracting on other than a statewide basis shall, as  
4976 a prerequisite thereto, be registered pursuant to this part,  
4977 unless exempted by this part.

4978 (2) A person must be certified or registered in order to  
4979 engage in the business of contracting in this state. However,  
4980 for purposes of complying with the provisions of this chapter, a  
4981 subcontractor who is not certified or registered may perform  
4982 construction work under the supervision of a person who is  
4983 certified or registered, provided that the work is within the  
4984 scope of the supervising contractor's license, the supervising  
4985 contractor is responsible for the work, and the subcontractor  
4986 being supervised is not engaged in construction work that would  
4987 require a license as a contractor under any of the categories

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4988 listed in s. 489.105(2)(d)-(o) ~~s. 489.105(3)(d)-(e)~~. This  
4989 subsection does not affect the application of any local  
4990 construction licensing ordinances. To enforce this subsection:

4991 (a) The department shall issue a cease and desist order to  
4992 prohibit any person from engaging in the business of contracting  
4993 who does not hold the required certification or registration for  
4994 the work being performed under this part. For the purpose of  
4995 enforcing a cease and desist order, the department may file a  
4996 proceeding in the name of the state seeking issuance of an  
4997 injunction or a writ of mandamus against any person who violates  
4998 any provision of such order.

4999 (b) A county, municipality, or local licensing board  
5000 created by special act may issue a cease and desist order to  
5001 prohibit any person from engaging in the business of contracting  
5002 who does not hold the required certification or registration for  
5003 the work being performed under this part.

5004 (3) A contractor shall subcontract all electrical,  
5005 mechanical, plumbing, roofing, sheet metal, swimming pool, and  
5006 air-conditioning work, unless such contractor holds a state  
5007 certificate or registration in the respective trade category,  
5008 however:

5009 (f) A solar contractor may ~~shall~~ not be required to  
5010 subcontract minor, as defined by department ~~board~~ rule,  
5011 electrical, mechanical, plumbing, or roofing work so long as  
5012 that work is within the scope of the license held by the solar

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5013 contractor and where such work exclusively pertains to the  
5014 installation of residential solar energy equipment as defined by  
5015 rules of the department board ~~adopted in conjunction with the~~  
5016 ~~Electrical Contracting Licensing Board.~~

5017 (6) (a) The department board shall, by rule, designate  
5018 those types of specialty contractors which may be certified  
5019 under this part. The limit of the scope of work and  
5020 responsibility of a specialty contractor shall be established by  
5021 the department board by rule. However, a certified specialty  
5022 contractor category established by department board rule exists  
5023 as a voluntary statewide licensing category and does not create  
5024 a mandatory licensing requirement. Any mandatory statewide  
5025 construction contracting licensure requirement may only be  
5026 established through specific statutory provision.

5027 (b) By July 1, 2025, the department board shall, by rule,  
5028 establish certified specialty contractor categories for  
5029 voluntary licensure for all of the following:

- 5030 1. Structural aluminum or screen enclosures.
- 5031 2. Marine seawall work.
- 5032 3. Marine bulkhead work.
- 5033 4. Marine dock work.
- 5034 5. Marine pile driving.
- 5035 6. Structural masonry.
- 5036 7. Structural prestressed, precast concrete work.
- 5037 8. Rooftop solar heating installation.

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5038 9. Structural steel.

5039 10. Window and door installation, including garage door  
5040 installation and hurricane or windstorm protection.

5041 11. Plaster and lath.

5042 12. Structural carpentry.

5043 (7) If an eligible applicant fails any contractor's  
5044 written examination, except the general and building  
5045 contractors' examination, and provides the department board with  
5046 acceptable proof of lack of comprehension of written  
5047 examinations, the applicant may petition the department board to  
5048 be administered a uniform oral examination, subject to the  
5049 following conditions:

5050 (a) The applicant documents 10 years of experience in the  
5051 appropriate construction craft.

5052 (b) The applicant files written recommendations concerning  
5053 his or her competency in the appropriate construction craft.

5054 (c) The applicant is administered only one oral  
5055 examination within a period of 1 year.

5056 (8) Any public record of the department board, when  
5057 certified by the department executive director of the board or  
5058 ~~the executive director's representative~~, may be received as  
5059 prima facie evidence in any administrative or judicial  
5060 proceeding.

5061 **Section 184. Subsection (1) of section 489.1131, Florida**  
5062 **Statutes, is amended to read:**

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5063 489.1131 Credit for relevant military training and  
5064 education.—

5065 (1) The department shall provide a method by which  
5066 honorably discharged veterans may apply for licensure. The  
5067 method must include a veteran-specific application and provide:

5068 (a) To the fullest extent possible, credit toward the  
5069 requirements for licensure for military experience, training,  
5070 and education received and completed during service in the  
5071 United States Armed Forces if the military experience, training,  
5072 or education is substantially similar to the experience,  
5073 training, or education required for licensure.

5074 (b) Acceptance of up to 3 years of active duty service in  
5075 the United States Armed Forces, regardless of duty or training,  
5076 to meet the experience requirements of s. 489.111(2)(c). At  
5077 least 1 additional year of active experience as a foreman in the  
5078 trade, either civilian or military, is required to fulfill the  
5079 experience requirement of s. 489.111(2)(c).

5080  
5081 The department board ~~board~~ may adopt rules pursuant to ss. 120.536(1)  
5082 and 120.54 to implement this subsection.

5083 **Section 185. Subsection (1) of section 489.1136, Florida**  
5084 **Statutes, is amended to read:**

5085 489.1136 Medical gas certification.—

5086 (1)(a) In addition to the certification or registration  
5087 required to engage in business as a plumbing contractor, any

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5088 plumbing contractor who wishes to engage in the business of  
5089 installation, improvement, repair, or maintenance of any tubing,  
5090 pipe, or similar conduit used to transport gaseous or partly  
5091 gaseous substances for medical purposes shall take, ~~as part of~~  
5092 ~~the contractor's continuing education requirement, at least once~~  
5093 ~~during the holding of such license,~~ a course of at least 6 hours  
5094 before any installation, improvement, repair, or maintenance of  
5095 any tubing, pipe, or similar conduit used to transport gaseous  
5096 or partly gaseous substances for medical purposes. Such course  
5097 shall be given by an instructional facility or teaching entity  
5098 that has been approved by the department board. In order for a  
5099 course to be approved, the department board must find that the  
5100 course is designed to teach familiarity with the National Fire  
5101 Prevention Association Standard 99C (Standard on Gas and Vacuum  
5102 Systems, latest edition) and also designed to teach familiarity  
5103 and practical ability in performing and inspecting brazing  
5104 duties required of medical gas installation, improvement,  
5105 repair, or maintenance work. Such course shall issue a  
5106 certificate of completion to the taker of the course, which  
5107 certificate shall be available for inspection by any entity or  
5108 person seeking to have such contractor engage in the business of  
5109 installation, improvement, repair, or maintenance of a medical  
5110 gas system.

5111 (b) Any other natural person who is employed by a licensed  
5112 plumbing contractor to provide work on the installation,

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5113 improvement, repair, or maintenance of a medical gas system,  
5114 except as noted in paragraph (c), shall, as a prerequisite to  
5115 his or her ability to provide such service, take a course  
5116 approved by the department board. Such course shall be at least  
5117 8 hours and consist of both classroom and practical work  
5118 designed to teach familiarity with the National Fire Prevention  
5119 Association Standard 99C (Standard on Gas and Vacuum Systems,  
5120 latest edition) and also designed to teach familiarity and  
5121 practical ability in performing and inspecting brazing duties  
5122 required of medical gas installation, improvement, repair, or  
5123 maintenance work. Such course shall also include the  
5124 administration of a practical examination in the skills required  
5125 to perform work as outlined above, including brazing, and each  
5126 examination shall be reasonably constructed to test for  
5127 knowledge of the subject matter. The person taking such course  
5128 and examination must, upon successful completion of both, be  
5129 issued a certificate of completion by the giver of such course,  
5130 which certificate shall be made available by the holder for  
5131 inspection by any person or entity seeking to have such person  
5132 perform work on the installation, improvement, repair, or  
5133 maintenance of a medical gas system.

5134 (c) Any other natural person who wishes to perform only  
5135 brazing duties incidental to the installation, improvement,  
5136 repair, or maintenance of a medical gas system shall pass an  
5137 examination designed to show that person's familiarity with and

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5138 practical ability in performing brazing duties required of  
5139 medical gas installation, improvement, repair, or maintenance.  
5140 Such examination shall be from a test approved by the department  
5141 ~~board~~. Such examination must test for knowledge of National Fire  
5142 Prevention Association Standard 99C (Standard on Gas and Vacuum  
5143 Systems, latest edition). The person taking such examination  
5144 must, upon passing such examination, be issued a certificate of  
5145 completion by the giver of such examination, and such  
5146 certificate shall be made available by the holder for inspection  
5147 by any person or entity seeking to have or employ such person to  
5148 perform brazing duties on a medical gas system.

5149 (d) It is the responsibility of the licensed plumbing  
5150 contractor to ascertain whether members of his or her workforce  
5151 are in compliance with this subsection, and such contractor is  
5152 subject to discipline under s. 489.129 for violation of this  
5153 subsection.

5154 (e) Training programs in medical gas piping installation,  
5155 improvement, repair, or maintenance shall be reviewed annually  
5156 by the department ~~board~~ to ensure that programs have been  
5157 provided equitably across the state.

5158 (f) Periodically, the department ~~board~~ shall review  
5159 training programs in medical gas piping installation for quality  
5160 in content and instruction in accordance with the National Fire  
5161 Prevention Association Standard 99C (Standard on Gas and Vacuum

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5162 Systems, latest edition). The department board shall also  
5163 respond to complaints regarding approved programs.

5164 **Section 186. Section 489.114, Florida Statutes, is amended**  
5165 **to read:**

5166 489.114 Evidence of workers' compensation coverage.—Except  
5167 as provided in s. 489.115(5)(d), any person, business  
5168 organization, or qualifying agent engaged in the business of  
5169 contracting in this state and certified or registered under this  
5170 part shall, as a condition precedent to the issuance or renewal  
5171 of a certificate or registration of the contractor, provide to  
5172 the department ~~Construction Industry Licensing Board~~, as  
5173 provided by department board rule, evidence of workers'  
5174 compensation coverage pursuant to chapter 440. In the event that  
5175 the Division of Workers' Compensation of the Department of  
5176 Financial Services receives notice of the cancellation of a  
5177 policy of workers' compensation insurance insuring a person or  
5178 entity governed by this section, the Division of Workers'  
5179 Compensation shall certify and identify all persons or entities  
5180 by certification or registration license number to the  
5181 department after verification is made by the Division of  
5182 Workers' Compensation that persons or entities governed by this  
5183 section are no longer covered by workers' compensation  
5184 insurance. Such certification and verification by the Division  
5185 of Workers' Compensation may result from records furnished to  
5186 the Division of Workers' Compensation by the persons or entities

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5187 governed by this section or an investigation completed by the  
5188 Division of Workers' Compensation. The department shall notify  
5189 the persons or entities governed by this section who have been  
5190 determined to be in noncompliance with chapter 440, and the  
5191 persons or entities notified shall provide certification of  
5192 compliance with chapter 440 to the department and pay an  
5193 administrative fine in the amount of \$500. The failure to  
5194 maintain workers' compensation coverage as required by law shall  
5195 be grounds for the department board to revoke, suspend, or deny  
5196 the issuance or renewal of a certificate or registration of the  
5197 contractor under the provisions of s. 489.129.

5198 **Section 187. Paragraph (a) of subsection (2), subsection**  
5199 **(3), paragraph (b) of subsection (4), and subsections (5), (6),**  
5200 **(7), and (9) of section 489.115, Florida Statutes, are amended**  
5201 **to read:**

5202 489.115 Certification and registration; endorsement;  
5203 reciprocity; renewals; ~~continuing education.~~

5204 (2) (a) The department shall issue a certificate or  
5205 registration to each person qualified by the department board  
5206 and upon receipt of the original license fee.

5207 (3) The department board shall certify as qualified for  
5208 certification by endorsement any applicant who:

5209 (a) Meets the requirements for certification as set forth  
5210 in this section; has passed a national, regional, state, or  
5211 United States territorial licensing examination that is

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5212 substantially equivalent to the examination required by this  
5213 part; and has satisfied the requirements set forth in s.  
5214 489.111;

5215 (b) Holds a valid license to practice contracting issued  
5216 by another state or territory of the United States, if the  
5217 criteria for issuance of such license were substantially  
5218 equivalent to Florida's current certification criteria;

5219 (c) Holds a valid, current license to practice contracting  
5220 issued by another state or territory of the United States, if  
5221 the state or territory has entered into a reciprocal agreement  
5222 with the department board for the recognition of contractor  
5223 licenses issued in that state, based on criteria for the  
5224 issuance of such licenses that are substantially equivalent to  
5225 the criteria for certification in this state; or

5226 (d) Has held a valid, current license to practice  
5227 contracting issued by another state or territory of the United  
5228 States for at least 10 years before the date of application and  
5229 is applying for the same or similar license in this state,  
5230 subject to subsections (5)-(9). The department board may  
5231 consider an applicant's technical competence to ensure the  
5232 applicant is able to meet the requirements of this state's codes  
5233 and standards for wind mitigation and water intrusion. The  
5234 department board may also consider whether such applicant has  
5235 had a license to practice contracting revoked, suspended, or  
5236 otherwise acted against by the licensing authority of another

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5237 state, territory, or country. Such application must be made  
5238 either when the license in another state or territory is active  
5239 or within 2 years after such license was last active. Division I  
5240 contractors and roofing contractors must complete a 2-hour  
5241 course on the Florida Building Code which includes information  
5242 on wind mitigation techniques. The required courses may be  
5243 completed online.

5244 (4)

5245 ~~(b)1. Each certificateholder or registrant shall provide~~  
5246 ~~proof, in a form established by rule of the board, that the~~  
5247 ~~certificateholder or registrant has completed at least 14~~  
5248 ~~classroom hours of at least 50 minutes each of continuing~~  
5249 ~~education courses during each biennium since the issuance or~~  
5250 ~~renewal of the certificate or registration. The board shall~~  
5251 ~~establish by rule that a portion of the required 14 hours must~~  
5252 ~~deal with the subject of workers' compensation, business~~  
5253 ~~practices, workplace safety, and, for applicable licensure~~  
5254 ~~categories, wind mitigation methodologies, and 1 hour of which~~  
5255 ~~must deal with laws and rules. The board shall by rule establish~~  
5256 ~~criteria for the approval of continuing education courses and~~  
5257 ~~providers, including requirements relating to the content of~~  
5258 ~~courses and standards for approval of providers, and may by rule~~  
5259 ~~establish criteria for accepting alternative nonclassroom~~  
5260 ~~continuing education on an hour-for-hour basis. The board shall~~  
5261 ~~prescribe by rule the continuing education, if any, which is~~

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5262 ~~required during the first biennium of initial licensure. A~~  
5263 ~~person who has been licensed for less than an entire biennium~~  
5264 ~~must not be required to complete the full 14 hours of continuing~~  
5265 ~~education.~~

5266 ~~2. In addition, the board may approve specialized~~  
5267 ~~continuing education courses on compliance with the wind~~  
5268 ~~resistance provisions for one and two family dwellings contained~~  
5269 ~~in the Florida Building Code and any alternate methodologies for~~  
5270 ~~providing such wind resistance which have been approved for use~~  
5271 ~~by the Florida Building Commission. Division I~~  
5272 ~~certificateholders or registrants who demonstrate proficiency~~  
5273 ~~upon completion of such specialized courses may certify plans~~  
5274 ~~and specifications for one and two family dwellings to be in~~  
5275 ~~compliance with the code or alternate methodologies, as~~  
5276 ~~appropriate, except for dwellings located in floodways or~~  
5277 ~~coastal hazard areas as defined in ss. 60.3D and E of the~~  
5278 ~~National Flood Insurance Program.~~

5279 ~~3. The board shall require, by rule adopted pursuant to~~  
5280 ~~ss. 120.536(1) and 120.54, a specified number of hours in~~  
5281 ~~specialized or advanced module courses, approved by the Florida~~  
5282 ~~Building Commission, on any portion of the Florida Building~~  
5283 ~~Code, adopted pursuant to part IV of chapter 553, relating to~~  
5284 ~~the contractor's respective discipline.~~

5285 (5) (a) As a prerequisite to the initial issuance or the  
5286 renewal of a certificate or registration, the applicant shall

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5287 submit an affidavit on a form provided by the department board  
5288 attesting to the fact that the applicant has obtained workers'  
5289 compensation insurance as required by chapter 440, public  
5290 liability insurance, and property damage insurance for the  
5291 safety and welfare of the public, in amounts determined by rule  
5292 of the department board. The department board shall by rule  
5293 establish a procedure to verify the accuracy of such affidavits  
5294 based upon a random sample method.

5295 (b) In addition to the affidavit of insurance, as a  
5296 prerequisite to the initial issuance of a certificate, the  
5297 applicant shall furnish a credit report from a nationally  
5298 recognized credit agency that reflects the financial  
5299 responsibility of the applicant and evidence of financial  
5300 responsibility, credit, and business reputation of either  
5301 himself or herself or the business organization he or she  
5302 desires to qualify. The department board shall adopt rules  
5303 defining financial responsibility based upon the applicant's  
5304 credit history, ability to be bonded, and any history of  
5305 bankruptcy or assignment of receivers. The department board may  
5306 also adopt rules that would allow applicants to demonstrate  
5307 financial responsibility, as an alternative to the foregoing, by  
5308 providing minimum credit scores or bonds payable as prescribed  
5309 for financially responsible officers. Such rules shall specify  
5310 the financial responsibility grounds on which the department  
5311 board may refuse to qualify an applicant for certification.

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5312 (c) If, within 60 days from the date the applicant is  
5313 notified that he or she has qualified, he or she does not  
5314 provide the evidence required, he or she shall apply to the  
5315 department for an extension of time which shall be granted upon  
5316 a showing of just cause.

5317 (d) An applicant for initial issuance of a certificate or  
5318 registration shall submit as a prerequisite to qualifying for an  
5319 exemption from workers' compensation coverage requirements under  
5320 s. 440.05 an affidavit attesting to the fact that the applicant  
5321 will obtain an exemption within 30 days after the date the  
5322 initial certificate or registration is issued by the department  
5323 ~~board~~.

5324 (6) An applicant for initial issuance of a certificate or  
5325 registration shall submit to a statewide criminal history  
5326 records check through the Department of Law Enforcement. The  
5327 Department of Business and Professional Regulation shall submit  
5328 the requests for the criminal history records check to the  
5329 Department of Law Enforcement for state processing, and the  
5330 Department of Law Enforcement shall return the results to the  
5331 department to determine if the applicant meets certification or  
5332 registration requirements. If the applicant has been convicted  
5333 of a felony, the department ~~board~~ may deny licensure to the  
5334 applicant based upon the severity of the crime, the relationship  
5335 of the crime to contracting, or the potential for public harm.  
5336 The department ~~board~~ shall also, in denying or approving

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5337 licensure, consider the length of time since the commission of  
5338 the crime and the rehabilitation of the applicant. The  
5339 department board may not deny licensure to an applicant based  
5340 solely upon a felony conviction or the applicant's failure to  
5341 provide proof of restoration of civil rights.

5342 (7) An initial applicant shall, along with the  
5343 application, and a certificateholder or registrant shall, upon  
5344 requesting a change of status, submit to the department board a  
5345 credit report from a nationally recognized credit agency that  
5346 reflects the financial responsibility of the applicant or  
5347 certificateholder or registrant. The credit report required for  
5348 the initial applicant shall be considered the minimum evidence  
5349 necessary to satisfy the department board that he or she is  
5350 financially responsible to be certified, has the necessary  
5351 credit and business reputation to engage in contracting in the  
5352 state, and has the minimum financial stability necessary to  
5353 avoid the problem of financial mismanagement or misconduct. The  
5354 department board shall, by rule, adopt guidelines for  
5355 determination of financial stability, which may include minimum  
5356 requirements for net worth, cash, and bonding for Division I  
5357 certificateholders of no more than \$20,000 and for Division II  
5358 certificateholders of no more than \$10,000. Fifty percent of the  
5359 financial requirements may be met by completing a 14-hour  
5360 financial responsibility course approved by the department  
5361 board.

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5362 (9) An initial applicant shall submit, along with the  
5363 application, a complete set of fingerprints to the department.  
5364 The fingerprints shall be submitted to the Department of Law  
5365 Enforcement for state processing, and the Department of Law  
5366 Enforcement shall forward them to the Federal Bureau of  
5367 Investigation for national processing for the purpose of  
5368 determining if the applicant has a criminal history record. The  
5369 department shall and the department board ~~board~~ may review the  
5370 background results to determine if an applicant meets licensure  
5371 requirements. The cost for the fingerprint processing shall be  
5372 borne by the person subject to the background screening. These  
5373 fees are to be collected by the authorized agencies or vendors.  
5374 The authorized agencies or vendors are responsible for paying  
5375 the processing costs to the Department of Law Enforcement.

5376 **Section 188. Subsections (7) and (8) of section 489.116,**  
5377 **Florida Statutes, are renumbered as subsections (6) and (7),**  
5378 **respectively, and subsections (2) through (5) and subsection (6)**  
5379 **and present subsection (7) of that section are amended, to read:**

5380 489.116 Inactive and delinquent status; renewal and  
5381 cancellation notices.—

5382 (2) The department board ~~board~~ shall permit a certificateholder  
5383 or registrant to elect, at the time of licensure renewal, an  
5384 active or inactive status.

5385 (3) An inactive status certificateholder or registrant may  
5386 change to active status at any time, if the certificateholder or

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5387 registrant meets all requirements for active status, pays any  
5388 additional licensure fees necessary to equal those imposed on an  
5389 active status certificateholder or registrant, pays any  
5390 applicable late fees, and meets all ~~continuing education~~  
5391 requirements prescribed by the department ~~board~~.

5392 (4) A certificateholder or registrant shall apply with a  
5393 completed application, as determined by department ~~board~~ rule,  
5394 to renew an active or inactive status certificate or  
5395 registration before the certificate or registration expires.  
5396 Failure of a certificateholder or registrant to so apply shall  
5397 cause the certificate or registration to become a delinquent  
5398 certificate or registration. Further, any delinquent  
5399 certificateholder or registrant who fails to apply to renew  
5400 licensure on either active or inactive status before expiration  
5401 of the current licensure cycle must reapply in the same manner  
5402 as an applicant for initial certification or registration.

5403 (5) A delinquent status certificateholder or registrant  
5404 must apply with a completed application, as determined by  
5405 department ~~board~~ rule, for active or inactive status during the  
5406 current licensure cycle. Failure by a delinquent status  
5407 certificateholder or registrant to become active or inactive  
5408 before the expiration of the current licensure cycle renders the  
5409 certificate or registration void, and any subsequent licensure  
5410 shall be subject to all procedures and requirements imposed on  
5411 an applicant for initial licensure.

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5412 ~~(6) The board may not require an inactive~~  
5413 ~~certificateholder or registrant to complete more than one~~  
5414 ~~renewal cycle of continuing education for reactivating a~~  
5415 ~~certificate or registration.~~

5416 ~~(6)(7)~~ The status or any change in status of a  
5417 certificateholder or registrant may ~~shall~~ not alter in any way  
5418 the department's ~~board's~~ right to impose discipline or to  
5419 enforce discipline previously imposed on a certificateholder or  
5420 registrant for acts or omissions committed by the  
5421 certificateholder or registrant while holding a certificate or  
5422 registration.

5423 **Section 189. Paragraphs (a) and (c) of subsection (1),**  
5424 **subsection (2), paragraph (a) of subsection (3), and subsection**  
5425 **(4) of section 489.117, Florida Statutes, are amended to read:**

5426 489.117 Registration; specialty contractors.—

5427 (1) (a) A person engaged in the business of a contractor as  
5428 defined in s. 489.105(2)(a)-(o) ~~s. 489.105(3)(a)-(e)~~ must be  
5429 registered before engaging in business as a contractor in this  
5430 state, unless he or she is certified. Except as provided in  
5431 paragraph (2)(b), to be initially registered, the applicant must  
5432 submit the required fee and file evidence of successful  
5433 compliance with the local examination and licensing  
5434 requirements, if any, in the area for which registration is  
5435 desired. An examination is not required for registration.

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5436 (c) Each registrant shall report to the department board  
5437 each local jurisdiction and each category of registration in  
5438 which the registrant holds a certificate of competency or  
5439 license, or where the registrant has been granted a certificate  
5440 of competency or license by reciprocal agreement, for which  
5441 registration is required by this part, within 30 days after  
5442 obtaining such certificate or license.

5443 (2) (a) Except as provided in paragraph (b), the department  
5444 ~~board~~ may not issue a new registration after July 1, 1993, based  
5445 on any certificate of competency or license for a category of  
5446 contractor defined in s. 489.105(2)(a)-(o) ~~s. 489.105(3)(a)-(o)~~  
5447 which is issued by a municipal or county government that does  
5448 not exercise disciplinary control and oversight over such  
5449 locally licensed contractors, including forwarding a recommended  
5450 order in each action to the department board as provided in s.  
5451 489.131(7). For purposes of this subsection and s. 489.131(10),  
5452 the department board shall determine the adequacy of such  
5453 disciplinary control by reviewing the local government's ability  
5454 to process and investigate complaints and to take disciplinary  
5455 action against locally licensed contractors.

5456 (b) The department board shall issue a registration to an  
5457 eligible applicant to engage in the business of a contractor in  
5458 a specified local jurisdiction, provided each of the following  
5459 conditions are satisfied:

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5460 1. The applicant held, in any local jurisdiction in this  
5461 state during 2021, 2022, or 2023, a certificate of registration  
5462 issued by the state or a local license issued by a local  
5463 jurisdiction to perform work in a category of contractor defined  
5464 in s. 489.105(2)(a)-(o) ~~s. 489.105(3)(a)-(e)~~.

5465 2. The applicant submits all of the following to the  
5466 department ~~board~~:

5467 a. Evidence of the certificate of registration or local  
5468 license held by the applicant as required by subparagraph 1.

5469 b. Evidence that the specified local jurisdiction does not  
5470 have a license type available for the category of work for which  
5471 the applicant was issued a certificate of registration or local  
5472 license during 2021, 2022, or 2023, such as a notification on  
5473 the website of the local jurisdiction or an e-mail or letter  
5474 from the office of the local building official or local building  
5475 department stating that such license type is not available in  
5476 that local jurisdiction.

5477 c. Evidence that the applicant has submitted the required  
5478 fee.

5479 d. Evidence of compliance with the insurance and financial  
5480 responsibility requirements of s. 489.115(5).

5481  
5482 An examination is not required for an applicant seeking a  
5483 registration under this paragraph.

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5484 (c) The department board is responsible for disciplining  
5485 licensees issued a registration under paragraph (b). The  
5486 department board shall make such licensure and disciplinary  
5487 information available through the automated information system  
5488 provided pursuant to s. 455.2286.

5489 (d) The fees for an applicant seeking a registration under  
5490 paragraph (b) and renewal of such registration every 2 years are  
5491 the same as the fees established by the department board for  
5492 applications, registration and renewal, and record making and  
5493 recordkeeping, as set forth in s. 489.109. The department shall  
5494 provide license, renewal, and cancellation notices pursuant to  
5495 ss. 455.273 and 455.275.

5496 (3) (a) Upon findings of fact supporting the need therefor,  
5497 the department board may grant a limited nonrenewable  
5498 registration to a contractor not domiciled in the state, for one  
5499 project. During the period of such registration the department  
5500 board may require compliance with this and any other statute of  
5501 the state.

5502 (4) (a)1. A person whose job scope does not substantially  
5503 correspond to either the job scope of one of the contractor  
5504 categories defined in s. 489.105(2)(a)-(o) ~~s. 489.105(3)(a)-(o)~~,  
5505 or the job scope of one of the certified specialty contractor  
5506 categories established by department board rule, is not required  
5507 to register with the department board. A local government, as  
5508 defined in s. 163.211, may not require a person to obtain a

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5509 license, issued by the local government or the state, for a job  
5510 scope which does not substantially correspond to the job scope  
5511 of one of the contractor categories defined in s. 489.105(2)(a)-  
5512 (o) and (q) ~~s. 489.105(3)(a)-(o) and (q)~~ or authorized in s.  
5513 489.1455(1), or the job scope of one of the certified specialty  
5514 contractor categories established pursuant to s. 489.113(6). A  
5515 local government may not require a state or local license to  
5516 obtain a permit for such job scopes. For purposes of this  
5517 section, job scopes for which a local government may not require  
5518 a license include, but are not limited to, painting; flooring;  
5519 cabinetry; interior remodeling when the scope of the project  
5520 does not include a task for which a state license is required;  
5521 driveway or tennis court installation; handyman services;  
5522 decorative stone, tile, marble, granite, or terrazzo  
5523 installation; plastering; pressure washing; stuccoing; caulking;  
5524 and canvas awning and ornamental iron installation.

5525 2. A county that includes an area designated as an area of  
5526 critical state concern under s. 380.05 may offer a license for  
5527 any job scope which requires a contractor license under this  
5528 part if the county imposed such a licensing requirement before  
5529 January 1, 2021.

5530 3. A local government may continue to offer a license for  
5531 veneer, including aluminum or vinyl gutters, siding, soffit, or  
5532 fascia; rooftop painting, coating, and cleaning above three  
5533 stories in height; or fence installation and erection if the

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5534 local government imposed such a licensing requirement before  
5535 January 1, 2021.

5536 4. A local government may not require a license as a  
5537 prerequisite to submit a bid for public works projects if the  
5538 work to be performed does not require a license under general  
5539 law.

5540 (b) The local jurisdictions are responsible for providing  
5541 the following information to the department board within 30 days  
5542 after licensure of, or any disciplinary action against, a  
5543 locally licensed contractor who is registered under this part:

- 5544 1. Licensure information.
- 5545 2. Code violation information pursuant to s. 553.781.
- 5546 3. Disciplinary information.

5547  
5548 The department board shall maintain such licensure and  
5549 disciplinary information as it is provided to the department  
5550 ~~board~~ and shall make the information available through the  
5551 automated information system provided pursuant to s. 455.2286.

5552 (c) Providing discipline to such locally licensed  
5553 contractors is the responsibility of the local jurisdiction.

5554 (d) Any person who is not required to obtain registration  
5555 or certification pursuant to s. 489.105(2)(d)-(o) ~~s.~~  
5556 ~~489.105(3)(d)-(e)~~ may perform contracting services for the  
5557 construction, remodeling, repair, or improvement of single-  
5558 family residences, including a townhouse as defined in the

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5559 Florida Building Code, without obtaining a local license if such  
5560 person is under the supervision of a certified or registered  
5561 general, building, or residential contractor. As used in this  
5562 paragraph, supervision may ~~shall~~ not be deemed to require the  
5563 existence of a direct contract between the certified or  
5564 registered general, building, or residential contractor and the  
5565 person performing specialty contracting services.

5566 (e) Any person who is not certified or registered may  
5567 perform the work of a specialty contractor whose scope of  
5568 practice is limited to the type of work specified under s.  
5569 489.105(2)(j), (k), or (l) ~~s. 489.105(3)(j), (k), or (l)~~ for the  
5570 construction, remodeling, repair, or improvement of commercial  
5571 or residential swimming pools, interactive water features as  
5572 defined in the Florida Building Code, hot tubs, and spas without  
5573 obtaining a local license or certification as a specialty  
5574 contractor if he or she is supervised by a contractor who is  
5575 certified or registered under s. 489.105(2)(j), (k), or (l) ~~s.~~  
5576 ~~489.105(3)(j), (k), or (l)~~; the work is within the scope of the  
5577 supervising contractor's license; the supervising contractor is  
5578 responsible for the work; and the work does not require  
5579 certification or registration under s. 489.105(2)(d)-(i), (m)-  
5580 (o) ~~s. 489.105(3)(d)-(i), (m)-(o), or s. 489.505~~. Such  
5581 supervision does not require a direct contract between the  
5582 contractor certified or registered under s. 489.105(2)(j), (k),  
5583 or (l) ~~s. 489.105(3)(j), (k), or (l)~~ and the person performing

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5584 the work, or for the person performing the work to be an  
5585 employee of the contractor certified or registered under s.  
5586 489.105(2)(j), (k), or (l) ~~s. 489.105(3)(j), (k), or (l)~~. This  
5587 paragraph does not limit the exemptions provided in s. 489.103  
5588 and may not be construed to expand the scope of a contractor  
5589 certified or registered under s. 489.105(2)(j), (k), or (l) ~~s.~~  
5590 ~~489.105(3)(j), (k), or (l)~~ to provide plumbing or electrical  
5591 services for which certification or registration is required by  
5592 this part or part II.

5593 **Section 190. Section 489.118, Florida Statutes, is amended**  
5594 **to read:**

5595 489.118 Certification of registered contractors;  
5596 grandfathering provisions.—The department board shall, upon  
5597 receipt of a completed application and appropriate fee, issue a  
5598 certificate in the appropriate category to any contractor  
5599 registered under this part who makes application to the  
5600 department board and can show that he or she meets each of the  
5601 following requirements:

5602 (1) Currently holds a valid registered local license in  
5603 one of the contractor categories defined in s. 489.105(3)(a)-(p)  
5604 ~~s. 489.105(3)(a)-(p)~~.

5605 (2) Has, for that category, passed a written examination  
5606 that the department board finds to be substantially similar to  
5607 the examination required to be licensed as a certified  
5608 contractor under this part. For purposes of this subsection, a

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5609 written, proctored examination such as that produced by the  
5610 National Assessment Institute, Block and Associates, NAI/Block,  
5611 Experior Assessments, Professional Testing, Inc., or Assessment  
5612 Systems, Inc., shall be considered to be substantially similar  
5613 to the examination required to be licensed as a certified  
5614 contractor. The department board ~~board~~ may not impose or make any  
5615 requirements regarding the nature or content of these cited  
5616 examinations.

5617 (3) Has at least 5 years of experience as a contractor in  
5618 that contracting category, or as an inspector or building  
5619 administrator with oversight over that category, at the time of  
5620 application. For contractors, only time periods in which the  
5621 contractor license is active and the contractor is not on  
5622 probation shall count toward the 5 years required by this  
5623 subsection.

5624 (4) Has not had his or her contractor's license revoked at  
5625 any time, had his or her contractor's license suspended within  
5626 the last 5 years, or been assessed a fine in excess of \$500  
5627 within the last 5 years.

5628 (5) Is in compliance with the insurance and financial  
5629 responsibility requirements in s. 489.115(5).

5630 **Section 191. Paragraphs (b), (c), and (e) of subsection**  
5631 **(2), paragraph (a) of subsection (3), paragraphs (a), (b), and**  
5632 **(e) of subsection (5), subsection (6), and paragraphs (a) and**

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5633 **(b) of subsection (7) of section 489.119, Florida Statutes, are**  
5634 **amended to read:**

5635 489.119 Business organizations; qualifying agents.—

5636 (2) If the applicant proposes to engage in contracting as  
5637 a business organization, including any partnership, corporation,  
5638 business trust, or other legal entity, or in any name other than  
5639 the applicant's legal name or a fictitious name where the  
5640 applicant is doing business as a sole proprietorship, the  
5641 applicant must apply for registration or certification as the  
5642 qualifying agent of the business organization.

5643 (b)1. An application for registration or certification to  
5644 qualify a business organization must include an affidavit on a  
5645 form provided by the department board ~~board~~ attesting that the  
5646 applicant has final approval authority for all construction work  
5647 performed by the business organization and that the applicant  
5648 has final approval authority on all business matters, including  
5649 contracts, specifications, checks, drafts, or payments,  
5650 regardless of the form of payment, made by the business  
5651 organization, except where a financially responsible officer is  
5652 approved.

5653 2. The application for financially responsible officer  
5654 must include an affidavit on a form provided by the department  
5655 ~~board~~ attesting that the applicant's approval is required for  
5656 all checks, drafts, or payments, regardless of the form of  
5657 payment, made by the business organization and that the

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5658 applicant has authority to act for the business organization in  
5659 all financial matters.

5660 3. The application for secondary qualifying agent must  
5661 include an affidavit on a form provided by the department board  
5662 attesting that the applicant has authority to supervise all  
5663 construction work performed by the business organization as  
5664 provided in s. 489.1195(2).

5665 (c) The department board may deny an application for  
5666 registration or certification to qualify a business organization  
5667 if the applicant, or any person listed in paragraph (a), has  
5668 been involved in past disciplinary actions or on any grounds for  
5669 which an individual registration or certification may be denied.

5670 (e) A joint venture, including a joint venture composed of  
5671 qualified business organizations, is itself a separate and  
5672 distinct organization that must be qualified in accordance with  
5673 department board rules.

5674 (3) (a) A qualifying agent must be certified or registered  
5675 under this part in order for the business organization to  
5676 operate in the category of contracting in which the qualifying  
5677 agent is certified or registered. If any qualifying agent ceases  
5678 to be affiliated with a business organization, he or she shall  
5679 inform the department. In addition, if the qualifying agent is  
5680 the only certified or registered contractor affiliated with the  
5681 business organization, the business organization shall notify  
5682 the department of the termination of the qualifying agent and

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5683 shall have 60 days from the termination of the qualifying  
5684 agent's affiliation with the business organization in which to  
5685 employ another qualifying agent. The business organization may  
5686 not engage in contracting until a qualifying agent is employed,  
5687 unless the department ~~executive director or chair of the board~~  
5688 has granted a temporary nonrenewable certificate or registration  
5689 to the financially responsible officer, the president, a  
5690 partner, or, in the case of a limited partnership, the general  
5691 partner, who assumes all responsibilities of a primary  
5692 qualifying agent for the business organization. This temporary  
5693 certificate or registration shall only allow the business  
5694 organization to proceed with incomplete contracts. For the  
5695 purposes of this paragraph, an incomplete contract is one which  
5696 has been awarded to, or entered into by, the business  
5697 organization before ~~prior to~~ the cessation of affiliation of the  
5698 qualifying agent with the business organization or one on which  
5699 the business organization was the low bidder and the contract is  
5700 subsequently awarded, regardless of whether any actual work has  
5701 commenced under the contract before ~~prior to~~ the qualifying  
5702 agent ceasing to be affiliated with the business organization.

5703 (5) (a) Each registered or certified contractor shall affix  
5704 the number of his or her registration or certification to each  
5705 application for a building permit and on each building permit  
5706 issued and recorded. Each city or county building department  
5707 shall require, as a precondition for the issuance of the

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5708 building permit, that the contractor taking out the permit must  
5709 provide verification giving his or her department ~~Construction~~  
5710 ~~Industry Licensing Board~~ registration or certification number.

5711 (b) The registration or certification number of each  
5712 contractor shall appear in each offer of services, business  
5713 proposal, bid, contract, or advertisement, regardless of medium,  
5714 as defined by department ~~board~~ rule, used by that contractor or  
5715 business organization in the practice of contracting.

5716 (e) The department ~~board~~ shall issue a notice of  
5717 noncompliance for the first offense, and may assess a fine or  
5718 issue a citation for failure to correct the offense within 30  
5719 days or for any subsequent offense, to any contractor or  
5720 business organization that fails to include the certification or  
5721 registration number as required by this part when submitting an  
5722 advertisement for publication, broadcast, or printing or fails  
5723 to display the certification or registration number as required  
5724 by this part.

5725 (6) Each qualifying agent shall pay the department an  
5726 amount equal to the original fee for registration or  
5727 certification to qualify a new business organization. If the  
5728 qualifying agent for a business organization desires to qualify  
5729 additional business organizations, the department ~~board~~ shall  
5730 require the qualifying agent to present evidence of his or her  
5731 ability to supervise the construction activities of each such

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5732 organization. Approval of each business organization is  
5733 discretionary with the department board.

5734 (7) (a) A business organization proposing to engage in  
5735 contracting is not required to apply for or obtain authorization  
5736 under this part to engage in contracting if:

5737 1. The business organization employs one or more  
5738 registered or certified contractors licensed in accordance with  
5739 this part who are responsible for obtaining permits and  
5740 supervising all of the business organization's contracting  
5741 activities;

5742 2. The business organization engages only in contracting  
5743 on property owned by the business organization or by its parent,  
5744 subsidiary, or affiliated entities; and

5745 3. The business organization, or its parent entity if the  
5746 business organization is a wholly owned subsidiary, maintains a  
5747 minimum net worth of \$20 million.

5748 (b) Any business organization engaging in contracting  
5749 under this subsection shall provide the department board with  
5750 the name and license number of each registered or certified  
5751 contractor employed by the business organization to supervise  
5752 its contracting activities. The business organization is not  
5753 required to post a bond or otherwise evidence any financial or  
5754 credit information except as necessary to demonstrate compliance  
5755 with paragraph (a).

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5756           **Section 192. Paragraphs (b) and (d) of subsection (1),**  
5757 **paragraphs (a) and (b) of subsection (2), and paragraphs (a) and**  
5758 **(b) of subsection (3) of section 489.1195, Florida Statutes, are**  
5759 **amended to read:**

5760           489.1195 Responsibilities.—

5761           (1) A qualifying agent is a primary qualifying agent  
5762 unless he or she is a secondary qualifying agent under this  
5763 section.

5764           (b) Upon approval by the department ~~board~~, a business  
5765 entity may designate a financially responsible officer for  
5766 purposes of certification or registration. A financially  
5767 responsible officer shall be responsible for all financial  
5768 aspects of the business organization and may not be designated  
5769 as the primary qualifying agent. The designated financially  
5770 responsible officer shall furnish evidence of the financial  
5771 responsibility, credit, and business reputation of either  
5772 himself or herself, or the business organization he or she  
5773 desires to qualify, as determined appropriate by the department  
5774 ~~board~~.

5775           (d) The department ~~board~~ shall adopt rules prescribing the  
5776 qualifications for financially responsible officers, including  
5777 net worth, cash, and bonding requirements. These qualifications  
5778 must be at least as extensive as the requirements for the  
5779 financial responsibility of qualifying agents.

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5780 (2) (a) One of the qualifying agents for a business  
5781 organization that has more than one qualifying agent may be  
5782 designated as the sole primary qualifying agent for the business  
5783 organization by a joint agreement that is executed, on a form  
5784 provided by the department board, by all qualifying agents for  
5785 the business organization.

5786 (b) The joint agreement must be submitted to the  
5787 department board for approval. If the department board  
5788 determines that the joint agreement is in good order, it shall  
5789 approve the designation and immediately notify the qualifying  
5790 agents of such approval. The designation made by the joint  
5791 agreement is effective upon receipt of the notice by the  
5792 qualifying agents.

5793 (3) (a) A qualifying agent who has been designated by a  
5794 joint agreement as the sole primary qualifying agent for a  
5795 business organization may terminate this status as such by  
5796 giving actual notice to the business organization, to the  
5797 department board, and to all secondary qualifying agents of his  
5798 or her intention to terminate this status. The notice to the  
5799 department board must include proof satisfactory to the  
5800 department board that he or she has given the notice required in  
5801 this paragraph.

5802 (b) The status of the qualifying agent shall cease upon  
5803 the designation of a new primary qualifying agent or 60 days

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5804 after satisfactory notice of termination has been provided to  
5805 the department board, whichever first occurs.

5806 **Section 193. Section 489.121, Florida Statutes, is amended**  
5807 **to read:**

5808 489.121 Emergency registration upon death of contractor.—  
5809 If an incomplete contract exists at the time of death of a  
5810 contractor, the contract may be completed by any person even  
5811 though not certified or registered. Such person shall notify the  
5812 department board, within 30 days after the death of the  
5813 contractor, of his or her name and address, knowledge of the  
5814 contract, and ability to complete it. If the department board  
5815 approves, he or she may proceed with the contract. For purposes  
5816 of this section, an incomplete contract is one which has been  
5817 awarded to, or entered into by, the contractor before his or her  
5818 death, or on which he or she was the low bidder and the contract  
5819 is subsequently awarded to him or her, regardless of whether any  
5820 actual work has commenced under the contract before the  
5821 contractor's death.

5822 **Section 194. Subsection (1) of section 489.126, Florida**  
5823 **Statutes, is amended to read:**

5824 489.126 Moneys received by contractors.—

5825 (1) For purposes of this section, the term "contractor"  
5826 includes all definitions as set forth in s. 489.105(2) ~~s.~~  
5827 ~~489.105(3)~~, and any person performing or contracting or

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5828 promising to perform work described therein, without regard to  
5829 the licensure of the person.

5830 **Section 195. Subsection (6) of section 489.127, Florida**  
5831 **Statutes, is amended to read:**

5832 489.127 Prohibitions; penalties.—

5833 (6) Local building departments may collect outstanding  
5834 fines against registered or certified contractors issued by the  
5835 department ~~Construction Industry Licensing Board~~ and may retain  
5836 75 percent of the fines they are able to collect, provided that  
5837 they transmit 25 percent of the fines they are able to collect  
5838 to the department according to a procedure to be determined by  
5839 the department.

5840 **Section 196. Subsections (1) through (9), paragraph (d) of**  
5841 **subsection (11), and subsection (12) of section 489.129, Florida**  
5842 **Statutes, are amended to read:**

5843 489.129 Disciplinary proceedings.—

5844 (1) The department ~~board~~ may take any of the following  
5845 actions against any certificateholder or registrant: place on  
5846 probation or reprimand the licensee, revoke, suspend, or deny  
5847 the issuance or renewal of the certificate or registration,  
5848 require financial restitution to a consumer for financial harm  
5849 directly related to a violation of a provision of this part,  
5850 impose an administrative fine not to exceed \$10,000 per  
5851 violation, require continuing education, or assess costs  
5852 associated with investigation and prosecution, if the

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5853 contractor, financially responsible officer, or business  
5854 organization for which the contractor is a primary qualifying  
5855 agent, a financially responsible officer, or a secondary  
5856 qualifying agent responsible under s. 489.1195 is found guilty  
5857 of any of the following acts:

5858 (a) Obtaining a certificate or registration by fraud or  
5859 misrepresentation.

5860 (b) Being convicted or found guilty of, or entering a plea  
5861 of nolo contendere to, regardless of adjudication, a crime in  
5862 any jurisdiction which directly relates to the practice of  
5863 contracting or the ability to practice contracting.

5864 (c) Violating any provision of chapter 455.

5865 (d) Performing any act which assists a person or entity in  
5866 engaging in the prohibited uncertified and unregistered practice  
5867 of contracting, if the certificateholder or registrant knows or  
5868 has reasonable grounds to know that the person or entity was  
5869 uncertified and unregistered.

5870 (e) Knowingly combining or conspiring with an uncertified  
5871 or unregistered person by allowing his or her certificate or  
5872 registration to be used by the uncertified or unregistered  
5873 person with intent to evade the provisions of this part. When a  
5874 certificateholder or registrant allows his or her certificate or  
5875 registration to be used by one or more business organizations  
5876 without having any active participation in the operations,  
5877 management, or control of such business organizations, such act

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5878 constitutes prima facie evidence of an intent to evade the  
5879 provisions of this part.

5880 (f) Acting in the capacity of a contractor under any  
5881 certificate or registration issued hereunder except in the name  
5882 of the certificateholder or registrant as set forth on the  
5883 issued certificate or registration, or in accordance with the  
5884 personnel of the certificateholder or registrant as set forth in  
5885 the application for the certificate or registration, or as later  
5886 changed as provided in this part.

5887 (g) Committing mismanagement or misconduct in the practice  
5888 of contracting that causes financial harm to a customer.

5889 Financial mismanagement or misconduct occurs when:

5890 1. Valid liens have been recorded against the property of  
5891 a contractor's customer for supplies or services ordered by the  
5892 contractor for the customer's job; the contractor has received  
5893 funds from the customer to pay for the supplies or services; and  
5894 the contractor has not had the liens removed from the property,  
5895 by payment or by bond, within 75 days after the date of such  
5896 liens;

5897 2. The contractor has abandoned a customer's job and the  
5898 percentage of completion is less than the percentage of the  
5899 total contract price paid to the contractor as of the time of  
5900 abandonment, unless the contractor is entitled to retain such  
5901 funds under the terms of the contract or refunds the excess  
5902 funds within 30 days after the date the job is abandoned; or

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5903           3. The contractor's job has been completed, and it is  
5904 shown that the customer has had to pay more for the contracted  
5905 job than the original contract price, as adjusted for subsequent  
5906 change orders, unless such increase in cost was the result of  
5907 circumstances beyond the control of the contractor, was the  
5908 result of circumstances caused by the customer, or was otherwise  
5909 permitted by the terms of the contract between the contractor  
5910 and the customer.

5911           (h) Being disciplined by any municipality or county for an  
5912 act or violation of this part.

5913           (i) Failing in any material respect to comply with the  
5914 provisions of this part or violating a rule or lawful order of  
5915 the department board.

5916           (j) Abandoning a construction project in which the  
5917 contractor is engaged or under contract as a contractor. A  
5918 project may be presumed abandoned after 90 days if the  
5919 contractor terminates the project without just cause or without  
5920 proper notification to the owner, including the reason for  
5921 termination, or fails to perform work without just cause for 90  
5922 consecutive days.

5923           (k) Signing a statement with respect to a project or  
5924 contract falsely indicating that the work is bonded; falsely  
5925 indicating that payment has been made for all subcontracted  
5926 work, labor, and materials which results in a financial loss to  
5927 the owner, purchaser, or contractor; or falsely indicating that

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5928 workers' compensation and public liability insurance are  
5929 provided.

5930 (l) Committing fraud or deceit in the practice of  
5931 contracting.

5932 (m) Committing incompetency or misconduct in the practice  
5933 of contracting.

5934 (n) Committing gross negligence, repeated negligence, or  
5935 negligence resulting in a significant danger to life or  
5936 property.

5937 (o) Proceeding on any job without obtaining applicable  
5938 local building department permits and inspections.

5939 (p) Intimidating, threatening, coercing, or otherwise  
5940 discouraging the service of a notice to owner under part I of  
5941 chapter 713 or a notice to contractor under chapter 255 or part  
5942 I of chapter 713.

5943 (q) Failing to satisfy within a reasonable time, the terms  
5944 of a civil judgment obtained against the licensee, or the  
5945 business organization qualified by the licensee, relating to the  
5946 practice of the licensee's profession.

5947 (r) Committing misapplication of construction funds in  
5948 violation of s. 713.345. If a contractor, subcontractor, sub-  
5949 subcontractor, or other person licensed by the department ~~board~~  
5950 under this chapter is convicted of misapplication of  
5951 construction funds, the department ~~board~~ must suspend all  
5952 licenses issued to such licensee under this chapter for a

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5953 | minimum of 1 year from the date of conviction. The suspension  
5954 | required under this paragraph is not exclusive, and the  
5955 | department board ~~board~~ may impose any additional penalties set forth  
5956 | in this subsection.

5957

5958 | For the purposes of this subsection, construction is considered  
5959 | to be commenced when the contract is executed and the contractor  
5960 | has accepted funds from the customer or lender. A contractor  
5961 | does not commit a violation of this subsection when the  
5962 | contractor relies on a building code interpretation rendered by  
5963 | a building official or person authorized by s. 553.80 to enforce  
5964 | the building code, absent a finding of fraud or deceit in the  
5965 | practice of contracting, or gross negligence, repeated  
5966 | negligence, or negligence resulting in a significant danger to  
5967 | life or property on the part of the building official, in a  
5968 | proceeding under chapter 120.

5969 | (2) If a registrant or certificateholder disciplined under  
5970 | subsection (1) is a qualifying agent or financially responsible  
5971 | officer for a business organization and the violation was  
5972 | performed in connection with a construction project undertaken  
5973 | by that business organization, the department board ~~board~~ may impose  
5974 | an additional administrative fine not to exceed \$5,000 per  
5975 | violation against the business organization or against any  
5976 | partner, officer, director, trustee, or member if such person

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5977 participated in the violation or knew or should have known of  
5978 the violation and failed to take reasonable corrective action.

5979 (3) The department board ~~board~~ may specify by rule the acts or  
5980 omissions which constitute violations of this section.

5981 (4) In recommending penalties in any proposed recommended  
5982 final order, the department shall follow the penalty guidelines  
5983 established by the department board ~~board~~ by rule. The department  
5984 shall advise the administrative law judge of the appropriate  
5985 penalty, including mitigating and aggravating circumstances, and  
5986 the specific rule citation.

5987 (5) The department board ~~board~~ may not reinstate the  
5988 certification or registration of, or cause a certificate or  
5989 registration to be issued to, a person who or business  
5990 organization which the department board ~~board~~ has determined is  
5991 unqualified or whose certificate or registration the department  
5992 ~~board~~ has suspended until it is satisfied that such person or  
5993 business organization has complied with all the terms and  
5994 conditions set forth in the final order and is capable of  
5995 competently engaging in the business of contracting.

5996 (6) (a) The department board ~~board~~ may assess interest or  
5997 penalties on all fines imposed under this chapter against any  
5998 person or business organization which has not paid the imposed  
5999 fine by the due date established by rule or final order. The  
6000 provisions of chapter 120 do not apply to such assessment.

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6001 Interest rates to be imposed shall be established by rule and  
6002 may ~~shall~~ not be usurious.

6003 (b) Venue for all actions to enforce any fine levied by  
6004 the department board shall be in Duval County. The department  
6005 ~~board~~ is authorized to enter into contracts with private  
6006 businesses or attorneys to collect such fines with payment for  
6007 such collections made on a contingent fee basis. All such  
6008 contracts shall be publicly advertised and competitively awarded  
6009 based upon responses submitted to a request for proposals  
6010 developed by the department board.

6011 (7) The department may board ~~shall~~ not issue or renew a  
6012 certificate or registration to any person or business  
6013 organization that has been assessed a fine, interest, or costs  
6014 associated with investigation and prosecution, or has been  
6015 ordered to pay restitution, until such fine, interest, or costs  
6016 associated with investigation and prosecution or restitution are  
6017 paid in full or until all terms and conditions of the final  
6018 order have been satisfied.

6019 (8) If the department board finds any certified or  
6020 registered contractor guilty of a violation, the department  
6021 ~~board~~ may, as part of its disciplinary action, require such  
6022 contractor to obtain continuing education in the areas of  
6023 contracting affected by such violation.

6024 (9) Any person certified or registered pursuant to this  
6025 part who has had his or her license revoked may ~~shall~~ not be

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6026 eligible to be a partner, officer, director, or trustee of a  
6027 business organization defined by this section or be employed in  
6028 a managerial or supervisory capacity for a 5-year period. Such  
6029 person shall also be ineligible to reapply for certification or  
6030 registration under this part for a period of 5 years after the  
6031 effective date of the revocation.

6032 (11)

6033 (d) The arbitrator's order shall become a final order of  
6034 the department board if not challenged by the complainant or the  
6035 certificateholder or registrant within 30 days after filing. The  
6036 department's board's review of the arbitrator's order shall  
6037 operate in the manner of the review of recommended orders  
6038 pursuant to s. 120.57(1) and may ~~shall~~ not be a de novo review.

6039 (12) When an investigation of a contractor is undertaken,  
6040 the department shall promptly furnish to the contractor or the  
6041 contractor's attorney a copy of the complaint or document that  
6042 resulted in the initiation of the investigation. The department  
6043 shall make the complaint and supporting documents available to  
6044 the contractor. The complaint or supporting documents shall  
6045 contain information regarding the specific facts that serve as  
6046 the basis for the complaint. The contractor may submit a written  
6047 response to the information contained in such complaint or  
6048 document within 20 days after service to the contractor of the  
6049 complaint or document. The contractor's written response shall  
6050 be considered by the probable cause panel. The right to respond

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6051 does not prohibit the issuance of a summary emergency order if  
6052 necessary to protect the public. However, if the department  
6053 decides ~~secretary, or the secretary's designee, and the chair of~~  
6054 ~~the board or the chair of the probable cause panel agree in~~  
6055 ~~writing~~ that such notification would be detrimental to the  
6056 investigation, the department may withhold notification. The  
6057 department may conduct an investigation without notification to  
6058 a contractor if the act under investigation is a criminal  
6059 offense.

6060 **Section 197. Paragraphs (c) and (f) of subsection (3),**  
6061 **paragraphs (b) and (c) of subsection (6), paragraphs (c), (d),**  
6062 **(e), and (f) of subsection (7), and subsections (10), (11), and**  
6063 **(12) of section 489.131, Florida Statutes, are amended to read:**

6064 489.131 Applicability.—

6065 (3) Nothing in this part limits the power of a  
6066 municipality or county:

6067 (c) To collect business taxes, subject to s. 205.065, and  
6068 inspection fees for engaging in contracting or examination fees  
6069 from persons who are registered with the department ~~board~~  
6070 pursuant to local examination requirements and issue business  
6071 tax receipts. However, nothing in this part shall be construed  
6072 to require general contractors, building contractors, or  
6073 residential contractors to obtain additional business tax  
6074 receipts for specialty work when such specialty work is  
6075 performed by employees of such contractors on projects for which

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6076 they have substantially full responsibility and such contractors  
6077 do not hold themselves out to the public as being specialty  
6078 contractors.

6079 (f) To refuse to issue permits or issue permits with  
6080 specific conditions to a contractor who has committed multiple  
6081 violations, when he or she has been disciplined for each of them  
6082 by the department board and when each disciplinary action has  
6083 involved revocation or suspension of a license, imposition of an  
6084 administrative fine of at least \$1,000, or probation; or to  
6085 issue permits with specific conditions to a contractor who,  
6086 within the previous 12 months, has had disciplinary action other  
6087 than a citation or letter of guidance taken against him or her  
6088 by the department or by a local board or agency which licenses  
6089 contractors and has reported the action pursuant to paragraph  
6090 (6)(c), for engaging in the business or acting in the capacity  
6091 of a contractor without a license. However, this subsection does  
6092 not supersede the provisions of s. 489.113(4), and no county or  
6093 municipality may require any certificateholder to obtain a local  
6094 professional license or pay a local professional license fee as  
6095 a condition of performing any services within the scope of the  
6096 certificateholder's statewide license as established under this  
6097 part.

6098 (6)

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6099 (b) To engage in contracting in the territorial area, an  
6100 applicant shall also be registered with the department board, as  
6101 required by s. 489.117.

6102 (c) Each local board or agency that licenses contractors  
6103 must transmit quarterly to the department board a report of any  
6104 disciplinary action taken against contractors and of any  
6105 administrative or disciplinary action taken against unlicensed  
6106 persons for engaging in the business or acting in the capacity  
6107 of a contractor including any cease and desist orders issued  
6108 pursuant to s. 489.113(2) (b) and any fine issued pursuant to s.  
6109 489.127(5).

6110 (7)

6111 (c) In addition to any action the local jurisdiction  
6112 enforcement body may take against the individual's local  
6113 license, and any fine the local jurisdiction may impose, the  
6114 local jurisdiction enforcement body shall issue a recommended  
6115 penalty for department board action. This recommended penalty  
6116 may include a recommendation for no further action, or a  
6117 recommendation for suspension, restitution, revocation, or  
6118 restriction of the registration, or a fine to be levied by the  
6119 department board, or a combination thereof. The recommended  
6120 penalty must specify the violations of this chapter upon which  
6121 the recommendation is based. The local jurisdiction enforcement  
6122 body shall inform the disciplined contractor and the complainant  
6123 of the local license penalty imposed, the department board

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6124 penalty recommended, his or her rights to appeal, and the  
6125 consequences should he or she decide not to appeal. The local  
6126 jurisdiction enforcement body shall, upon having reached  
6127 adjudication or having accepted a plea of nolo contendere,  
6128 immediately inform the department board of its action and the  
6129 recommended department board penalty.

6130 (d) The ~~department, the~~ disciplined contractor, or the  
6131 complainant may challenge the local jurisdiction enforcement  
6132 body's recommended penalty for department board action to the  
6133 department Construction Industry Licensing Board. A challenge  
6134 shall be filed within 60 days after the issuance of the  
6135 recommended penalty to the department board. If challenged,  
6136 there is a presumptive finding of probable cause and the case  
6137 may proceed without the need for a probable cause hearing.

6138 (e) Failure of the department, the disciplined contractor,  
6139 or the complainant to challenge the local jurisdiction's  
6140 recommended penalty within the time period set forth in this  
6141 subsection shall constitute a waiver of the right to a hearing  
6142 before the department board. A waiver of the right to a hearing  
6143 before the department board shall be deemed an admission of the  
6144 violation, and the penalty recommended shall become a final  
6145 order according to procedures developed by department board rule  
6146 without further department board action. The disciplined  
6147 contractor may appeal this department board action to the  
6148 district court.

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6149 (f)1. The department may investigate any complaint which  
6150 is made with the department. However, the department may not  
6151 initiate or pursue any complaint against a registered contractor  
6152 who is not also a certified contractor where a local  
6153 jurisdiction enforcement body has jurisdiction over the  
6154 complaint, unless summary procedures are initiated by the  
6155 secretary pursuant to s. 455.225(8), or unless the local  
6156 jurisdiction enforcement body has failed to investigate and  
6157 prosecute a complaint, or make a finding of no violation, within  
6158 6 months of receiving the complaint. The department shall refer  
6159 the complaint to the local jurisdiction enforcement body for  
6160 investigation, and if appropriate, prosecution. However, the  
6161 department may investigate such complaints to the extent  
6162 necessary to determine whether summary procedures should be  
6163 initiated.

6164 2. Upon a recommendation by the department, the department  
6165 ~~board~~ may make conditional, suspend, or rescind its  
6166 determination of the adequacy of the local government  
6167 enforcement body's disciplinary procedures granted under s.  
6168 489.117(2).

6169 (10) No municipal or county government may issue any  
6170 certificate of competency or license for any contractor defined  
6171 in s. 489.105(2)(a)-(o) ~~s. 489.105(3)(a)-(e)~~ after July 1, 1993,  
6172 unless such local government exercises disciplinary control and  
6173 oversight over such locally licensed contractors, including

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6174 forwarding a recommended order in each action to the department  
6175 ~~board~~ as provided in subsection (7). Each local board that  
6176 licenses and disciplines contractors must have at least two  
6177 consumer representatives on that board. If the local board has  
6178 seven or more members, at least three of those members must be  
6179 consumer representatives. The consumer representative may be any  
6180 resident of the local jurisdiction who is not, and has never  
6181 been, a member or practitioner of a profession regulated by the  
6182 department board or a member of any closely related profession.

6183 (11) Any municipal or county government which enters or  
6184 has in place a reciprocal agreement which accepts a certificate  
6185 of competency or license issued by another municipal or county  
6186 government in lieu of its own certificate of competency or  
6187 license allowing contractors defined in s. 489.105(2)(a)-(o) ~~s.~~  
6188 ~~489.105(3)(a)-(o)~~, shall file a certified copy of such agreement  
6189 with the department board not later than 60 days after July 1,  
6190 1993, or 30 days after the effective date of such agreement.

6191 (12) Unless specifically provided, ~~the provisions of this~~  
6192 part does ~~shall not be construed to~~ create a civil cause of  
6193 action.

6194 **Section 198. Subsection (5) of section 489.132, Florida**  
6195 **Statutes, is amended to read:**

6196 489.132 Prohibited acts by unlicensed principals;  
6197 investigation; hearing; penalties.-

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6198 (5) The department may suspend, revoke, or deny issuance  
6199 or renewal of a certificate or registration for any individual  
6200 or business organization that associates a person as an officer,  
6201 director, or partner, or in a managerial or supervisory  
6202 capacity, after such person has been found under a final order  
6203 to have violated this section or was an officer, director,  
6204 partner, trustee, or manager of a business organization  
6205 disciplined by the department board ~~board~~ by revocation, suspension,  
6206 or fine in excess of \$2,500, upon finding reasonable cause that  
6207 such person knew or reasonably should have known of the conduct  
6208 leading to the discipline.

6209 **Section 199. Subsections (2) and (4) of section 489.133,**  
6210 **Florida Statutes, are amended to read:**

6211 489.133 Pollutant storage systems specialty contractors;  
6212 definitions; certification; restrictions.—

6213 (2) The department board ~~board~~ shall adopt rules providing  
6214 standards for registration of precision tank testers who  
6215 precision test a pollutant storage tank. The Department of  
6216 Environmental Protection shall approve the methodology,  
6217 procedures, and equipment used and shall approve the applicant  
6218 as being eligible for registration as a registered precision  
6219 tank tester. A registered precision tank tester is subject to  
6220 the provisions of ss. 489.129 and 489.132 and is considered a  
6221 contractor operating as a primary qualifying agent for the  
6222 business entity employing him or her, which is considered a

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6223 contracting firm for the purposes of ss. 489.129 and 489.132. A  
6224 person who registers under this subsection is exempt from  
6225 municipal, county, or development district registration under s.  
6226 489.117 and may operate as a precision tank tester statewide.

6227 (4) The department ~~board~~ shall adopt rules providing  
6228 standards for certification of pollutant storage systems  
6229 specialty contractors, including persons who remove such  
6230 systems. The department ~~board~~ shall provide the proposed rules  
6231 to the Department of Environmental Protection for review and  
6232 comment before ~~prior to~~ adoption. The rules shall include, but  
6233 not be limited to:

6234 (a) Standards for operating as a pollutant storage systems  
6235 specialty contractor.

6236 (b) Requirements for certification as a pollutant storage  
6237 systems specialty contractor.

6238 (c) Requirements for certification without examination of  
6239 pollutant storage systems specialty contractors for any person  
6240 who has passed a local licensure examination, a licensure  
6241 examination in another state, or a licensure examination of a  
6242 national organization, which is at least as stringent as the  
6243 examination adopted by the department ~~board~~.

6244 **Section 200. Subsections (1) and (2) of section 489.1401,**  
6245 **Florida Statutes, are amended to read:**

6246 489.1401 Legislative intent.—

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6247 (1) It is the intent of the Legislature that actions taken  
6248 by the department ~~Construction Industry Licensing Board~~ with  
6249 respect to contractor sanctions and pursuant to this chapter are  
6250 an exercise of the department's regulatory power for the  
6251 protection of public safety and welfare.

6252 (2) It is the intent of the Legislature that the sole  
6253 purpose of the Florida Homeowners' Construction Recovery Fund is  
6254 to compensate an aggrieved claimant who contracted for the  
6255 construction or improvement of the homeowner's residence located  
6256 within this state and who has obtained a final judgment in a  
6257 court of competent jurisdiction, was awarded restitution by the  
6258 department ~~Construction Industry Licensing Board~~, or received an  
6259 award in arbitration against a licensee on grounds of financial  
6260 mismanagement or misconduct, abandoning a construction project,  
6261 or making a false statement with respect to a project. Such  
6262 grievance must arise directly out of a transaction conducted  
6263 when the judgment debtor was licensed and must involve an act  
6264 enumerated in s. 489.129(1)(g), (j), or (k).

6265 **Section 201. Paragraphs (c) through (l) of subsection (1)**  
6266 **of section 489.1402, Florida Statutes, are redesignated as**  
6267 **paragraphs (b) through (k), respectively, and paragraph (b) and**  
6268 **present paragraph (d) of that subsection are amended, to read:**

6269 489.1402 Homeowners' Construction Recovery Fund;  
6270 definitions.-

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6271 (1) The following definitions apply to ss. 489.140-  
6272 489.144:

6273 ~~(b) "Board" means the Construction Industry Licensing~~  
6274 ~~Board.~~

6275 ~~(c)(d)~~ "Contractor" means a Division I or Division II  
6276 contractor performing his or her respective services described  
6277 in s. 489.105(2) ~~s. 489.105(3)~~.

6278 **Section 202. Paragraphs (a), (e), (f), and (g) of**  
6279 **subsection (1), paragraph (f) of subsection (2), and subsection**  
6280 **(3) of section 489.141, Florida Statutes, are amended to read:**

6281 489.141 Conditions for recovery; eligibility.-

6282 (1) A claimant is eligible to seek recovery from the  
6283 recovery fund after making a claim and exhausting the limits of  
6284 any available bond, cash bond, surety, guarantee, warranty,  
6285 letter of credit, or policy of insurance if each of the  
6286 following conditions is satisfied:

6287 (a) The claimant has received a final judgment in a court  
6288 of competent jurisdiction in this state or has received an award  
6289 in arbitration or the department ~~Construction Industry Licensing~~  
6290 ~~Board~~ has issued a final order directing the licensee to pay  
6291 restitution to the claimant. The department ~~board~~ may waive this  
6292 requirement if:

6293 1. The claimant is unable to secure a final judgment  
6294 against the licensee due to the death of the licensee; or

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6295           2. The claimant has sought to have assets involving the  
6296 transaction that gave rise to the claim removed from the  
6297 bankruptcy proceedings so that the matter might be heard in a  
6298 court of competent jurisdiction in this state and, after due  
6299 diligence, the claimant is precluded by action of the bankruptcy  
6300 court from securing a final judgment against the licensee.

6301           (e) The contract was executed and the violation occurred  
6302 on or after July 1, 1993, and provided that:

6303           1. The claimant has caused to be issued a writ of  
6304 execution upon such judgment, and the officer executing the writ  
6305 has made a return showing that no personal or real property of  
6306 the judgment debtor or licensee liable to be levied upon in  
6307 satisfaction of the judgment can be found or that the amount  
6308 realized on the sale of the judgment debtor's or licensee's  
6309 property pursuant to such execution was insufficient to satisfy  
6310 the judgment;

6311           2. If the claimant is unable to comply with subparagraph  
6312 1. for a valid reason to be determined by the department board,  
6313 the claimant has made all reasonable searches and inquiries to  
6314 ascertain whether the judgment debtor or licensee is possessed  
6315 of real or personal property or other assets subject to being  
6316 sold or applied in satisfaction of the judgment and by his or  
6317 her search has discovered no property or assets or has  
6318 discovered property and assets and has taken all necessary  
6319 action and proceedings for the application thereof to the

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6320 judgment but the amount thereby realized was insufficient to  
6321 satisfy the judgment; and

6322 3. The claimant has made a diligent attempt, as defined by  
6323 department board rule, to collect the restitution awarded by the  
6324 department board.

6325 (f) A claim for recovery is made within 1 year after the  
6326 conclusion of any civil, criminal, or administrative action or  
6327 award in arbitration based on the act. This paragraph applies to  
6328 any claim filed with the department board after October 1, 1998.

6329 (g) Any amounts recovered by the claimant from the  
6330 judgment debtor or licensee, or from any other source, have been  
6331 applied to the damages awarded by the court or the amount of  
6332 restitution ordered by the department board.

6333 (2) A claimant is not qualified to make a claim for  
6334 recovery from the recovery fund if:

6335 (f) The claimant had entered into a contract with a  
6336 licensee to perform a scope of work described in s.  
6337 489.105(2)(d)-(g) ~~s. 489.105(3)(d)-(g)~~ before July 1, 2016.

6338 (3) The department board may determine by rule  
6339 documentation that is required to complete a claim.

6340 **Section 203. Section 489.142, Florida Statutes, is amended**  
6341 **to read:**

6342 489.142 Department Board powers relating to recovery;  
6343 conduct of hearings and service.-

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6344 (1) With respect to actions for recovery from the recovery  
6345 fund, the department board may intervene, enter an appearance,  
6346 file an answer, defend the action, or take any action it deems  
6347 appropriate and may take recourse through any appropriate method  
6348 of review on behalf of the State of Florida. The department  
6349 ~~board~~ may delegate to the department by rule the authority to  
6350 close any case when a claimant is not qualified to make a claim  
6351 for recovery from the recovery fund under s. 489.141(2); when  
6352 after notice the claimant has failed to provide documentation in  
6353 support of the claim as required by the department board; or  
6354 when the licensee has reached the aggregate limit.

6355 (2) Notwithstanding any other provision of law, the  
6356 department board shall cause a notice of hearing to be served 14  
6357 days in advance of the hearing on the claimant and on the  
6358 licensee whose license is subject to suspension by s. 489.143.  
6359 Each notice shall inform the recipient of any administrative  
6360 hearing or judicial review that is available under s. 120.569,  
6361 s. 120.57, or s. 120.68; shall indicate the procedure that must  
6362 be followed to obtain the hearing or judicial review; and shall  
6363 state the time limits that apply. Service of the notice on the  
6364 licensee shall be made in accordance with s. 455.275. Service of  
6365 the notice on the claimant shall be by regular United States  
6366 mail at the address provided on the claim. The service of notice  
6367 in accordance with this section is complete upon expiration of  
6368 14 days after deposit in the United States mail. Proof of

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6369 service of a notice shall be made by entry in the records of the  
6370 department that the notice was given. The entry shall be  
6371 admissible in judicial and administrative proceedings of this  
6372 state and shall constitute sufficient proof that notice was  
6373 given.

6374 (3) Notwithstanding any other provision of law, department  
6375 ~~board~~ hearings on claims shall be conducted in accordance with  
6376 ss. 120.569 and 120.57(2). All claim hearings shall be conducted  
6377 at the department's ~~board's~~ regular meeting at the place, date,  
6378 and time published. Orders of the department ~~board~~ denying or  
6379 awarding funds to a claimant constitute final orders that may be  
6380 appealed in accordance with s. 120.68. Orders awarding or  
6381 denying claims shall be served in the same manner as notices of  
6382 hearing in this section.

6383 **Section 204. Section 489.1425, Florida Statutes, is**  
6384 **amended to read:**

6385 489.1425 Duty of contractor to notify residential property  
6386 owner of recovery fund.—

6387 (1) Each agreement or contract for repair, restoration,  
6388 improvement, or construction to residential real property must  
6389 contain a written statement explaining the consumer's rights  
6390 under the recovery fund, except where the value of all labor and  
6391 materials does not exceed \$2,500. The written statement must be  
6392 substantially in the following form:

6393

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## 6394 FLORIDA HOMEOWNERS' CONSTRUCTION

## 6395 RECOVERY FUND

6396 PAYMENT, UP TO A LIMITED AMOUNT, MAY BE AVAILABLE FROM THE  
6397 FLORIDA HOMEOWNERS' CONSTRUCTION RECOVERY FUND IF YOU LOSE MONEY  
6398 ON A PROJECT PERFORMED UNDER CONTRACT, WHERE THE LOSS RESULTS  
6399 FROM SPECIFIED VIOLATIONS OF FLORIDA LAW BY A LICENSED  
6400 CONTRACTOR. FOR INFORMATION ABOUT THE RECOVERY FUND AND FILING A  
6401 CLAIM, CONTACT THE FLORIDA DEPARTMENT OF BUSINESS AND  
6402 PROFESSIONAL REGULATION ~~CONSTRUCTION INDUSTRY LICENSING BOARD~~ AT  
6403 THE FOLLOWING TELEPHONE NUMBER AND ADDRESS:

6404  
6405 The statement must shall be immediately followed by the  
6406 department's ~~board's~~ address and telephone number as established  
6407 by department ~~board~~ rule.

6408 (2) (a) Upon finding a first violation of subsection (1),  
6409 the department ~~board~~ may fine the contractor up to \$500, and the  
6410 moneys must be deposited into the recovery fund.

6411 (b) Upon finding a second or subsequent violation of  
6412 subsection (1), the department ~~board~~ shall fine the contractor  
6413 \$1,000 per violation, and the moneys must be deposited into the  
6414 recovery fund.

6415 **Section 205. Subsections (1), (2), (4), and (6) of section**  
6416 **489.143, Florida Statutes, are amended to read:**

6417 489.143 Payment from the fund.—

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6418 (1) The fund shall be disbursed as provided in s. 489.141  
6419 on a final order of the department ~~board~~.

6420 (2) A claimant who meets all of the conditions prescribed  
6421 in s. 489.141 may apply to the department ~~board~~ to cause payment  
6422 to be made to a claimant from the recovery fund in an amount  
6423 equal to the judgment, award, or restitution order or \$25,000,  
6424 whichever is less, or an amount equal to the unsatisfied portion  
6425 of such person's judgment, award, or restitution order, but only  
6426 to the extent and amount of actual damages suffered by the  
6427 claimant, and only up to the maximum payment allowed for each  
6428 respective Division I and Division II claim. Payment from the  
6429 fund for other costs related to or pursuant to civil proceedings  
6430 such as postjudgment interest, attorney fees, court costs,  
6431 medical damages, and punitive damages is prohibited. The  
6432 recovery fund is not obligated to pay a judgment, an award, or a  
6433 restitution order, or any portion thereof, which is not  
6434 expressly based on one of the grounds for recovery set forth in  
6435 s. 489.141.

6436 (4) Upon receipt by a claimant under subsection (2) of  
6437 payment from the recovery fund, the claimant shall assign his or  
6438 her additional right, title, and interest in the judgment,  
6439 award, or restitution order, to the extent of such payment, to  
6440 the department ~~board~~, and thereupon the department ~~board~~ shall  
6441 be subrogated to the right, title, and interest of the claimant;  
6442 and any amount subsequently recovered on the judgment, award, or

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6443 restitution order, to the extent of the right, title, and  
6444 interest of the department ~~board~~ therein, shall be for the  
6445 purpose of reimbursing the recovery fund.

6446 (6) For contracts entered into before July 1, 2004,  
6447 payments for claims against any one licensee may not exceed, in  
6448 the aggregate, \$100,000 annually, up to a total aggregate of  
6449 \$250,000. For any claim approved by the department ~~board~~ which  
6450 is in excess of the annual cap, the amount in excess of \$100,000  
6451 up to the total aggregate cap of \$250,000 is eligible for  
6452 payment in the next and succeeding fiscal years, but only after  
6453 all claims for the then-current calendar year have been paid.  
6454 Payments may not exceed the aggregate annual or per claimant  
6455 limits under law. Beginning January 1, 2005, for each Division I  
6456 contract entered into after July 1, 2004, payment from the  
6457 recovery fund is subject only to a total aggregate cap of  
6458 \$500,000 for each Division I licensee. Beginning January 1,  
6459 2017, for each Division II contract entered into on or after  
6460 July 1, 2016, payment from the recovery fund is subject only to  
6461 a total aggregate cap of \$150,000 for each Division II licensee.  
6462 Beginning January 1, 2025, for Division I and Division II  
6463 contracts entered into on or after July 1, 2024, payment from  
6464 the recovery fund is subject only to a total aggregate cap of \$2  
6465 million for each Division I licensee and \$600,000 for each  
6466 Division II licensee.

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6467           **Section 206. Paragraph (a) of subsection (1) of section**  
6468 **489.1455, Florida Statutes, is amended to read:**

6469           489.1455 Journeyman; reciprocity; standards.—

6470           (1) Counties and municipalities are authorized to issue  
6471 journeyman licenses in the plumbing, pipe fitting, mechanical,  
6472 or HVAC trades to an individual who:

6473           (a) Has scored at least 70 percent, or after October 1,  
6474 1997, at least 75 percent, on a proctored journeyman Block and  
6475 Associates examination or other proctored examination approved  
6476 by the department ~~board~~ for the trade in which he or she is  
6477 licensed;

6478           **Section 207. Section 489.146, Florida Statutes, is amended**  
6479 **to read:**

6480           489.146 Privatization of services.—Notwithstanding any  
6481 other provision of this part relating to the review of licensure  
6482 applications, issuance of licenses and renewals, collection of  
6483 revenues, fees, and fines, service of documents, publications,  
6484 and printing, and other ministerial functions of the department  
6485 relating to the regulation of contractors, the department shall  
6486 make all reasonable efforts to contract with one or more private  
6487 entities for provision of such services, when such services can  
6488 be provided in a more efficient manner by private entities. The  
6489 department or the department ~~board~~ shall retain final authority  
6490 for licensure decisions and rulemaking, including all appeals or

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6491 other legal action resulting from such licensure decisions or  
6492 rulemaking.

6493 **Section 208. Subsection (1) of section 489.509, Florida**  
6494 **Statutes, is amended to read:**

6495 489.509 Fees.—

6496 (1) The department ~~board~~, by rule, shall establish fees to  
6497 be paid for applications, examination, reexamination, transfers,  
6498 licensing and renewal, reinstatement, and recordmaking and  
6499 recordkeeping. The examination fee shall be in an amount that  
6500 covers the cost of obtaining and administering the examination  
6501 and shall be refunded if the applicant is found ineligible to  
6502 sit for the examination. The application fee is nonrefundable.  
6503 The fee for initial application and examination for  
6504 certification of electrical contractors may not exceed \$400. The  
6505 initial application fee for registration may not exceed \$150.  
6506 The biennial renewal fee may not exceed \$400 for  
6507 certificateholders and \$200 for registrants. The fee for initial  
6508 application and examination for certification of alarm system  
6509 contractors may not exceed \$400. The biennial renewal fee for  
6510 certified alarm system contractors may not exceed \$450. The  
6511 department ~~board~~ may establish a fee for a temporary certificate  
6512 as an alarm system contractor not to exceed \$75. The department  
6513 ~~board~~ may also establish by rule a delinquency fee not to exceed  
6514 \$50. The fee to transfer a certificate or registration from one  
6515 business organization to another may not exceed \$200. The fee

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6516 for reactivation of an inactive license may not exceed \$50. The  
6517 department board shall establish fees that are adequate to  
6518 ensure the continued operation of the department board. Fees  
6519 shall be based on department estimates of the revenue required  
6520 to implement this part and the provisions of law with respect to  
6521 the regulation of electrical contractors and alarm system  
6522 contractors.

6523 **Section 209. Section 489.510, Florida Statutes, is amended**  
6524 **to read:**

6525 489.510 Evidence of workers' compensation coverage.—Except  
6526 as provided in s. 489.515(3)(b), any person, business  
6527 organization, or qualifying agent engaged in the business of  
6528 contracting in this state and certified or registered under this  
6529 part shall, as a condition precedent to the issuance or renewal  
6530 of a certificate or registration of the contractor, provide to  
6531 the department ~~Electrical Contractors' Licensing Board~~, as  
6532 provided by department board rule, evidence of workers'  
6533 compensation coverage pursuant to chapter 440. In the event that  
6534 the Division of Workers' Compensation of the Department of  
6535 Financial Services receives notice of the cancellation of a  
6536 policy of workers' compensation insurance insuring a person or  
6537 entity governed by this section, the Division of Workers'  
6538 Compensation shall certify and identify all persons or entities  
6539 by certification or registration license number to the  
6540 department after verification is made by the Division of

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6541 Workers' Compensation that persons or entities governed by this  
6542 section are no longer covered by workers' compensation  
6543 insurance. Such certification and verification by the Division  
6544 of Workers' Compensation may result from records furnished to  
6545 the Division of Workers' Compensation by the persons or entities  
6546 governed by this section or an investigation completed by the  
6547 Division of Workers' Compensation. The department shall notify  
6548 the persons or entities governed by this section who have been  
6549 determined to be in noncompliance with chapter 440, and the  
6550 persons or entities notified shall provide certification of  
6551 compliance with chapter 440 to the department and pay an  
6552 administrative fine in the amount of \$500. The failure to  
6553 maintain workers' compensation coverage as required by law shall  
6554 be grounds for the department board ~~board~~ to revoke, suspend, or deny  
6555 the issuance or renewal of a certificate or registration of the  
6556 contractor under the provisions of s. 489.533.

6557 **Section 210. Paragraph (b) of subsection (1) and**  
6558 **subsections (2) through (5) of section 489.511, Florida**  
6559 **Statutes, are amended to read:**

6560 489.511 Certification; application; examinations;  
6561 endorsement.—

6562 (1)

6563 (b) Any person desiring to be certified as a contractor  
6564 shall apply to the department in writing and must meet the  
6565 following criteria:

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- 6566 1. Be of good moral character;
- 6567 2. Pass the certification examination, achieving a passing  
6568 grade as established by department ~~board~~ rule; and
- 6569 3. Meet eligibility requirements according to one of the  
6570 following criteria:
- 6571 a. Has, within the 6 years immediately preceding the  
6572 filing of the application, at least 3 years of proven management  
6573 experience in the trade or education equivalent thereto, or a  
6574 combination thereof, but not more than one-half of such  
6575 experience may be educational equivalent;
- 6576 b. Has, within the 8 years immediately preceding the  
6577 filing of the application, at least 4 years of experience as a  
6578 supervisor or contractor in the trade for which he or she is  
6579 making application, or at least 4 years of experience as a  
6580 supervisor in electrical or alarm system work with the United  
6581 States Armed Forces;
- 6582 c. Has, within the 12 years immediately preceding the  
6583 filing of the application, at least 6 years of comprehensive  
6584 training, technical education, or supervisory experience  
6585 associated with an electrical or alarm system contracting  
6586 business, or at least 6 years of technical experience,  
6587 education, or training in electrical or alarm system work with  
6588 the United States Armed Forces or a governmental entity;
- 6589 d. Has, within the 12 years immediately preceding the  
6590 filing of the application, been licensed for 3 years as a

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6591 professional engineer who is qualified by education, training,  
6592 or experience to practice electrical engineering; or

6593 e. Has any combination of qualifications under sub-  
6594 subparagraphs a.-c. totaling 6 years of experience.

6595 (2) The department ~~board~~ may determine by rule the number  
6596 of times per year the applicant may take the examination and  
6597 after three unsuccessful attempts may require the applicant to  
6598 complete additional college-level or technical education courses  
6599 in the areas of deficiency, as determined by the department  
6600 ~~board~~, as a condition of future eligibility to take the  
6601 examination.

6602 (3) (a) "Good moral character" means a personal history of  
6603 honesty, fairness, and respect for the rights of others and for  
6604 laws of this state and nation.

6605 (b) The department ~~board~~ may determine that an individual  
6606 applying for certification is ineligible for failure to satisfy  
6607 the requirement of good moral character only if:

6608 1. There is a substantial connection between the lack of  
6609 good moral character of the individual and the professional  
6610 responsibilities of a certified contractor; and

6611 2. The finding by the department ~~board~~ of lack of good  
6612 moral character is supported by clear and convincing evidence.

6613 (c) When an individual is found to be unqualified for  
6614 certification because of a lack of good moral character, the  
6615 department ~~board~~ shall furnish such individual a statement

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6616 containing the findings of the department board, a complete  
6617 record of the evidence upon which the determination was based,  
6618 and a notice of the rights of the individual to a rehearing and  
6619 appeal.

6620 (4) The department board shall, by rule, designate those  
6621 types of specialty electrical or alarm system contractors who  
6622 may be certified under this part. The limit of the scope of work  
6623 and responsibility of a certified specialty contractor shall be  
6624 established by department board rule. A certified specialty  
6625 contractor category exists as an optional statewide licensing  
6626 category. Qualification for certification in a specialty  
6627 category created by rule shall be the same as set forth in  
6628 paragraph (1)(b). The existence of a specialty category created  
6629 by rule does not itself create any licensing requirement;  
6630 however, neither does its optional nature remove any licensure  
6631 requirement established elsewhere in this part.

6632 (5) The department board shall certify as qualified for  
6633 certification by endorsement any individual applying for  
6634 certification who:

6635 (a) Meets the requirements for certification as set forth  
6636 in this section; has passed a national, regional, state, or  
6637 United States territorial licensing examination that is  
6638 substantially equivalent to the examination required by this  
6639 part; and has satisfied the requirements set forth in s.  
6640 489.521;

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6641 (b) Holds a valid license to practice electrical or alarm  
6642 system contracting issued by another state or territory of the  
6643 United States, if the criteria for issuance of such license were  
6644 substantially equivalent to the certification criteria that  
6645 existed in this state at the time the certificate was issued; or

6646 (c) Has held a valid, current license to practice  
6647 electrical or alarm system contracting issued by another state  
6648 or territory of the United States for at least 10 years before  
6649 the date of application and is applying for the same or similar  
6650 license in this state, subject to ss. 489.510 and 489.521(3) (a)  
6651 and subparagraph (1) (b)1. Such application must be made either  
6652 when the license in another state or territory is active or  
6653 within 2 years after such license was last active. Electrical  
6654 contractors and alarm system contractors must complete a 2-hour  
6655 course on the Florida Building Code. The required courses may be  
6656 completed online.

6657 **Section 211. Paragraph (c) of subsection (1) and**  
6658 **subsections (3) and (6) of section 489.513, Florida Statutes,**  
6659 **are amended to read:**

6660 489.513 Registration; application; requirements.—

6661 (1) Any person engaged in the business of contracting in  
6662 the state shall be registered in the proper classification  
6663 unless he or she is certified. Any person desiring to be a  
6664 registered contractor shall apply to the department for  
6665 registration and must:

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6666 (c) Meet eligibility requirements according to the  
6667 following criteria:

6668 1. As used in this subsection, the term "good moral  
6669 character" means a personal history of honesty, fairness, and  
6670 respect for the rights of others and for state and federal law.

6671 2. The department board may determine that an individual  
6672 applying for registration is ineligible due to failure to  
6673 satisfy the requirement of good moral character only if:

6674 a. There is a substantial connection between the lack of  
6675 good moral character of the individual and the professional  
6676 responsibilities of a registered contractor; and

6677 b. The finding by the department board of lack of good  
6678 moral character is supported by clear and convincing evidence.

6679 3. When an individual is found to be unqualified because  
6680 of lack of good moral character, the department board must  
6681 furnish such individual a statement containing the findings of  
6682 the department board, a complete record of evidence upon which  
6683 the determination was based, and a notice of the rights of the  
6684 individual to a rehearing and an appeal.

6685 (3) To be registered as an electrical contractor, an alarm  
6686 system contractor I, an alarm system contractor II, or a  
6687 residential alarm system contractor, the applicant shall file  
6688 evidence of holding a current certificate of competency issued  
6689 by any municipality or county of the state for the type of work  
6690 for which registration is desired, on a form provided by the

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6691 department, together with evidence of having passed an  
6692 appropriate local examination, written or oral, designed to test  
6693 skills and knowledge relevant to the technical performance of  
6694 the profession, accompanied by the registration fee fixed  
6695 pursuant to this part. For any person working or wishing to work  
6696 in any local jurisdiction that does not require an examination  
6697 for its license, the applicant may apply and shall be considered  
6698 qualified to be issued a registration in the appropriate  
6699 electrical or alarm system category, provided that he or she  
6700 shows that he or she has scored at least 75 percent on an  
6701 examination which is substantially equivalent to the examination  
6702 approved by the department board for certification in the  
6703 category and that he or she has had at least 3 years' technical  
6704 experience in the trade. The requirement to take and pass an  
6705 examination in order to obtain a registration does ~~shall~~ not  
6706 apply to persons making application before ~~prior to~~ the  
6707 effective date of this act.

6708 (6) The local jurisdictions are responsible for providing  
6709 the following information to the department board within 30 days  
6710 after licensure of, or any disciplinary action against, a  
6711 locally licensed contractor who is registered under this part:

- 6712 (a) Licensure information.  
6713 (b) Code violation information pursuant to s. 553.781.  
6714 (c) Disciplinary information.  
6715

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6716 The department board shall maintain such licensure and  
6717 disciplinary information as it is provided to the department  
6718 ~~board~~ and shall make the information available through the  
6719 automated information system provided pursuant to s. 455.2286.

6720 **Section 212. Section 489.514, Florida Statutes, is amended**  
6721 **to read:**

6722 489.514 Certification for registered contractors;  
6723 grandfathering provisions.—

6724 (1) The department board shall, upon receipt of a  
6725 completed application, appropriate fee, and proof of compliance  
6726 with the provisions of this section, issue:

6727 (a) To an applying registered electrical contractor, a  
6728 certificate as an electrical contractor, ~~as defined in s.~~  
6729 ~~489.505(12);~~

6730 (b) To an applying registered alarm system contractor, a  
6731 certificate in the matching alarm system contractor category, ~~as~~  
6732 ~~defined in s. 489.505(2)(a) or (b);~~ or

6733 (c) To an applying registered electrical specialty  
6734 contractor, a certificate in the matching electrical specialty  
6735 contractor category, ~~as defined in s. 489.505(19).~~

6736 (2) Any contractor registered under this part who makes  
6737 application under this section to the department board shall  
6738 meet each of the following requirements for certification:

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6739 (a) Currently holds a valid registered local license in  
6740 the category of electrical contractor, alarm system contractor,  
6741 or electrical specialty contractor.

6742 (b) Has, for that category, passed a written, proctored  
6743 examination that the department ~~board~~ finds to be substantially  
6744 similar to the examination required to be licensed as a  
6745 certified contractor under this part. For purposes of this  
6746 subsection, a written, proctored examination such as that  
6747 produced by the National Assessment Institute, Block and  
6748 Associates, NAI/Block, Experior Assessments, Professional  
6749 Testing, Inc., or Assessment Systems, Inc., shall be considered  
6750 to be substantially similar to the examination required to be  
6751 licensed as a certified contractor. The department ~~board~~ may not  
6752 impose or make any requirements regarding the nature or content  
6753 of these cited examinations.

6754 (c) Has at least 5 years of experience as a contractor in  
6755 that contracting category, or as an inspector or building  
6756 administrator with oversight over that category, at the time of  
6757 application. For contractors, only time periods in which the  
6758 contractor license is active and the contractor is not on  
6759 probation shall count toward the 5 years required under this  
6760 subsection.

6761 (d) Has not had his or her contractor's license revoked at  
6762 any time, had his or her contractor's license suspended in the

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6763 last 5 years, or been assessed a fine in excess of \$500 in the  
6764 last 5 years.

6765 (e) Is in compliance with the insurance and financial  
6766 responsibility requirements in s. 489.515(1)(b).

6767 **Section 213. Subsections (1) through(4) of section**  
6768 **489.515, Florida Statutes, are amended to read:**

6769 489.515 Issuance of certificates; registrations.—

6770 (1)(a) The department shall issue a certificate to a  
6771 person who the department board certifies is qualified to become  
6772 a certified contractor.

6773 (b) The department board shall certify as qualified for  
6774 certification any person who satisfies the requirements of s.  
6775 489.511 and who submits satisfactory evidence that he or she has  
6776 obtained both workers' compensation insurance or an acceptable  
6777 exemption certificate issued by the department and public  
6778 liability and property damage insurance for the health, safety,  
6779 and welfare of the public in amounts determined by rule of the  
6780 department board, and furnishes evidence of financial  
6781 responsibility, credit, and business reputation of either  
6782 himself or herself or the business organization he or she  
6783 desires to qualify.

6784 (c) Upon compliance with the provisions of this section  
6785 and payment of the certification fee, the department shall issue  
6786 the person a certificate.

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6787 (2) The department shall issue a registration to a person  
6788 who is in compliance with the provisions of s. 489.513 and who  
6789 the department board certifies is qualified to be registered.

6790 (3) (a) As a prerequisite to the initial issuance or the  
6791 renewal of a certificate or registration, the applicant shall  
6792 submit an affidavit on a form provided by the department board  
6793 attesting to the fact that the applicant has obtained both  
6794 workers' compensation insurance or an acceptable exemption  
6795 certificate issued by the department and public liability and  
6796 property damage insurance for the health, safety, and welfare of  
6797 the public in amounts determined by rule of the department  
6798 board. The department board shall by rule establish a procedure  
6799 to verify the accuracy of such affidavits based upon a random  
6800 audit method.

6801 (b) An applicant for initial issuance of a certificate or  
6802 registration shall submit as a prerequisite to qualifying for an  
6803 exemption from workers' compensation coverage requirements under  
6804 s. 440.05 an affidavit attesting to the fact that the applicant  
6805 will obtain an exemption within 30 days after the date the  
6806 initial certificate or registration is issued by the department  
6807 board.

6808 (4) The department board may refuse to certify any  
6809 applicant who has violated any of the provisions of s. 489.533.

6810 **Section 214. Subsection (4) of section 489.516, Florida**  
6811 **Statutes, is amended to read:**

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6812 489.516 Qualifications to practice; restrictions;  
6813 prerequisites.—

6814 (4) A county or municipality may suspend or deny a locally  
6815 issued permit when the local building official, tax collector,  
6816 or other authorized person determines that the contractor has  
6817 failed to obtain both workers' compensation insurance or an  
6818 acceptable exemption certificate issued by the department and  
6819 public liability and property damage insurance in the amounts  
6820 determined by rule of the department board.

6821 **Section 215. Section 489.5161, Florida Statutes, is**  
6822 **amended to read:**

6823 489.5161 Credit for relevant military training and  
6824 education.—

6825 (1) The department shall provide a method by which  
6826 honorably discharged veterans may apply for licensure. The  
6827 method must include a veteran-specific application and provide,  
6828 to the fullest extent possible, credit toward the requirements  
6829 for licensure for military experience, training, and education  
6830 received and completed during service in the United States Armed  
6831 Forces if the military experience, training, or education is  
6832 substantially similar to the experience, training, or education  
6833 required for licensure. The department board may adopt rules  
6834 pursuant to ss. 120.536(1) and 120.54 to implement this  
6835 subsection.

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6836 (2) Notwithstanding any other provision of law, beginning  
6837 October 1, 2017, and annually thereafter, the department, ~~in~~  
6838 ~~conjunction with the board,~~ is directed to prepare and submit a  
6839 report titled "Construction and Electrical Contracting Veteran  
6840 Applicant Statistics" to the Governor, the President of the  
6841 Senate, and the Speaker of the House of Representatives. The  
6842 report shall include statistics and information relating to this  
6843 section and s. 489.1131 which detail:

6844 (a) The number of applicants who identified themselves as  
6845 veterans.

6846 (b) The number of veterans whose application for a license  
6847 was approved.

6848 (c) The number of veterans whose application for a license  
6849 was denied, including data on the reasons for denial.

6850 (d) Data on the application processing times for veterans.

6851 (e) Recommendations on ways to improve the department's  
6852 ability to meet the needs of veterans which would effectively  
6853 address the challenges that veterans face when separating from  
6854 military service and seeking a license regulated by the  
6855 department pursuant to this part.

6856 **Section 216. Subsections (4), (5), and (6) of section**  
6857 **489.517, Florida Statutes, are renumbered as subsections (3),**  
6858 **(4), and (5), respectively, and subsection (3) and present**  
6859 **subsections (5) and (6) of that section are amended, to read:**

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6860 489.517 Renewal of certificate or registration; ~~continuing~~  
6861 education.—

6862 ~~(3) (a) Each certificateholder or registrant licensed as a~~  
6863 ~~specialty contractor or an alarm system contractor shall provide~~  
6864 ~~proof, in a form established by rule of the board, that the~~  
6865 ~~certificateholder or registrant has completed at least 7~~  
6866 ~~classroom hours of at least 50 minutes each of continuing~~  
6867 ~~education courses during each biennium since the issuance or~~  
6868 ~~renewal of the certificate or registration. The board shall by~~  
6869 ~~rule establish criteria for the approval of continuing education~~  
6870 ~~courses and providers and may by rule establish criteria for~~  
6871 ~~accepting alternative nonclassroom continuing education on an~~  
6872 ~~hour-for-hour basis.~~

6873 ~~(b) Each certificateholder or registrant licensed as an~~  
6874 ~~electrical contractor shall provide proof, in a form established~~  
6875 ~~by rule of the board, that the certificateholder or registrant~~  
6876 ~~has completed at least 11 classroom hours of at least 50 minutes~~  
6877 ~~each of continuing education courses during each biennium since~~  
6878 ~~the issuance or renewal of the certificate or registration. The~~  
6879 ~~board shall by rule establish criteria for the approval of~~  
6880 ~~continuing education courses and providers and may by rule~~  
6881 ~~establish criteria for accepting alternative nonclassroom~~  
6882 ~~continuing education on an hour-for-hour basis.~~

6883 ~~(4) (5)~~ By applying for renewal, each certificateholder or  
6884 registrant certifies that he or she has continually maintained

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6885 the required amounts of public liability and property damage  
6886 insurance as specified by department ~~board~~ rule. The department  
6887 ~~board~~ shall establish by rule a procedure to verify the public  
6888 liability and property damage insurance for a specified period,  
6889 based upon a random sampling method.

6890 ~~(5)-(6)~~ The department ~~board~~ shall require, by rule adopted  
6891 pursuant to ss. 120.536(1) and 120.54, a specialized number of  
6892 hours in specialized or advanced module courses, approved by the  
6893 Florida Building Commission, on any portion of the Florida  
6894 Building Code, adopted pursuant to part IV of chapter 553,  
6895 relating to the contractor's respective discipline.

6896 **Section 217. Subsection (6) is renumbered as subsection**  
6897 **(5), paragraph (b) of subsection (1), paragraphs (b) and (d) of**  
6898 **subsection (4), and subsection (5) of section 489.518, Florida**  
6899 **Statutes, are amended to read:**

6900 489.518 Alarm system agents.—

6901 (1) A licensed electrical or alarm system contractor may  
6902 not employ a person to perform the duties of a burglar alarm  
6903 system agent unless the person:

6904 (b) Has successfully completed a minimum of 14 hours of  
6905 training within 90 days after employment, to include basic alarm  
6906 system electronics in addition to related training including  
6907 CCTV and access control training, with at least 2 hours of  
6908 training in the prevention of false alarms. Such training shall  
6909 be from a department-approved ~~board-approved~~ provider, and the

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6910 employee or applicant for employment shall provide proof of  
6911 successful completion to the licensed employer. The department  
6912 ~~board~~ shall by rule establish criteria for the approval of  
6913 training courses and providers and may by rule establish  
6914 criteria for accepting alternative nonclassroom education on an  
6915 hour-for-hour basis. The department ~~board~~ shall approve  
6916 providers that conduct training in other than the English  
6917 language. The department ~~board~~ shall establish a fee for the  
6918 approval of training providers or courses, not to exceed \$60.  
6919 Qualified employers may conduct training classes for their  
6920 employees, with department ~~board~~ approval.

6921 (4)

6922 (b) The identification card shall be designed in a  
6923 department-approved ~~board-approved~~ format. The card must include  
6924 a picture of the agent, must specify at least the name of the  
6925 holder of the card and the name and license number of the  
6926 contractor, and must be signed by the contractor and by the  
6927 holder of the card. Each identification card is valid for a  
6928 period of 2 years after the date of issuance. The identification  
6929 card must be in the possession of each burglar alarm system  
6930 agent while engaged in burglar alarm system agent duties.

6931 (d) Each identification card must be renewed every 2 years  
6932 ~~and in a board-approved format to show compliance with the 6~~  
6933 ~~hours of continuing education necessary to maintain~~  
6934 ~~certification as a burglar alarm system agent.~~

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6935 ~~(5) Each burglar alarm system agent must receive 6 hours~~  
6936 ~~of continuing education on burglar alarm system installation and~~  
6937 ~~repair and false alarm prevention every 2 years from a board-~~  
6938 ~~approved sponsor of training and through a board-approved~~  
6939 ~~training course.~~

6940 **Section 218. Subsection (6) of section 489.5185, Florida**  
6941 **Statutes, is renumbered as subsection (5) and paragraph (b) of**  
6942 **subsection (1), paragraphs (a) and (f) of subsection (2),**  
6943 **paragraphs (b) and (d) of subsection (4), and subsection (5) of**  
6944 **that section are amended, to read:**

6945 489.5185 Fire alarm system agents.—

6946 (1) A certified unlimited electrical contractor or  
6947 licensed fire alarm contractor may not employ a person to  
6948 perform the duties of a fire alarm system agent unless the  
6949 person:

6950 (b) Has successfully completed a minimum of 14 hours of  
6951 initial training, to include basic fire alarm system technology  
6952 in addition to related training in National Fire Protection  
6953 Association (NFPA) codes and standards and access control  
6954 training, with at least 2 hours of training in the prevention of  
6955 false alarms. Such training must be from a department-approved  
6956 ~~board-approved~~ provider, and the employee or applicant for  
6957 employment must provide proof of successful completion to the  
6958 licensed employer. The department ~~board~~, by rule, shall  
6959 establish criteria for the approval of training courses and

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6960 providers. The department board shall approve qualified  
6961 providers that conduct training in other than the English  
6962 language. The department board shall establish a fee for the  
6963 approval of training providers, not to exceed \$200, and a fee  
6964 for the approval of courses at \$25 per credit hour, not to  
6965 exceed \$100 per course.

6966 (2) (a) Any applicant for employment as a fire alarm system  
6967 agent, or any individual employed as a fire alarm system agent  
6968 on the effective date of this act, who has completed alarm  
6969 system agent or burglar alarm system agent training before ~~prior~~  
6970 ~~to~~ the effective date of this act in a department-certified  
6971 ~~board-certified~~ program is not required to take additional  
6972 training in order to comply with the initial training  
6973 requirements of this section.

6974 (f) If a person holds a current National Institute of  
6975 Certification in Engineering Technologies (NICET) Level II  
6976 certification or higher in Fire Alarm Systems or Inspection and  
6977 Testing of Fire Alarm Systems, a current certification as an  
6978 Electronic Security Association (ESA) Certified Fire Alarm  
6979 Technician, or a current certification as an ESA Certified Fire  
6980 Alarm Designer, he or she is required to complete only the 2  
6981 hours of training in the prevention of false alarms required by  
6982 paragraph (1) (b) from a department-approved ~~board-approved~~  
6983 sponsor of training and through a department-approved ~~board-~~  
6984 ~~approved~~ training course.

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6985 (4)

6986 (b) The card shall follow a department-approved ~~board-~~  
6987 ~~approved~~ format, to include a picture of the agent; shall  
6988 specify at least the name of the holder of the card and the name  
6989 and license number of the certified unlimited electrical  
6990 contractor or licensed fire alarm contractor; and shall be  
6991 signed by both the contractor and the holder of the card. Each  
6992 identification card shall be valid for a period of 2 years after  
6993 the date of issuance. The identification card must be in the  
6994 possession of the fire alarm system agent while engaged in fire  
6995 alarm system agent duties.

6996 ~~(d) Each identification card must be renewed every 2 years~~  
6997 ~~and in a board-approved format to show compliance with the 6~~  
6998 ~~hours of continuing education necessary to maintain~~  
6999 ~~certification as a fire alarm system agent.~~

7000 ~~(5) (a) Except as provided in paragraph (b), each fire~~  
7001 ~~alarm system agent must receive 6 hours of continuing education~~  
7002 ~~on fire alarm system installation and repair and false alarm~~  
7003 ~~prevention every 2 years from a board-approved sponsor of~~  
7004 ~~training and through a board-approved training course.~~

7005 ~~(b) A person holding a current NICET Level II~~  
7006 ~~certification or higher in Fire Alarm Systems or Inspection and~~  
7007 ~~Testing of Fire Alarm Systems, certification as an ESA Certified~~  
7008 ~~Fire Alarm Technician, or certification as an ESA Certified Fire~~  
7009 ~~Alarm Designer is required to complete only 2 hours of~~

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7010 ~~continuing education training in the prevention of false alarms~~  
7011 ~~every 2 years from a board-approved sponsor of training and~~  
7012 ~~through a board-approved training course.~~

7013 **Section 219. Subsections (1) and (3) of section 489.519,**  
7014 **Florida Statutes, are amended to read:**

7015 489.519 Inactive status.—

7016 (1) A certificate or registration that becomes inactive  
7017 may be reactivated under s. 489.517 upon application to the  
7018 department. ~~The board may not require a licensee to complete~~  
7019 ~~more than one renewal cycle of continuing education to~~  
7020 ~~reactivate a certificate or registration.~~

7021 ~~(3) The board shall impose, by rule, continuing education~~  
7022 ~~requirements for inactive certificateholders, when inactive~~  
7023 ~~status is sought by certificateholders who are also building~~  
7024 ~~code administrators, plans examiners, or inspectors certified~~  
7025 ~~pursuant to part XII of chapter 468.~~

7026 **Section 220. Section 489.520, Florida Statutes, is amended**  
7027 **to read:**

7028 489.520 Automated licensure status information system.—By  
7029 January 1, 1995, the department shall implement an automated  
7030 licensure status information system for electrical and alarm  
7031 system contracting. The system shall provide instant  
7032 notification to local building departments and other interested  
7033 parties, as determined by the ~~board or~~ department, regarding the  
7034 status of the certification or registration of any contractor

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7035 certified or registered pursuant to the provisions of this part.  
7036 The provision of such information shall consist, at a minimum,  
7037 of an indication of whether the certification or registration of  
7038 the contractor applying for a permit is active, of any current  
7039 failure of the contractor to make restitution according to the  
7040 terms of any final action by the department board, of any  
7041 ongoing disciplinary cases against the contractor that are  
7042 subject to public disclosure, and whether there are any  
7043 outstanding fines against the contractor.

7044 **Section 221. Paragraphs (a) and (b) of subsection (2),**  
7045 **subsections (3), (4), and (5), paragraph (c) of subsection (7),**  
7046 **subsections (8) and (9), and paragraph (b) of subsection (10) of**  
7047 **section 489.521, Florida Statutes, are amended to read:**

7048 489.521 Business organizations; qualifying agents.—

7049 (2)(a)1. If the applicant proposing to engage in  
7050 contracting is a partnership, corporation, business trust, or  
7051 other legal entity, other than a sole proprietorship, the  
7052 application shall state the name of the partnership and its  
7053 partners; the name of the corporation and its officers and  
7054 directors and the name of each of its stockholders who is also  
7055 an officer or director; the name of the business trust and its  
7056 trustees; or the name of such other legal entity and its  
7057 members. In addition, the applicant shall furnish evidence of  
7058 statutory compliance if a fictitious name is used. A joint  
7059 venture, including a joint venture composed of qualified

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7060 business organizations, is itself a separate and distinct  
7061 organization that shall be qualified in accordance with  
7062 department ~~board~~ rules. The registration or certification, when  
7063 issued upon application of a business organization, shall be in  
7064 the name of the qualifying agent, and the name of the business  
7065 organization shall be noted thereon. If there is a change in any  
7066 information that is required to be stated on the application,  
7067 the business organization shall, within 45 days after such  
7068 change occurs, mail the correct information to the department.

7069 2. Any person certified or registered pursuant to this  
7070 part who has had his or her license revoked may ~~shall~~ not be  
7071 eligible for a 5-year period to be a partner, officer, director,  
7072 or trustee of a business organization as defined by this  
7073 section. Such person shall also be ineligible to reapply for  
7074 certification or registration under this part for a period of 5  
7075 years.

7076 (b) The applicant shall also show that the proposed  
7077 qualifying agent is legally qualified to act for the business  
7078 organization in all matters connected with its electrical or  
7079 alarm system contracting business and concerning regulations by  
7080 the department ~~board~~ and that he or she has authority to  
7081 supervise electrical or alarm system contracting undertaken by  
7082 the business organization.

7083 (3) (a) The applicant shall furnish evidence of financial  
7084 responsibility, credit, and business reputation of the business

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7085 organization, as well as the name of the qualifying agent. The  
7086 department board shall adopt rules defining financial  
7087 responsibility based upon the business organization's credit  
7088 history, ability to be bonded, and any history of bankruptcy or  
7089 assignment of receivers. Such rules shall specify the financial  
7090 responsibility grounds on which the department board may  
7091 determine that a business organization is not qualified to  
7092 engage in contracting.

7093 (b) In the event a qualifying agent must take the  
7094 certification examination, the department board shall, within 60  
7095 days from the date of the examination, inform the business  
7096 organization in writing whether or not its qualifying agent has  
7097 qualified.

7098 (c) If the qualifying agent of a business organization  
7099 applying to engage in contracting, after having been notified to  
7100 do so, does not appear for examination within 1 year from the  
7101 date of filing of the application, the examination fee paid by  
7102 it shall be credited as an earned fee to the department. A new  
7103 application to engage in contracting shall be accompanied by  
7104 another application fee fixed pursuant to this act. Forfeiture  
7105 of a fee may be waived by the department board for good cause.

7106 (d) Once the department board has determined that the  
7107 business organization's proposed qualifying agent has qualified,  
7108 the business organization shall be authorized to engage in the  
7109 contracting business. The certificate, when issued, shall be in

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7110 the name of the qualifying agent, and the name of the business  
7111 organization shall be noted thereon.

7112 (4) As a prerequisite to the initial issuance of a  
7113 certificate, the applicant or the business organization he or  
7114 she qualifies shall submit evidence that he or she or the  
7115 business organization has obtained public liability and property  
7116 damage insurance for the safety and welfare of the public in an  
7117 amount to be determined by department ~~board~~ rule.

7118 (5) At least one officer or supervising employee of the  
7119 business organization must be qualified under this act in order  
7120 for the business organization to be qualified to engage in  
7121 contracting in the category of the business conducted. If any  
7122 individual so qualified on behalf of the business organization  
7123 ceases to qualify the business organization, he or she shall  
7124 notify the ~~board and the~~ department thereof within 30 days after  
7125 such occurrence. In addition, if the individual is the only  
7126 individual who qualifies the business organization, the business  
7127 organization shall notify the ~~board and the~~ department of the  
7128 individual's termination, and it shall have a period of 60 days  
7129 from the termination of the individual to qualify another person  
7130 under the provision of this act, failing which, the department  
7131 ~~board~~ shall determine that the business organization is no  
7132 longer qualified to engage in contracting. The individual shall  
7133 also inform the department ~~board~~ in writing when he or she  
7134 proposes to engage in contracting in his or her own name or in

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7135 affiliation with another business organization, and the  
7136 individual, or such new business organization, shall supply the  
7137 same information to the department ~~board~~ as required for  
7138 applicants under this act. After an investigation of the  
7139 financial responsibility, credit, and business reputation of the  
7140 individual or the new business organization and upon a favorable  
7141 determination, the department ~~board~~ shall certify the business  
7142 organization as qualified, and the department shall issue,  
7143 without examination, a new certificate in the individual's name,  
7144 which shall include the name of the new business organization,  
7145 as provided in this section.

7146 (7)

7147 (c) The department ~~board~~ shall assess a fine of not less  
7148 than \$100 or issue a citation to any contractor who fails to  
7149 include that contractor's certification or registration number  
7150 when submitting an advertisement for publication, broadcast, or  
7151 printing. In addition, any person who claims in any  
7152 advertisement to be a certified or registered contractor, but  
7153 who does not hold a valid state certification or registration,  
7154 commits a misdemeanor of the second degree, punishable as  
7155 provided in s. 775.082 or s. 775.083.

7156 (8) Each qualifying agent shall pay the department an  
7157 amount equal to the original fee for certification or  
7158 registration to qualify any additional business organizations.  
7159 If the qualifying agent for a business organization desires to

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7160 qualify additional business organizations, the department board  
7161 shall require him or her to present evidence of supervisory  
7162 ability and financial responsibility of each such organization.  
7163 Allowing a licensee to qualify more than one business  
7164 organization shall be conditioned upon the licensee showing that  
7165 the licensee has both the capacity and intent to adequately  
7166 supervise each business organization in accordance with s.  
7167 489.522(1). The department may board shall not limit the number  
7168 of business organizations which the licensee may qualify except  
7169 upon the licensee's failing to provide such information as is  
7170 required under this subsection or upon a finding that such  
7171 information or evidence as is supplied is incomplete or  
7172 unpersuasive in showing the licensee's capacity and intent to  
7173 comply with the requirements of this subsection. A qualification  
7174 for an additional business organization may be revoked or  
7175 suspended upon a finding by the department board that the  
7176 licensee has failed in the licensee's responsibility to  
7177 adequately supervise the operations of that business  
7178 organization in accordance with s. 489.522(1). Failure of the  
7179 responsibility to adequately supervise the operations of a  
7180 business organization in accordance with s. 489.522(1) shall be  
7181 grounds for denial to qualify additional business organizations.

7182 (9) If a business organization or any of its partners,  
7183 officers, directors, trustees, or members is disciplined for  
7184 violating s. 489.533(1), the department board may, on that basis

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7185 alone, deny issuance of a certificate or registration to a  
7186 qualifying agent on behalf of that business organization.

7187 (10)

7188 (b) Any business organization engaging in contracting  
7189 under this subsection shall provide the department ~~board~~ with  
7190 the name and license number of each registered or certified  
7191 contractor employed by the business organization to supervise  
7192 its contracting activities. The business organization is not  
7193 required to post a bond or otherwise evidence any financial or  
7194 credit information except as necessary to demonstrate compliance  
7195 with paragraph (a).

7196 **Section 222. Subsection (2) and paragraph (a) of**  
7197 **subsection (3) of section 489.522, Florida Statutes, are amended**  
7198 **to read:**

7199 489.522 Qualifying agents; responsibilities.—

7200 (2) One of the qualifying agents for a business  
7201 organization that has more than one qualifying agent may be  
7202 designated as the sole primary qualifying agent for the business  
7203 organization by a joint agreement that is executed, on a form  
7204 provided by the department ~~board~~, by all qualifying agents for  
7205 the business organization. The joint agreement shall be  
7206 submitted to the department ~~board~~ for approval. If the  
7207 department ~~board~~ determines that the joint agreement is in good  
7208 order, it shall approve the designation and immediately notify  
7209 the qualifying agents of such approval. The designation made by

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7210 the joint agreement is effective upon receipt of the notice by  
7211 the qualifying agents. The qualifying agent designated for a  
7212 business organization by a joint agreement is the sole primary  
7213 qualifying agent for the business organization, and all other  
7214 qualifying agents for the business organization are secondary  
7215 qualifying agents.

7216 (a) A designated sole primary qualifying agent has all the  
7217 responsibilities and duties of a primary qualifying agent,  
7218 notwithstanding that there are secondary qualifying agents for  
7219 specified jobs. The designated sole primary qualifying agent is  
7220 jointly and equally responsible with secondary qualifying agents  
7221 for field work supervision.

7222 (b) A secondary qualifying agent is responsible only for:  
7223 1. The supervision of field work at sites where his or her  
7224 license was used to obtain the building permit; and  
7225 2. Any other work for which he or she accepts  
7226 responsibility.

7227

7228 A secondary qualifying agent is not responsible for supervision  
7229 of financial matters.

7230 (c) A primary qualifying agent shall have approval  
7231 authority for checks, payments, drafts, and contracts issued by  
7232 or entered into by the business organization.

7233 (3) (a) A qualifying agent who has been designated by a  
7234 joint agreement as the sole primary qualifying agent for a

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7235 business organization may terminate this status as such by  
7236 giving actual notice to the business organization, to the  
7237 department board, and to all secondary qualifying agents of his  
7238 or her intention to terminate this status. The notice to the  
7239 department board shall include proof satisfactory to the  
7240 department board that he or she has given the notice required in  
7241 this paragraph. The status of the qualifying agent shall cease  
7242 upon the designation of a new primary qualifying agent or 60  
7243 days after satisfactory notice of termination has been provided  
7244 to the department board, whichever first occurs. If no new  
7245 primary qualifying agent has been designated within 60 days, all  
7246 secondary qualifying agents for the business organization shall  
7247 become primary qualifying agents, unless the joint agreement  
7248 specifies that one or more of them shall become sole qualifying  
7249 agents under such circumstances, in which case only they shall  
7250 become sole qualifying agents.

7251 **Section 223. Section 489.523, Florida Statutes, is amended**  
7252 **to read:**

7253 489.523 Emergency registration upon death of contractor.—  
7254 If an incomplete contract exists at the time of death of a  
7255 contractor, the contract may be completed by any person even  
7256 though not certified. The person shall notify the department  
7257 ~~appropriate board~~, within 30 days after the death of the  
7258 contractor, of his or her name and address, knowledge of the  
7259 contract, and ability to complete it. If the department board

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7260 approves, he or she may proceed with the contract. The  
7261 department board shall then issue an emergency registration  
7262 which shall expire upon the completion of the contract. For  
7263 purposes of this section, and upon written approval of the  
7264 department board, an incomplete contract may be one which has  
7265 been awarded to, or entered into by, the contractor before his  
7266 or her death, or on which he or she was the low bidder and the  
7267 contract is subsequently awarded to him or her, regardless of  
7268 whether any actual work has commenced under the contract before  
7269 the contractor's death.

7270 **Section 224. Section 489.525, Florida Statutes, is amended**  
7271 **to read:**

7272 489.525 Report to local building officials.—The department  
7273 may report to all building officials the contents of this part  
7274 and the contents of the rules of the department board. Any  
7275 information that is available through the Internet or other  
7276 electronic means may be excluded from the report.

7277 **Section 225. Subsections (2), (3), (4), (5), and (6) and**  
7278 **paragraphs (b) and (e) of subsection (7) of section 489.533,**  
7279 **Florida Statutes, are amended to read:**

7280 489.533 Disciplinary proceedings.—

7281 (2) When the department board finds any applicant,  
7282 contractor, or business organization for which the contractor is  
7283 a primary qualifying agent or secondary qualifying agent  
7284 responsible under s. 489.522 guilty of any of the grounds set

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7285 | forth in subsection (1), it may enter an order imposing one or  
7286 | more of the following penalties:

7287 |       (a) Denial of an application for certification or  
7288 | registration.

7289 |       (b) Revocation or suspension of a certificate or  
7290 | registration.

7291 |       (c) Imposition of an administrative fine not to exceed  
7292 | \$10,000 for each count or separate offense.

7293 |       (d) Issuance of a reprimand.

7294 |       (e) Placement of the contractor on probation for a period  
7295 | of time and subject to such conditions as the department ~~board~~  
7296 | may specify, including requiring the contractor to attend  
7297 | continuing education courses or to work under the supervision of  
7298 | another contractor.

7299 |       (f) Restriction of the authorized scope of practice by the  
7300 | contractor.

7301 |       (g) Require financial restitution to a consumer.

7302 |       (3) In recommending penalties in any proposed recommended  
7303 | final order, the department shall follow the penalty guidelines  
7304 | established by the department ~~board~~ by rule. The department  
7305 | shall advise the administrative law judge of the appropriate  
7306 | penalty, including mitigating and aggravating circumstances, and  
7307 | the specific rule citation.

7308 |       (4) The department ~~board~~ may not reinstate the certificate  
7309 | or registration of, or cause a certificate or registration to be

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7310 issued to, a person who the department board has determined  
7311 unqualified until it is satisfied that such person has complied  
7312 with all the terms and conditions set forth in the final order  
7313 and is capable of competently engaging in the business of  
7314 contracting.

7315 (5) When the department board imposes administrative fines  
7316 pursuant to subsection (2) resulting from violation of chapter  
7317 633 or violation of the rules of the State Fire Marshal, 50  
7318 percent of the fine shall be paid into the Insurance Regulatory  
7319 Trust Fund to help defray the costs of investigating the  
7320 violations and obtaining the corrective action. The State Fire  
7321 Marshal may participate at its discretion, but not as a party,  
7322 in any proceedings before the department board relating to  
7323 violation of chapter 633 or the rules of the State Fire Marshal,  
7324 in order to make recommendations as to the appropriate penalty  
7325 in such case. However, the State Fire Marshal does shall not  
7326 have standing to bring disciplinary proceedings regarding  
7327 certification.

7328 (6) The department board may restrain any violation of  
7329 this part by action in a court of competent jurisdiction.

7330 (7)

7331 (b) A ~~No~~ licensee may not avail himself or herself of the  
7332 mediation process more than three times without the approval of  
7333 the department board. The department board may consider the  
7334 subject and the dates of the earlier complaints in rendering its

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7335 decision. The department's ~~board's~~ decision may ~~shall~~ not be  
7336 considered a final agency action and is not appealable.

7337 (e) The department, ~~in conjunction with the board,~~ shall  
7338 determine by rule the types of cases which may be included in  
7339 the mediation process. The department may initiate or continue  
7340 disciplinary action, pursuant to chapter 455 and this chapter  
7341 against the licensee as determined by rule.

7342 **Section 226. Paragraph (a) of subsection (1) of section**  
7343 **489.5335, Florida Statutes, is amended to read:**

7344 489.5335 Journeyman; reciprocity; standards.—

7345 (1) Counties and municipalities are authorized to issue  
7346 journeyman licenses in the electrical and alarm system trades to  
7347 an individual who:

7348 (a) Has scored at least 70 percent, or after October 1,  
7349 1997, at least 75 percent, on a proctored journeyman Block and  
7350 Associates examination or other proctored examination approved  
7351 by the department ~~board~~ for the trade in which he or she is  
7352 licensed;

7353 **Section 227. Paragraph (e) of subsection (3) and**  
7354 **paragraphs (b) and (c) of subsection (5) of section 489.537,**  
7355 **Florida Statutes, are amended to read:**

7356 489.537 Application of this part.—

7357 (3) Nothing in this act limits the power of a municipality  
7358 or county:

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7359 (e)1. To refuse to issue permits or issue permits with  
7360 specific conditions to a contractor who has committed multiple  
7361 violations, when he or she has been disciplined for each of them  
7362 by the department board and when each disciplinary action has  
7363 involved revocation or suspension of a license, imposition of an  
7364 administrative fine of at least \$1,000, or probation.

7365 2. To issue permits with specific conditions to a  
7366 contractor who, within the previous 12 months, has had final  
7367 action taken against him or her, by the department or by a local  
7368 board or agency which licenses contractors and has reported the  
7369 action pursuant to paragraph (5) (c), for engaging in the  
7370 business or acting in the capacity of a contractor without a  
7371 license.

7372 (5)

7373 (b) To engage in contracting in the territorial area, an  
7374 applicant shall also be registered with the department board.

7375 (c) Each local board or agency which licenses contractors  
7376 shall transmit monthly to the department board a report of any  
7377 disciplinary action taken against contractors and any  
7378 administrative or disciplinary action taken against unlicensed  
7379 persons for engaging in the business or acting in the capacity  
7380 of a contractor, including any cease and desist order issued  
7381 pursuant to s. 489.516(2) (b).

7382 **Section 228. Section 489.552, Florida Statutes, is amended**  
7383 **to read:**

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7384 489.552 Registration required.—A person may ~~shall~~ not hold  
7385 himself or herself out as a septic tank contractor or a master  
7386 septic tank contractor in this state unless he or she is  
7387 registered by the department in accordance with the provisions  
7388 of this part. However, nothing in this part prohibits any person  
7389 licensed pursuant to s. 489.105(2)(m) ~~s. 489.105(3)(m)~~ in this  
7390 state from engaging in the profession for which he or she is  
7391 licensed.

7392 **Section 229. Subsection (1) of section 492.102, Florida**  
7393 **Statutes, is amended to read:**

7394 492.102 Definitions.—For the purposes of this chapter,  
7395 unless the context clearly requires otherwise:

7396 ~~(1) "Board" means the Board of Professional Geologists.~~

7397 **Section 230. Section 492.104, Florida Statutes, is amended**  
7398 **to read:**

7399 492.104 Rulemaking authority.—The department ~~Board of~~  
7400 ~~Professional Geologists~~ has authority to adopt rules pursuant to  
7401 ss. 120.536(1) and 120.54 to implement this chapter. Every  
7402 licensee shall be governed and controlled by this chapter and  
7403 the rules adopted by the department ~~board~~. The department ~~board~~  
7404 is authorized to set, by rule, fees for application,  
7405 examination, late renewal, initial licensure, and license  
7406 renewal. These fees may not exceed the cost of implementing the  
7407 application, examination, initial licensure, and license renewal

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7408 or other administrative process and shall be established as  
7409 follows:

7410 (1) The application fee may ~~shall~~ not exceed \$150 and  
7411 shall be nonrefundable.

7412 (2) The examination fee may ~~shall~~ not exceed \$250, and the  
7413 fee may be apportioned to each part of a multipart examination.  
7414 The examination fee shall be refundable in whole or part if the  
7415 applicant is found to be ineligible to take any portion of the  
7416 licensure examination.

7417 (3) The initial license fee may ~~shall~~ not exceed \$100.

7418 (4) The biennial renewal fee may ~~shall~~ not exceed \$150.

7419 (5) The fee for reactivation of an inactive license may  
7420 not exceed \$50.

7421 (6) The fee for a provisional license may not exceed \$400.

7422 (7) The fee for application, examination, and licensure  
7423 for a license by endorsement is as provided in this section for  
7424 licenses in general.

7425 **Section 231. Subsection (1), paragraph (b) of subsection**  
7426 **(2), and subsection (3) of section 492.105, Florida Statutes,**  
7427 **are amended to read:**

7428 492.105 Licensure by examination; requirements; fees.—

7429 (1) Any person desiring to be licensed as a professional  
7430 geologist shall apply to the department to take the licensure  
7431 examination. The written licensure examination shall be designed  
7432 to test an applicant's qualifications to practice professional

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7433 geology, and shall include such subjects as will tend to  
7434 ascertain the applicant's knowledge of the fundamentals, theory,  
7435 and practice of professional geology and may include such  
7436 subjects as are taught in curricula of accredited colleges and  
7437 universities. The written licensure examination may be a  
7438 multipart examination. The department shall examine each  
7439 applicant who the department board certifies:

7440 (a) Has completed the application form and remitted a  
7441 nonrefundable application fee and an examination fee which is  
7442 refundable if the applicant is found to be ineligible to take  
7443 the examination.

7444 (b) Is at least 18 years of age.

7445 (c) Has not committed any act or offense in any  
7446 jurisdiction which would constitute the basis for disciplining a  
7447 professional geologist licensed pursuant to this chapter.

7448 (d) Has fulfilled the following educational requirements  
7449 at a college or university, the geological curricula of which  
7450 meet the criteria established by an accrediting agency  
7451 recognized by the United States Department of Education:

7452 1. Graduation from such college or university with a major  
7453 in geology or other related science acceptable to the department  
7454 ~~board~~; and

7455 2. Satisfactory completion of at least 30 semester hours  
7456 or 45 quarter hours of geological coursework.

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7457 (e) Has at least 5 years of verified professional  
7458 geological work experience, which includes a minimum of 3 years  
7459 of professional geological work under the supervision of a  
7460 licensed or qualified geologist or professional engineer  
7461 registered under chapter 471 as qualified in the field or  
7462 discipline of professional engineering work performed; or has a  
7463 minimum of 5 accumulative years of verified geological work  
7464 experience in responsible charge of geological work as  
7465 determined by the department board.

7466 (2) The department shall issue a license to practice  
7467 professional geology to any person who has:

7468 (b) Been certified by the department board as qualified to  
7469 practice professional geology; and

7470 (3) The department may shall not issue a license to any  
7471 applicant who is under investigation in any jurisdiction for an  
7472 offense which would constitute a violation of this chapter. Upon  
7473 completion of the investigation, the disciplinary provisions of  
7474 s. 492.113 shall apply.

7475 **Section 232. Subsections (1) and (2) of section 492.1051,**  
7476 **Florida Statutes, are amended to read:**

7477 492.1051 Registered geologist-in-training; requirements.-

7478 (1) A person desiring to register as a geologist-in-  
7479 training shall apply to the department to take a discrete  
7480 portion of the examination required for licensure as a  
7481 professional geologist in this state. This discrete portion

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7482 shall cover the fundamentals of geology. The department shall  
7483 examine each applicant who the department ~~board~~ certifies:

7484 (a) Has completed the application form and remitted a  
7485 nonrefundable application fee and an examination fee that is  
7486 refundable if the applicant is found to be ineligible to take  
7487 the examination.

7488 (b) Has not committed an act or offense in any  
7489 jurisdiction which constitutes grounds for disciplining a  
7490 professional geologist licensed under this chapter; and

7491 (c) Has successfully completed at least 30 semester hours  
7492 or 45 quarter hours of geological coursework at a college or  
7493 university, the geological curricula of which meet the criteria  
7494 established by an accrediting agency recognized by the United  
7495 States Department of Education and, if still enrolled, has  
7496 provided a letter of good academic standing from the college or  
7497 university.

7498 (2) The department shall register as a geologist-in-  
7499 training each applicant who the department ~~board~~ certifies has  
7500 passed the fundamentals of geology portion of the licensure  
7501 examination.

7502 **Section 233. Section 492.106, Florida Statutes, is amended**  
7503 **to read:**

7504 492.106 Provisional licenses.—The department may provide a  
7505 provisional license to any person who is not a resident of and  
7506 has not established a place of business in this state, and who

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7507 is duly licensed in another state, territory, or possession of  
7508 the United States, or in the District of Columbia, and who has  
7509 qualifications which the department board, upon advice of a  
7510 committee of the department board, deems comparable to those  
7511 required of professional geologists in this state, upon written  
7512 application accompanied by the proper application fee, offered  
7513 before ~~prior to~~ the practice of professional geology in this  
7514 state, under the following restrictions:

7515 (1) Satisfactory proof of licensure as required above  
7516 shall include the name, residence address, business address, and  
7517 certification of the license of the applicant from the issuing  
7518 state, together with the name and address of the authority  
7519 issuing such license.

7520 (2) The practice of professional geology under a  
7521 provisional license may ~~shall~~ not exceed 1 year.

7522 (3) The practice of professional geology under a  
7523 provisional license shall be confined to one specified project.  
7524 Such license may not be renewed or reissued for 5 years from the  
7525 date of original issuance.

7526 (4) A written statement shall be furnished to the  
7527 department within 60 days of completion of the work, indicating  
7528 the time engaged and the nature of the work. A person holding a  
7529 provisional license shall exhibit such provisional license each  
7530 time and on each occasion that an indication of licensure is  
7531 required.

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7532           **Section 234. Subsection (1) of section 492.107, Florida**  
7533 **Statutes, is amended to read:**

7534           492.107   Seals.—

7535           (1) The department ~~board~~ shall prescribe, by rule, a form  
7536 of seal, including its electronic form, to be used by persons  
7537 holding valid licenses. All geological papers, reports, and  
7538 documents prepared or issued by the licensee shall be signed,  
7539 dated, and sealed by the licensee who performed or is  
7540 responsible for the supervision, direction, or control of the  
7541 work contained in the papers, reports, or documents. Such  
7542 signature, date, and seal shall be evidence of the authenticity  
7543 of that to which they are affixed. Geological papers, reports,  
7544 and documents prepared or issued by the licensee may be  
7545 transmitted electronically provided they have been signed by the  
7546 licensee, dated, and electronically sealed. It is unlawful for  
7547 any person to sign or seal any document as a professional  
7548 geologist unless that person holds a current, active license as  
7549 a professional geologist which has not expired or been revoked  
7550 or suspended, unless reinstated or reissued.

7551           **Section 235. Subsection (1) of section 492.108, Florida**  
7552 **Statutes, is amended to read:**

7553           492.108   Licensure by endorsement; requirements; fees.—

7554           (1) The department shall issue a license by endorsement to  
7555 any applicant who, upon applying to the department and remitting

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7556 an application fee, has been certified by the department board  
7557 that he or she:

7558 (a) Has met the qualifications for licensure in s.  
7559 492.105(1)(b)-(e) and:

7560 1. Is the holder of an active license in good standing in  
7561 a state, trust, territory, or possession of the United States.

7562 2. Was licensed through written examination in at least  
7563 one state, trust, territory, or possession of the United States,  
7564 the examination requirements of which have been approved by the  
7565 department board as substantially equivalent to or more  
7566 stringent than those of this state, and has received a score on  
7567 such examination which is equal to or greater than the score  
7568 required by this state for licensure by examination.

7569 3. Has taken and successfully passed the laws and rules  
7570 portion of the examination required for licensure as a  
7571 professional geologist in this state.

7572 (b) Has held a valid license to practice geology in  
7573 another state, trust, territory, or possession of the United  
7574 States for at least 10 years before the date of application and  
7575 has successfully completed a state, regional, national, or other  
7576 examination that is equivalent to or more stringent than the  
7577 examination required by the department. If such applicant has  
7578 met the requirements for a license by endorsement except  
7579 successful completion of an examination that is equivalent to or  
7580 more stringent than the examination required by the department

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7581 ~~board~~, such applicant may take the examination required by the  
7582 department board. Such application must be submitted to the  
7583 department board while the applicant holds a valid license in  
7584 another state or territory or within 2 years after the  
7585 expiration of such license.

7586 **Section 236. Subsection (2) of section 492.1101, Florida**  
7587 **Statutes, is amended to read:**

7588 492.1101 Inactive status.—

7589 (2) The department board shall adopt ~~promulgate~~ rules  
7590 relating to the reactivation of inactive licenses and shall  
7591 prescribe by rule a fee for the reactivation of inactive  
7592 licenses.

7593 **Section 237. Subsection (1) of section 492.111, Florida**  
7594 **Statutes, is amended to read:**

7595 492.111 Practice of professional geology by a firm,  
7596 corporation, or partnership.—The practice of, or offer to  
7597 practice, professional geology by individual professional  
7598 geologists licensed under the provisions of this chapter through  
7599 a firm, corporation, or partnership offering geological services  
7600 to the public through individually licensed professional  
7601 geologists as agents, employees, officers, or partners thereof  
7602 is permitted subject to the provisions of this chapter, if:

7603 (1) At all times that it offers geological services to the  
7604 public, the firm, corporation, or partnership is qualified by  
7605 one or more individuals who hold a current, active license as a

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7606 professional geologist in the state and are serving as a  
7607 geologist of record for the firm, corporation, or partnership. A  
7608 geologist of record may be any principal officer or employee of  
7609 such firm or corporation, or any partner or employee of such  
7610 partnership, who holds a current, active license as a  
7611 professional geologist in this state, or any other Florida-  
7612 licensed professional geologist with whom the firm, corporation,  
7613 or partnership has entered into a long-term, ongoing  
7614 relationship, as defined by rule of the department board, to  
7615 serve as one of its geologists of record. The geologist of  
7616 record shall notify the department of any changes in the  
7617 relationship or identity of that geologist of record within 30  
7618 days after such change.

7619 **Section 238. Paragraph (k) of subsection (1) and**  
7620 **subsections (2), (3), and (4) of section 492.113, Florida**  
7621 **Statutes, are amended to read:**

7622 492.113 Disciplinary proceedings.—

7623 (1) The following acts constitute grounds for which the  
7624 disciplinary actions in subsection (3) may be taken:

7625 (k) Violating a rule of the department ~~or board~~ or any  
7626 order of the department ~~or board~~ previously entered in a  
7627 disciplinary hearing.

7628 (2) The department board shall specify, by rule, what acts  
7629 or omissions constitute a violation of subsection (1).

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7630 (3) When the department board finds any person guilty of  
7631 any of the grounds set forth in subsection (1), it may enter an  
7632 order imposing one or more of the following penalties:

7633 (a) Denial of an application for licensure.

7634 (b) Revocation or suspension of a license.

7635 (c) Imposition of an administrative fine not to exceed  
7636 \$1,000 for each count or separate offense.

7637 (d) Issuance of a reprimand.

7638 (e) Placement of the licensee on probation for a period of  
7639 time and subject to such conditions as the department board may  
7640 specify.

7641 (f) Restriction of the authorized scope of practice by the  
7642 licensee.

7643 (4) The department shall reissue the license of a  
7644 disciplined professional geologist upon certification by the  
7645 department board that the disciplined person has complied with  
7646 the terms and conditions set forth in the final order.

7647 **Section 239. Subsections (10) through (13) of section**  
7648 **493.6101, Florida Statutes, are amended to read:**

7649 493.6101 Definitions.—

7650 ~~(10) "Branch office" means each additional location of an~~  
7651 ~~agency where business is actively conducted which advertises as~~  
7652 ~~performing or is engaged in the business authorized by the~~  
7653 ~~license.~~

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7654 ~~(11) "Sponsor" means any Class "C," Class "MA," or Class~~  
7655 ~~"M" licensee who supervises and maintains under his or her~~  
7656 ~~direction and control a Class "CC" intern; or any Class "E" or~~  
7657 ~~Class "MR" licensee who supervises and maintains under his or~~  
7658 ~~her direction and control a Class "EE" intern.~~

7659 ~~(12) "Intern" means an individual who studies as a trainee~~  
7660 ~~or apprentice under the direction and control of a designated~~  
7661 ~~sponsoring licensee.~~

7662 ~~(13) "Manager" means any licensee who directs the~~  
7663 ~~activities of licensees at any agency or branch office. The~~  
7664 ~~manager shall be assigned to and shall primarily operate from~~  
7665 ~~the agency or branch office location for which he or she has~~  
7666 ~~been designated as manager. The manager of a private~~  
7667 ~~investigative agency may, however, manage up to three offices~~  
7668 ~~within a 150-mile radius of the location listed on the agency's~~  
7669 ~~Class "A" license, provided that these three offices consist of~~  
7670 ~~either:~~

7671 ~~(a) The location listed on the agency's Class "A" license~~  
7672 ~~and up to two branch offices; or~~

7673 ~~(b) Up to three branch offices.~~

7674 **Section 240. Subsection (7) of section 493.6105, Florida**  
7675 **Statutes, is amended to read:**

7676 493.6105 Initial application for license.-

7677 ~~(7) In addition to the application requirements for~~  
7678 ~~individuals, partners, or officers outlined under subsection~~

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7679 ~~(3), the application for an agency license must contain the~~  
7680 ~~following information:~~

7681 ~~(a) The proposed name under which the agency intends to~~  
7682 ~~operate.~~

7683 ~~(b) The street address, mailing address, and telephone~~  
7684 ~~numbers of the principal location at which business is to be~~  
7685 ~~conducted in this state.~~

7686 ~~(c) The street address, mailing address, and telephone~~  
7687 ~~numbers of all branch offices within this state.~~

7688 ~~(d) The names and titles of all partners or, in the case~~  
7689 ~~of a corporation, the names and titles of its principal~~  
7690 ~~officers.~~

7691 **Section 241. Subsection (2) of section 493.6106, Florida**  
7692 **Statutes, is amended to read:**

7693 493.6106 License requirements; posting.—

7694 (2) Each agency shall have a minimum of one physical  
7695 location within this state from which the normal business of the  
7696 agency is conducted, and this location shall be considered the  
7697 primary office for that agency in this state.

7698 ~~(a)~~ If an agency or branch office desires to change the  
7699 physical location of the business, as it appears on the license,  
7700 the department must be notified within 10 days after the change,  
7701 and, except upon renewal, the fee prescribed in s. 493.6107 must  
7702 be submitted for each license requiring revision. Each license  
7703 requiring revision must be returned with such notification.

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7704 ~~(b) The Class "A," Class "B," or Class "R" license and any~~  
7705 ~~branch office or school license shall at all times be posted in~~  
7706 ~~a conspicuous place at the licensed physical location in this~~  
7707 ~~state where the business is conducted.~~

7708 ~~(c) Each Class "A," Class "B," Class "R," branch office,~~  
7709 ~~or school licensee shall display, in a place that is in clear~~  
7710 ~~and unobstructed public view, a notice on a form prescribed by~~  
7711 ~~the department stating that the business operating at this~~  
7712 ~~location is licensed and regulated by the Department of~~  
7713 ~~Agriculture and Consumer Services and that any questions or~~  
7714 ~~complaints should be directed to the department.~~

7715 ~~(d) A minimum of one properly licensed manager shall be~~  
7716 ~~designated for each agency and branch office location.~~

7717 **Section 242. Subsections (4), (5), and (6) of section**  
7718 **493.6111, Florida Statutes, are renumbered as subsections (3),**  
7719 **(6), and (7), respectively, and subsection (2) and present**  
7720 **subsection (3) are amended, to read:**

7721 493.6111 License; contents; identification card.—

7722 (2) Licenses shall be valid for a period of 2 years,  
7723 except for ~~Class "A," Class "B," Class "AB," Class "K<sub>7</sub>," Class~~  
7724 ~~"R," and branch agency licenses, which shall be valid for a~~  
7725 ~~period of 3 years.~~

7726 ~~(3) The department shall, upon complete application and~~  
7727 ~~payment of the appropriate fees, issue a separate license to~~  
7728 ~~each branch office for which application is made.~~

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7729           **Section 243. Subsection (1) of section 493.6113, Florida**  
7730 **Statutes, is amended to read:**

7731           493.6113 Renewal application for licensure.—

7732           (1) A license granted under ~~the provisions of~~ this chapter  
7733 shall be renewed biennially by the department, except for Class  
7734 ~~"A," Class "B," Class "AB," Class "K," Class "R," and branch~~  
7735 ~~agency licenses, which shall be renewed every 3 years.~~

7736           **Section 244. Paragraphs (r) and (x) of subsection (1) of**  
7737 **section 493.6118, Florida Statutes, are amended to read:**

7738           493.6118 Grounds for disciplinary action.—

7739           (1) The following constitute grounds for which  
7740 disciplinary action specified in subsection (2) may be taken by  
7741 the department against any licensee, agency, or applicant  
7742 regulated by this chapter, or any unlicensed person engaged in  
7743 activities regulated under this chapter:

7744           ~~(r) Failure or refusal by a sponsor to certify a biannual~~  
7745 ~~written report on an intern or to certify completion or~~  
7746 ~~termination of an internship to the department within 15 working~~  
7747 ~~days.~~

7748           (x) In addition to the grounds for disciplinary action  
7749 prescribed in paragraphs (a)-(t) ~~and, Class "R" recovery~~  
7750 ~~agencies, Class "E" recovery agents, and Class "EE" recovery~~  
7751 ~~agent interns~~ are prohibited from committing the following acts:

7752           1. Recovering a motor vehicle, mobile home, motorboat,  
7753 aircraft, personal watercraft, all-terrain vehicle, farm

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7754 equipment, or industrial equipment that has been sold under a  
7755 conditional sales agreement or under the terms of a chattel  
7756 mortgage before authorization has been received from the legal  
7757 owner or mortgagee.

7758 2. Charging for expenses not actually incurred in  
7759 connection with the recovery, transportation, storage, or  
7760 disposal of repossessed property or personal property obtained  
7761 in a repossession.

7762 3. Using any repossessed property or personal property  
7763 obtained in a repossession for the personal benefit of a  
7764 licensee or an officer, director, partner, manager, or employee  
7765 of a licensee.

7766 4. Selling property recovered under ~~the provisions of this~~  
7767 chapter, except with written authorization from the legal owner  
7768 or the mortgagee thereof.

7769 5. Failing to notify the police or sheriff's department of  
7770 the jurisdiction in which the repossessed property is recovered  
7771 within 2 hours after recovery.

7772 6. Failing to remit moneys collected in lieu of recovery  
7773 of a motor vehicle, mobile home, motorboat, aircraft, personal  
7774 watercraft, all-terrain vehicle, farm equipment, or industrial  
7775 equipment to the client within 10 working days.

7776 7. Failing to deliver to the client a negotiable  
7777 instrument that is payable to the client, within 10 working days  
7778 after receipt of such instrument.

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7779 8. Falsifying, altering, or failing to maintain any  
7780 required inventory or records regarding disposal of personal  
7781 property contained in or on repossessed property pursuant to s.  
7782 493.6404(1).

7783 9. Carrying any weapon or firearm when he or she is on  
7784 private property and performing duties under his or her license  
7785 whether or not he or she is licensed pursuant to s. 790.06.

7786 10. Soliciting from the legal owner the recovery of  
7787 property subject to repossession after such property has been  
7788 seen or located on public or private property if the amount  
7789 charged or requested for such recovery is more than the amount  
7790 normally charged for such a recovery.

7791 11. Wearing, presenting, or displaying a badge in the  
7792 course of performing a repossession regulated by this chapter.

7793 **Section 245. Subsection (6) of section 493.6120, Florida**  
7794 **Statutes, is amended to read:**

7795 493.6120 Violations; penalty.—

7796 ~~(6) A person who was an owner, officer, partner, or~~  
7797 ~~manager of a licensed agency or a Class "DS" or "RS" school or~~  
7798 ~~training facility at the time of any activity that is the basis~~  
7799 ~~for revocation of the agency or branch office license or the~~  
7800 ~~school or training facility license and who knew or should have~~  
7801 ~~known of the activity shall have his or her personal licenses or~~  
7802 ~~approval suspended for 3 years and may not have any financial~~  
7803 ~~interest in or be employed in any capacity by a licensed agency~~

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7804 ~~or a school or training facility during the period of~~  
7805 ~~suspension.~~

7806 **Section 246. Subsection (2) of section 493.6123, Florida**  
7807 **Statutes, is amended to read:**

7808 493.6123 Publication to industry.—

7809 (2) The department shall develop and make available to  
7810 each Class "C," Class "D," and Class "E" licensee ~~and all~~  
7811 ~~interns~~ a pamphlet detailing in plain language the legal  
7812 authority, rights, and obligations of his or her class of  
7813 licensure. Within the pamphlet, the department should endeavor  
7814 to present situations that the licensee may be expected to  
7815 commonly encounter in the course of doing business pursuant to  
7816 his or her specific license, and provide to the licensee  
7817 information on his or her legal options, authority, limits to  
7818 authority, and obligations. The department shall supplement this  
7819 with citations to statutes and legal decisions, as well as a  
7820 selected bibliography that would direct the licensee to  
7821 materials the study of which would enhance his or her  
7822 professionalism. The department shall provide a single copy of  
7823 the appropriate pamphlet without charge to each individual to  
7824 whom a license is issued, but may charge for additional copies  
7825 to recover its publication costs. The pamphlet shall be updated  
7826 every 2 years as necessary to reflect rule or statutory changes,  
7827 or court decisions. Intervening changes to the regulatory

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7828 situation shall be noticed in the industry newsletter issued  
7829 pursuant to subsection (1).

7830 **Section 247. Section 493.6201, Florida Statutes, is**  
7831 **amended to read:**

7832 493.6201 Classes of licenses.—

7833 ~~(1) Any person, firm, company, partnership, or corporation~~  
7834 ~~which engages in business as a private investigative agency~~  
7835 ~~shall have a Class "A" license. A Class "A" license is valid for~~  
7836 ~~only one location.~~

7837 ~~(2) Each branch office of a Class "A" agency shall have a~~  
7838 ~~Class "AA" license. Where a person, firm, company, partnership,~~  
7839 ~~or corporation holds both a Class "A" and Class "B" license,~~  
7840 ~~each additional or branch office shall have a Class "AB"~~  
7841 ~~license.~~

7842 ~~(3) Any individual who performs the services of a manager~~  
7843 ~~for a:~~

7844 ~~(a) Class "A" private investigative agency or Class "AA"~~  
7845 ~~branch office shall have a Class "MA" license. A Class "C" or~~  
7846 ~~Class "M" licensee may be designated as the manager, in which~~  
7847 ~~case the Class "MA" license is not required.~~

7848 ~~(b) Class "A" and "B" agency or a Class "AB" branch office~~  
7849 ~~shall have a Class "M" license.~~

7850 ~~(4) Class "C" or Class "CC" licensees shall own or be an~~  
7851 ~~employee of a Class "A" agency, a Class "A" and Class "B"~~  
7852 ~~agency, or a branch office. This does not include those who are~~

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7853 ~~exempt under s. 493.6102, but who possess a Class "C" license~~  
7854 ~~solely for the purpose of holding a Class "G" license.~~

7855 ~~(1)-(5)~~ Any individual who performs the services of a  
7856 private investigator shall have a Class "C" license.

7857 ~~(6)~~ Any individual who performs private investigative work  
7858 ~~as an intern under the direction and control of a designated,~~  
7859 ~~sponsoring Class "C" licensee or a designated, sponsoring Class~~  
7860 ~~"MA" or Class "M" licensee must have a Class "CC" license.~~

7861 ~~(2)-(7)~~ Only Class "M," Class "MA," Class "C," or Class  
7862 "CC" licensees are permitted to bear a firearm, and any such  
7863 licensee who bears a firearm shall also have a Class "G"  
7864 license.

7865 ~~(3)-(8)~~ A Class "C" or Class "CC" licensee may perform  
7866 bodyguard services without obtaining a Class "D" license.

7867 **Section 248. Section 493.6202, Florida Statutes, is**  
7868 **amended to read:**

7869 493.6202 Fees.—

7870 (1) The department shall establish by rule examination and  
7871 license fees for Class "C" license-private investigators, not to  
7872 exceed \$75. ~~the following:~~

7873 ~~(a) Class "A" license-private investigative agency: \$450.~~

7874 ~~(b) Class "AA" or "AB" license-branch office: \$125.~~

7875 ~~(c) Class "MA" license-private investigative agency~~  
7876 ~~manager: \$75.~~

7877 ~~(d) Class "C" license-private investigator: \$75.~~

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7878 ~~(e) Class "CC" license private investigator intern: \$60.~~

7879 (2) The department may establish by rule a fee for the  
7880 replacement or revision of a license, which fee shall not exceed  
7881 \$30.

7882 (3) The fees set forth in this section must be paid by  
7883 check or money order or, at the discretion of the department, by  
7884 electronic funds transfer at the time the application is  
7885 approved, except that the applicant for a Class "G~~7~~" or Class  
7886 "C~~7~~" ~~Class "CC," Class "M," or Class "MA"~~ license must pay the  
7887 license fee at the time the application is made. If a license is  
7888 revoked or denied or if the application is withdrawn, the  
7889 license fee is nonrefundable.

7890 (4) The initial license fee for a veteran, as defined in  
7891 s. 1.01, shall be waived if he or she applies for a Class "C~~7~~"  
7892 ~~Class "CC," or Class "MA"~~ license within 24 months after being  
7893 discharged from any branch of the United States Armed Forces. An  
7894 eligible veteran must include a copy of his or her DD Form 214,  
7895 as issued by the United States Department of Defense, or another  
7896 acceptable form of identification as specified by the Department  
7897 of Veterans' Affairs with his or her application in order to  
7898 obtain a waiver.

7899 **Section 249. Section 493.6203, Florida Statutes, is**  
7900 **amended to read:**

7901 493.6203 License requirements.—In addition to the license  
7902 requirements set forth elsewhere in this chapter, each

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7903 individual or agency shall comply with the following additional  
7904 requirements:

7905 ~~(1) Each agency or branch office shall designate a minimum~~  
7906 ~~of one appropriately licensed individual to act as manager,~~  
7907 ~~directing the activities of the Class "C" or Class "CC"~~  
7908 ~~employees.~~

7909 ~~(2) An applicant for a Class "MA" license must have 2~~  
7910 ~~years of lawfully gained, verifiable, full-time experience, or~~  
7911 ~~training in:~~

7912 ~~(a) Private investigative work or related fields of work~~  
7913 ~~that provided equivalent experience or training;~~

7914 ~~(b) Work as a Class "CC" licensed intern;~~

7915 ~~(c) Any combination of paragraphs (a) and (b);~~

7916 ~~(d) Experience described in paragraph (a) for 1 year and~~  
7917 ~~experience described in paragraph (c) for 1 year;~~

7918 ~~(e) No more than 1 year using:~~

7919 ~~1. College coursework related to criminal justice,~~  
7920 ~~criminology, or law enforcement administration; or~~

7921 ~~2. Successfully completed law enforcement-related training~~  
7922 ~~received from any federal, state, county, or municipal agency;~~

7923 ~~or~~

7924 ~~(f) Experience described in paragraph (a) for 1 year and~~  
7925 ~~work in a managerial or supervisory capacity for 1 year.~~

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7927 ~~However, experience in performing bodyguard services is not~~  
7928 ~~creditable toward the requirements of this subsection.~~

7929 ~~(3) An applicant for a Class "M" license shall qualify for~~  
7930 ~~licensure as a Class "MA" manager as outlined under subsection~~  
7931 ~~(2) and as a Class "MB" manager as outlined under s.~~  
7932 ~~493.6303(2).~~

7933 (1)~~(4)~~ An applicant for a Class "C" license shall have 2  
7934 years of lawfully gained, verifiable, full-time experience, or  
7935 training in one, or a combination of more than one, of the  
7936 following:

7937 (a) Private investigative work or related fields of work  
7938 that provided equivalent experience or training.

7939 (b) College coursework related to criminal justice,  
7940 criminology, or law enforcement administration, or successful  
7941 completion of any law enforcement-related training received from  
7942 any federal, state, county, or municipal agency, except that no  
7943 more than 1 year may be used from this category.

7944 ~~(c) Work as a Class "CC" licensed intern.~~

7945  
7946 However, experience in performing bodyguard services is not  
7947 creditable toward the requirements of this subsection.

7948 (2)~~(5)~~ An applicant for a Class ~~"MA," Class "M,"~~ or Class  
7949 "C" license must pass an examination that covers the provisions  
7950 of this chapter and is administered by the department or by a  
7951 provider approved by the department. The applicant must pass the

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7952 examination before applying for licensure and must submit proof  
7953 with the license application on a form approved by rule of the  
7954 department that he or she has passed the examination. The  
7955 administrator of the examination shall verify the identity of  
7956 each applicant taking the examination.

7957 (a) The examination requirement in this subsection does  
7958 not apply to an individual who holds a valid Class ~~"CC,"~~ Class  
7959 ~~"C,"~~ Class ~~"MA,"~~ or Class ~~"M"~~ license.

7960 (b) Notwithstanding the exemption provided in paragraph  
7961 (a), if the license of an applicant for relicensure has been  
7962 invalid for more than 1 year, the applicant must take and pass  
7963 the examination.

7964 (c) The department shall establish by rule the content of  
7965 the examination, the manner and procedure of its administration,  
7966 and an examination fee that may not exceed \$100.

7967 ~~(6) (a) A Class "CC" licensee must serve an internship~~  
7968 ~~under the direction and control of a designated sponsor, who is~~  
7969 ~~a Class "C," Class "MA," or Class "M" licensee.~~

7970 ~~(b) Before submission of an application to the department,~~  
7971 ~~the applicant for a Class "CC" license must have completed a~~  
7972 ~~minimum of 40 hours of professional training pertaining to~~  
7973 ~~general investigative techniques and this chapter, which course~~  
7974 ~~is offered by a state university or by a school, community~~  
7975 ~~college, college, or university under the purview of the~~  
7976 ~~Department of Education, and the applicant must pass an~~

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7977 ~~examination. The certificate evidencing satisfactory completion~~  
7978 ~~of the 40 hours of professional training must be submitted with~~  
7979 ~~the application for a Class "CC" license. The training specified~~  
7980 ~~in this paragraph may be provided by face-to-face presentation,~~  
7981 ~~online technology, or a home study course in accordance with~~  
7982 ~~rules and procedures of the Department of Education. The~~  
7983 ~~administrator of the examination must verify the identity of~~  
7984 ~~each applicant taking the examination.~~

7985 ~~1. Upon an applicant's successful completion of each part~~  
7986 ~~of the approved training and passage of any required~~  
7987 ~~examination, the school, community college, college, or~~  
7988 ~~university shall issue a certificate of completion to the~~  
7989 ~~applicant. The certificates must be on a form established by~~  
7990 ~~rule of the department.~~

7991 ~~2. The department shall establish by rule the general~~  
7992 ~~content of the professional training and the examination~~  
7993 ~~criteria.~~

7994 ~~3. If the license of an applicant for relicensure is~~  
7995 ~~invalid for more than 1 year, the applicant must complete the~~  
7996 ~~required training and pass any required examination.~~

7997 ~~(c) An individual licensed on or before August 31, 2008,~~  
7998 ~~is not required to complete additional training hours in order~~  
7999 ~~to renew an active license beyond the total required hours, and~~  
8000 ~~the timeframe for completion in effect at the time he or she was~~  
8001 ~~licensed applies.~~

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8002        ~~(3)-(7)~~ In addition to any other requirement, an applicant  
8003 for a Class "G" license shall satisfy the firearms training set  
8004 forth in s. 493.6115.

8005            **Section 250. Subsections (1) through (6) of section**  
8006 **493.6301, Florida Statutes, are amended to read:**

8007            493.6301 Classes of licenses.—

8008            ~~(1) Any person, firm, company, partnership, or corporation~~  
8009 ~~which engages in business as a security agency shall have a~~  
8010 ~~Class "B" license. A Class "B" license is valid for only one~~  
8011 ~~location.~~

8012            ~~(2) Each branch office of a Class "B" agency shall have a~~  
8013 ~~Class "BB" license. Where a person, firm, company, partnership,~~  
8014 ~~or corporation holds both a Class "A" and Class "B" license,~~  
8015 ~~each branch office shall have a Class "AB" license.~~

8016            ~~(3) Any individual who performs the services of a manager~~  
8017 ~~for a:~~

8018            ~~(a) Class "B" security agency or Class "BB" branch office~~  
8019 ~~shall have a Class "MB" license. A Class "M" licensee, or a~~  
8020 ~~Class "D" licensee who has been so licensed for a minimum of 2~~  
8021 ~~years, may be designated as the manager, in which case the Class~~  
8022 ~~"MB" license is not required.~~

8023            ~~(b) Class "A" and Class "B" agency or a Class "AB" branch~~  
8024 ~~office shall have a Class "M" license.~~

8025            ~~(4) A Class "D" licensee shall own or be an employee of a~~  
8026 ~~Class "B" security agency or branch office. This does not~~

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8027 ~~include those individuals who are exempt under s. 493.6102(4)~~  
8028 ~~but who possess a Class "D" license solely for the purpose of~~  
8029 ~~holding a Class "G" license.~~

8030 ~~(1)(5)~~ Any individual who performs the services of a  
8031 security officer shall have a Class "D" license. However, a  
8032 Class "C" licensee ~~or a Class "CC" licensee~~ may perform  
8033 bodyguard services without a Class "D" license.

8034 ~~(2)(6)~~ Only ~~Class "M," Class "MB," or~~ Class "D" licensees  
8035 are permitted to bear a firearm, and any such licensee who bears  
8036 a firearm shall also have a Class "G" license.

8037 **Section 251. Section 493.6302, Florida Statutes, is**  
8038 **amended to read:**

8039 493.6302 Fees.—

8040 (1) The department shall establish by rule license fees,  
8041 not to exceed the following:

8042 ~~(a) Class "B" license—security agency: \$450.~~

8043 ~~(b) Class "BB" or Class "AB" license—branch office: \$125.~~

8044 ~~(c) Class "MB" license—security agency manager: \$75.~~

8045 ~~(a)(d)~~ Class "D" license—security officer: \$45.

8046 ~~(b)(e)~~ Class "DS" license—security officer school or  
8047 training facility: \$60.

8048 ~~(c)(f)~~ Class "DI" license—security officer school or  
8049 training facility instructor: \$60.

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8050 (2) The department may establish by rule a fee for the  
8051 replacement or revision of a license, which fee shall not exceed  
8052 \$30.

8053 (3) The fees set forth in this section must be paid by  
8054 check or money order or, at the discretion of the department, by  
8055 electronic funds transfer at the time the application is  
8056 approved, except that the applicant for a Class "D~~T~~" or Class  
8057 "~~G~~T~~" Class "M," or Class "MB"~~ license must pay the license fee  
8058 at the time the application is made. If a license is revoked or  
8059 denied or if the application is withdrawn, the license fee is  
8060 nonrefundable.

8061 (4) The initial license fee for a veteran, as defined in  
8062 s. 1.01, shall be waived if he or she applies for a Class "D~~T~~"  
8063 or Class "DI~~T~~" ~~or Class "MB"~~ license within 24 months after  
8064 being discharged from any branch of the United States Armed  
8065 Forces. An eligible veteran must include a copy of his or her DD  
8066 Form 214, as issued by the United States Department of Defense,  
8067 or another acceptable form of identification as specified by the  
8068 Department of Veterans' Affairs with his or her application in  
8069 order to obtain a waiver.

8070 **Section 252. Subsections (1), (2), and (3) of section**  
8071 **493.6303, Florida Statutes, are amended to read:**

8072 493.6303 License requirements.—In addition to the license  
8073 requirements set forth elsewhere in this chapter, each

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8074 individual or agency must comply with the following additional  
8075 requirements:

8076 ~~(1) Each agency or branch office shall designate a minimum~~  
8077 ~~of one appropriately licensed individual to act as manager,~~  
8078 ~~directing the activities of the Class "D" employees.~~

8079 ~~(2) An applicant for a Class "MB" license shall have 2~~  
8080 ~~years of lawfully gained, verifiable, full-time experience, or~~  
8081 ~~training in:~~

8082 ~~(a) Security work or related fields of work that provided~~  
8083 ~~equivalent experience or training;~~

8084 ~~(b) Experience described in paragraph (a) for 1 year and~~  
8085 ~~experience described in paragraph (c) for 1 year;~~

8086 ~~(c) No more than 1 year using:~~

8087 ~~1. Either college coursework related to criminal justice,~~  
8088 ~~criminology, or law enforcement administration; or~~

8089 ~~2. Successfully completed law enforcement-related training~~  
8090 ~~received from any federal, state, county, or municipal agency;~~  
8091 ~~or~~

8092 ~~(d) Experience described in paragraph (a) for 1 year and~~  
8093 ~~work in a managerial or supervisory capacity for 1 year.~~

8094 ~~(3) An applicant for a Class "M" license shall qualify for~~  
8095 ~~licensure as a Class "MA" manager as outlined under s.~~  
8096 ~~493.6203(2) and as a Class "MB" manager as outlined under~~  
8097 ~~subsection (2).~~

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8098           **Section 253. Subsection (1) of section 493.6304, Florida**  
8099 **Statutes, is amended to read:**

8100           493.6304 Security officer school or training facility.—

8101           (1) Any school, training facility, or instructor who  
8102 offers the training specified in s. 493.6303(1) ~~s. 493.6303(4)~~  
8103 for Class "D" applicants shall, before licensure of such school,  
8104 training facility, or instructor, file with the department an  
8105 application accompanied by an application fee in an amount to be  
8106 determined by rule, not to exceed \$60. The fee is not  
8107 refundable.

8108           **Section 254. Subsection (2) of section 493.631, Florida**  
8109 **Statutes, is amended to read:**

8110           493.631 Temporary detention by a licensed security officer  
8111 or licensed security agency manager at critical infrastructure  
8112 facilities.—

8113           (2) As used in this section, the terms "security officer"  
8114 and "security agency manager" mean a security officer or  
8115 security agency manager who possess a valid Class "D" ~~or Class~~  
8116 ~~"MB"~~ license pursuant to s. 493.6301 and a valid Class "G"  
8117 license pursuant to s. 493.6115.

8118           **Section 255. Subsections (1), (2), (3), (5), and (6) of**  
8119 **section 493.6401, Florida Statutes, are amended to read:**

8120           493.6401 Classes of licenses.—

8121           ~~(1) Any person, firm, company, partnership, or corporation~~  
8122 ~~which engages in business as a recovery agency shall have a~~

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8123 ~~Class "R" license. A Class "R" license is valid for only one~~  
8124 ~~location.~~

8125 ~~(2) Each branch office of a Class "R" agency shall have a~~  
8126 ~~Class "RR" license.~~

8127 ~~(3) Any individual who performs the services of a manager~~  
8128 ~~for a Class "R" recovery agency or a Class "RR" branch office~~  
8129 ~~must have a Class "MR" license. A Class "E" licensee may be~~  
8130 ~~designated as the manager, in which case the Class "MR" license~~  
8131 ~~is not required.~~

8132 ~~(5) Any individual who performs repossession as an intern~~  
8133 ~~under the direction and control of a designated, sponsoring~~  
8134 ~~Class "E" licensee or a designated, sponsoring Class "MR"~~  
8135 ~~licensee shall have a Class "EE" license.~~

8136 ~~(6) Class "E" or Class "EE" licensees shall own or be an~~  
8137 ~~employee of a Class "R" agency or branch office.~~

8138 **Section 256. Section 493.6402, Florida Statutes, is**  
8139 **amended to read:**

8140 493.6402 Fees.—

8141 (1) The department shall establish by rule license fees  
8142 not to exceed the following:

8143 ~~(a) Class "R" license-recovery agency: \$450.~~

8144 ~~(b) Class "RR" license-branch office: \$125.~~

8145 ~~(c) Class "MR" license-recovery agency manager: \$75.~~

8146 ~~(a)-(d) Class "E" license-recovery agent: \$75.~~

8147 ~~(e) Class "EE" license-recovery agent intern: \$60.~~

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8148        ~~(b)(f)~~ Class "RS" license-recovery agent school or  
8149 training facility: \$60.

8150        ~~(c)(g)~~ Class "RI" license-recovery agent school or  
8151 training facility instructor: \$60.

8152        (2) The department may establish by rule a fee for the  
8153 replacement or revision of a license, which fee shall not exceed  
8154 \$30.

8155        (3) The fees set forth in this section must be paid by  
8156 check or money order, or, at the discretion of the department,  
8157 by electronic funds transfer at the time the application is  
8158 approved, except that the applicant for a Class "E~~7~~" ~~Class "EE,"~~  
8159 ~~or Class "MR"~~ license must pay the license fee at the time the  
8160 application is made. If a license is revoked or denied, or if an  
8161 application is withdrawn, the license fee is nonrefundable.

8162        (4) The initial license fee for a veteran, as defined in  
8163 s. 1.01, shall be waived if he or she applies for a Class "E~~7~~"  
8164 ~~Class "EE," Class "MR,"~~ or Class "RI" license within 24 months  
8165 after being discharged from any branch of the United States  
8166 Armed Forces. An eligible veteran must include a copy of his or  
8167 her DD Form 214, as issued by the United States Department of  
8168 Defense, or another acceptable form of identification as  
8169 specified by the Department of Veterans' Affairs with his or her  
8170 application in order to obtain a waiver.

8171        **Section 257. Section 493.6403, Florida Statutes, is**  
8172 **amended to read:**

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8173 493.6403 License requirements.-

8174 (1) In addition to the license requirements set forth in  
8175 this chapter, ~~each individual or agency shall comply with the~~  
8176 ~~following additional requirements:~~

8177 ~~(a) Each agency or branch office must designate a minimum~~  
8178 ~~of one appropriately licensed individual to act as manager,~~  
8179 ~~directing the activities of the Class "E" or Class "EE"~~  
8180 ~~employees. A Class "E" licensee may be designated to act as~~  
8181 ~~manager of a Class "R" agency or branch office in which case the~~  
8182 ~~Class "MR" license is not required.~~

8183 ~~(b) An applicant for Class "MR" license shall have at~~  
8184 ~~least 1 year of lawfully gained, verifiable, full-time~~  
8185 ~~experience as a Class "E" licensee performing repossessions of~~  
8186 ~~motor vehicles, mobile homes, motorboats, aircraft, personal~~  
8187 ~~watercraft, all-terrain vehicles, farm equipment, or industrial~~  
8188 ~~equipment.~~

8189 ~~(c) an applicant for a Class "E" license shall have at~~  
8190 ~~least 1 year of lawfully gained, verifiable, full-time~~  
8191 ~~experience in one, or a combination of more than one, of the~~  
8192 ~~following:~~

8193 ~~1.~~ repossession of motor vehicles as defined in s.  
8194 320.01(1), mobile homes as defined in s. 320.01(2), motorboats  
8195 as defined in s. 327.02, aircraft as defined in s. 330.27(1),  
8196 personal watercraft as defined in s. 327.02, all-terrain  
8197 vehicles as defined in s. 316.2074, farm equipment as defined

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8198 under s. 686.402, or industrial equipment as defined in s.  
8199 493.6101(19) ~~s. 493.6101(22)~~.

8200 ~~2. Work as a Class "EE" licensed intern.~~

8201 (2) An applicant for a Class "E" ~~or a Class "EE"~~ license  
8202 must submit proof of successful completion of 40 hours of  
8203 professional training at a school or training facility licensed  
8204 by the department. The department shall by rule establish the  
8205 general content for the training.

8206 **Section 258. Subsection (1) of section 493.6406, Florida**  
8207 **Statutes, is amended to read:**

8208 493.6406 Recovery agent school or training facility.—

8209 (1) Any school, training facility, or instructor who  
8210 offers the training outlined in s. 493.6403(2) for Class "E" ~~or~~  
8211 ~~Class "EE"~~ applicants shall, before licensure of such school,  
8212 training facility, or instructor, file with the department an  
8213 application accompanied by an application fee in an amount to be  
8214 determined by rule, not to exceed \$60. The fee shall not be  
8215 refundable. This training may be offered as face-to-face  
8216 training, Internet-based training, or correspondence training.

8217 **Section 259. Subsection (3) of section 514.0315, Florida**  
8218 **Statutes, is amended to read:**

8219 514.0315 Required safety features for public swimming  
8220 pools and spas.—

8221 (3) The determination and selection of a feature under  
8222 subsection (2) for a public swimming pool or spa constructed

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8223 before January 1, 1993, is at the sole discretion of the owner  
8224 or operator of the public swimming pool or spa. A licensed  
8225 contractor described in s. 489.105(2)(j), (k), or (l) ~~s.~~  
8226 ~~489.105(3)(j), (k), or (l)~~ must install the feature.

8227 **Section 260. Section 514.075, Florida Statutes, is amended**  
8228 **to read:**

8229 514.075 Public pool service technician; certification.—The  
8230 department may require that a public pool, as defined in s.  
8231 514.011, be serviced by a person certified as a pool service  
8232 technician. To be certified, an individual must demonstrate  
8233 knowledge of public pools which includes, but is not limited to:  
8234 pool cleaning; general pool maintenance; source of the water  
8235 supply; bacteriological, chemical, and physical quality of  
8236 water; and water purification, testing, treatment, and  
8237 disinfection procedures. The department may, by rule, establish  
8238 the requirement for the certification course and course  
8239 approval. The department shall deem certified any individual who  
8240 is certified by a course of national recognition or any person  
8241 licensed under s. 489.105(2)(j), (k), or (l) ~~s. 489.105(3)(j),~~  
8242 ~~(k), or (l)~~. This requirement does not apply to a person, or the  
8243 direct employee of a person, permitted as a public pool operator  
8244 under s. 514.031.

8245 **Section 261. Paragraph (d) of subsection (1) of section**  
8246 **553.791, Florida Statutes, is amended to read:**

8247 553.791 Alternative plans review and inspection.—

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8248 (1) As used in this section, the term:

8249 (d) "Building code inspection services" means those  
8250 services described in s. 468.603(4) and (7) ~~s. 468.603(5) and~~  
8251 ~~(8)~~ involving the review of building plans as well as those  
8252 services involving the review of site plans and site work  
8253 engineering plans or their functional equivalent, to determine  
8254 compliance with applicable codes and those inspections required  
8255 by law, conducted either in person or virtually, of each phase  
8256 of construction for which permitting by a local enforcement  
8257 agency is required to determine compliance with applicable  
8258 codes.

8259 **Section 262. Section 553.998, Florida Statutes, is amended**  
8260 **to read:**

8261 553.998 Compliance.—All ratings must be determined using  
8262 tools and procedures developed by the systems recognized under  
8263 this part and must be certified by the rater as accurate and  
8264 correct and in compliance with procedures of the system under  
8265 which the rater is certified. The local enforcement agency shall  
8266 accept duct and air infiltration tests conducted in accordance  
8267 with the Florida Building Code, 5th Edition (2014) Energy  
8268 Conservation, by individuals as defined in s. 553.993(5) or (7)  
8269 or individuals licensed as set forth in s. 489.105(2)(f), (g),  
8270 or (i) ~~s. 489.105(3)(f), (g), or (i)~~. The local enforcement  
8271 agency may accept inspections in whole or in part by individuals  
8272 as defined in s. 553.993(5) or (7).

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8273           **Section 263. Subsection (2) of section 569.34, Florida**  
8274 **Statutes, is amended to read:**

8275           569.34 Operating without a retail nicotine products dealer  
8276 permit; penalty.—

8277           (2) A retail tobacco products dealer, as defined in s.  
8278 569.002 ~~s. 569.002(4)~~, is not required to have a separate or  
8279 additional retail nicotine products dealer permit to deal, at  
8280 retail, in nicotine products within this ~~the~~ state, or allow a  
8281 nicotine products vending machine to be located on its premises  
8282 in this ~~the~~ state. Any retail tobacco products dealer that  
8283 deals, at retail, in nicotine products or allows a nicotine  
8284 products vending machine to be located on its premises in this  
8285 ~~the~~ state, is subject to, and must be in compliance with, this  
8286 part.

8287           **Section 264. Paragraph (a) of subsection (2) of section**  
8288 **627.192, Florida Statutes, is amended to read:**

8289           627.192 Workers' compensation insurance; employee leasing  
8290 arrangements.—

8291           (2) For purposes of the Florida Insurance Code:

8292           (a) "Employee leasing" shall have the same meaning as  
8293 provided in s. 468.520(3) ~~set forth in s. 468.520(4)~~.

8294           **Section 265. Subsection (6) of section 633.216, Florida**  
8295 **Statutes, is amended to read:**

8296           633.216 Inspection of buildings and equipment; orders;  
8297 firesafety inspection training requirements; certification;

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8298 disciplinary action.—The State Fire Marshal and her or his  
8299 agents or persons authorized to enforce laws and rules of the  
8300 State Fire Marshal shall, at any reasonable hour, when the State  
8301 Fire Marshal has reasonable cause to believe that a violation of  
8302 this chapter or s. 509.215, or a rule adopted thereunder, or a  
8303 minimum firesafety code adopted by the State Fire Marshal or a  
8304 local authority, may exist, inspect any and all buildings and  
8305 structures which are subject to the requirements of this chapter  
8306 or s. 509.215 and rules adopted thereunder. The authority to  
8307 inspect shall extend to all equipment, vehicles, and chemicals  
8308 which are located on or within the premises of any such building  
8309 or structure.

8310 ~~(6) The division and the Florida Building Code~~  
8311 ~~Administrators and Inspectors Board, established pursuant to s.~~  
8312 ~~468.605, shall enter into a reciprocity agreement to facilitate~~  
8313 ~~joint recognition of continuing education recertification hours~~  
8314 ~~for certificateholders licensed under s. 468.609 and firesafety~~  
8315 ~~inspectors certified under subsection (2).~~

8316 **Section 266. Subsection (8) of section 713.01, Florida**  
8317 **Statutes, is amended to read:**

8318 713.01 Definitions.—As used in this part, the term:

8319 (8) "Contractor" means a person other than a materialman  
8320 or laborer who enters into a contract with the owner of real  
8321 property for improving it or who takes over from a contractor as  
8322 so defined the entire remaining work under such contract. The

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8323 term "contractor" includes an architect, landscape architect, or  
8324 engineer who improves real property pursuant to a design-build  
8325 contract authorized by s. 489.103(16). The term also includes a  
8326 licensed general contractor or building contractor, as those  
8327 terms are defined in s. 489.105(2)(a) and (b) ~~s. 489.105(3)(a)~~  
8328 ~~and (b)~~, respectively, who provides construction management  
8329 services, which include scheduling and coordinating  
8330 preconstruction and construction phases for the construction  
8331 project, or who provides program management services, which  
8332 include schedule control, cost control, and coordinating the  
8333 provision or procurement of planning, design, and construction  
8334 for the construction project.

8335 **Section 267. Subsection (4) of section 1006.12, Florida**  
8336 **Statutes, is amended to read:**

8337 1006.12 Safe-school officers at each public school.—For  
8338 the protection and safety of school personnel, property,  
8339 students, and visitors, each district school board and school  
8340 district superintendent shall partner with law enforcement  
8341 agencies or security agencies to establish or assign one or more  
8342 safe-school officers at each school facility within the  
8343 district, including charter schools. A district school board  
8344 must collaborate with charter school governing boards to  
8345 facilitate charter school access to all safe-school officer  
8346 options available under this section. The school district may  
8347 implement any combination of the options in subsections (1)-(4)

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8348 to best meet the needs of the school district and charter  
8349 schools.

8350 (4) SCHOOL SECURITY GUARD.—A school district or charter  
8351 school governing board may contract with a security agency as  
8352 defined in s. 493.6101(15) ~~s. 493.6101(18)~~ to employ as a school  
8353 security guard an individual who holds a Class "D" and Class "G"  
8354 license pursuant to chapter 493, provided the following training  
8355 and contractual conditions are met:

8356 (a) An individual who serves as a school security guard,  
8357 for purposes of satisfying the requirements of this section,  
8358 must:

8359 1. Demonstrate completion of 144 hours of required  
8360 training pursuant to s. 30.15(1)(k)2.

8361 2. Pass a psychological evaluation administered by a  
8362 psychologist licensed under chapter 490 and designated by the  
8363 Department of Law Enforcement and submit the results of the  
8364 evaluation to the sheriff's office, school district, or charter  
8365 school governing board, as applicable. The Department of Law  
8366 Enforcement is authorized to provide the sheriff's office,  
8367 school district, or charter school governing board with mental  
8368 health and substance abuse data for compliance with this  
8369 paragraph.

8370 3. Submit to and pass an initial drug test and subsequent  
8371 random drug tests in accordance with the requirements of s.

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8372 112.0455 and the sheriff's office, school district, or charter  
8373 school governing board, as applicable.

8374 4. Successfully complete ongoing training, weapon  
8375 inspection, and firearm qualification on at least an annual  
8376 basis and provide documentation to the sheriff's office, school  
8377 district, or charter school governing board, as applicable.

8378 (b) The contract between a security agency and a school  
8379 district or a charter school governing board regarding  
8380 requirements applicable to school security guards serving in the  
8381 capacity of a safe-school officer for purposes of satisfying the  
8382 requirements of this section shall define the entity or entities  
8383 responsible for training and the responsibilities for  
8384 maintaining records relating to training, inspection, and  
8385 firearm qualification.

8386 (c) School security guards serving in the capacity of a  
8387 safe-school officer pursuant to this subsection are in support  
8388 of school-sanctioned activities for purposes of s. 790.115, and  
8389 must aid in the prevention or abatement of active assailant  
8390 incidents on school premises.

8391  
8392 If a district school board, through its adopted policies,  
8393 procedures, or actions, denies a charter school access to any  
8394 safe-school officer options pursuant to this section, the school  
8395 district must assign a school resource officer or school safety  
8396 officer to the charter school. Under such circumstances, the

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8397 charter school's share of the costs of the school resource  
8398 officer or school safety officer may not exceed the safe school  
8399 allocation funds provided to the charter school pursuant to s.  
8400 1011.62(12) and shall be retained by the school district.

8401 **Section 268. Subsections (5) and (6) of section 259.1053,**  
8402 **Florida Statutes, are renumbered as subsections (4) and (5),**  
8403 **respectively, and subsection (4) of that section is amended, to**  
8404 **read:**

8405 259.1053 Babcock Ranch Preserve; Babcock Ranch Advisory  
8406 Group.—

8407 ~~(4) BABCOCK RANCH ADVISORY GROUP.—~~

8408 ~~(a) The purpose of the Babcock Ranch Advisory Group is to~~  
8409 ~~assist the department by providing guidance and advice~~  
8410 ~~concerning the management and stewardship of the Babcock Ranch~~  
8411 ~~Preserve.~~

8412 ~~(b) The Babcock Ranch Advisory Group shall be comprised of~~  
8413 ~~nine members appointed to 5-year terms. Based on recommendations~~  
8414 ~~from the Governor and Cabinet, the commission, and the governing~~  
8415 ~~boards of Charlotte County and Lee County, the commissioner~~  
8416 ~~shall appoint members as follows:~~

8417 ~~1. One member with experience in sustainable management of~~  
8418 ~~forest lands for commodity purposes.~~

8419 ~~2. One member with experience in financial management,~~  
8420 ~~budget and program analysis, and small business operations.~~

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8421 ~~3. One member with experience in management of game and~~  
8422 ~~nongame wildlife and fish populations, including hunting,~~  
8423 ~~fishing, and other recreational activities.~~

8424 ~~4. One member with experience in domesticated livestock~~  
8425 ~~management, production, and marketing, including range~~  
8426 ~~management and livestock business management.~~

8427 ~~5. One member with experience in agriculture operations or~~  
8428 ~~forestry management.~~

8429 ~~6. One member with experience in hunting, fishing, nongame~~  
8430 ~~species management, or wildlife habitat management, restoration,~~  
8431 ~~and conservation.~~

8432 ~~7. One member with experience in public outreach and~~  
8433 ~~education.~~

8434 ~~8. One member who is a resident of Lee County, to be~~  
8435 ~~designated by the Board of County Commissioners of Lee County.~~

8436 ~~9. One member who is a resident of Charlotte County, to be~~  
8437 ~~designated by the Board of County Commissioners of Charlotte~~  
8438 ~~County.~~

8439  
8440 ~~Vacancies will be filled in the same manner in which the~~  
8441 ~~original appointment was made. A member appointed to fill a~~  
8442 ~~vacancy shall serve for the remainder of that term.~~

8443 ~~(c) Members of the Babcock Ranch Advisory Group shall:~~

8444 ~~1. Elect a chair and vice chair from among the group~~  
8445 ~~members.~~

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8446 ~~2. Meet regularly as determined by the chair.~~  
8447 ~~3. Serve without compensation but shall receive~~  
8448 ~~reimbursement for travel and per diem expenses as provided in s.~~  
8449 ~~112.061.~~

8450 **Section 269. Subsection (2) of section 399.035, Florida**  
8451 **Statutes, is amended to read:**

8452 399.035 Elevator accessibility requirements for the  
8453 physically handicapped.—

8454 (2) Any building that is more than three stories high or  
8455 in which the vertical distance between the bottom terminal  
8456 landing and the top terminal landing exceeds 25 feet must be  
8457 constructed to contain at least one passenger elevator that is  
8458 operational and will accommodate an ambulance stretcher size  
8459 specified in the edition of the Florida Building Code that was  
8460 in effect at the time of receipt of an application for  
8461 construction permit for the elevator ~~76 inches long and 24~~  
8462 ~~inches wide in the horizontal position.~~

8463 **Section 270. Subsection (1) of section 373.219, Florida**  
8464 **Statutes, is amended to read:**

8465 373.219 Permits required.—

8466 (1) The ~~governing board or~~ the department may require such  
8467 permits for consumptive use of water and may impose such  
8468 reasonable conditions as are necessary to assure that such use  
8469 is consistent with the overall objectives of the district or

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8470 department and is not harmful to the water resources of the  
8471 area. However, a ne permit is not shall be required for:

8472 (a) Domestic consumption of water by individual users.

8473 (b) Landscape irrigation water use by a property owner of  
8474 a residential single-family home.

8475 **Section 271. Paragraph (a) of subsection (3) of section**  
8476 **455.02, Florida Statutes, is amended, and subsections (1) and**  
8477 **(2) of that section are republished, to read:**

8478 455.02 Licensure of members of the Armed Forces in good  
8479 standing and their spouses or surviving spouses with  
8480 administrative ~~boards or~~ programs.—

8481 (1) Any member of the United States Armed Forces now or  
8482 hereafter on active duty who, at the time of becoming such a  
8483 member, was in good standing with any of the ~~boards or~~ programs  
8484 listed in s. 20.165 and was entitled to practice or engage in  
8485 his or her profession or occupation in the state shall be kept  
8486 in good standing by the applicable ~~board or~~ program, without  
8487 registering, paying dues or fees, or performing any other act on  
8488 his or her part to be performed, as long as he or she is a  
8489 member of the United States Armed Forces on active duty and for  
8490 a period of 2 years after discharge from active duty. A member,  
8491 during active duty and for a period of 2 years after discharge  
8492 from active duty, engaged in his or her licensed profession or  
8493 occupation in the private sector for profit in this state must

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8494 complete all license renewal provisions except remitting the  
8495 license renewal fee, which shall be waived by the department.

8496 (2) A spouse of a member of the United States Armed Forces  
8497 who is married to a member during a period of active duty, or a  
8498 surviving spouse of a member who at the time of death was  
8499 serving on active duty, who is in good standing with any of the  
8500 ~~boards or~~ programs listed in s. 20.165 shall be kept in good  
8501 standing by the applicable ~~board or~~ program as described in  
8502 subsection (1) and shall be exempt from licensure renewal  
8503 provisions, but only in cases of his or her absence from the  
8504 state because of his or her spouse's duties with the United  
8505 States Armed Forces. The department or the appropriate ~~board or~~  
8506 program shall waive any license renewal fee for such spouse when  
8507 he or she is present in this state because of such member's  
8508 active duty and for a surviving spouse of a member who at the  
8509 time of death was serving on active duty and died within the 2  
8510 years preceding the date of renewal.

8511 (3) (a) The department shall issue a professional license  
8512 to an applicant who is or was an active duty member of the Armed  
8513 Forces of the United States, or who is a spouse or surviving  
8514 spouse of such member, upon application to the department in a  
8515 format prescribed by the department. An application must include  
8516 proof that:

8517 1. The applicant is or was an active duty member of the  
8518 Armed Forces of the United States or is married to a member of

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8519 the Armed Forces of the United States and was married to the  
8520 member during any period of active duty or was married to such a  
8521 member who at the time of the member's death was serving on  
8522 active duty. An applicant who was an active duty member of the  
8523 Armed Forces of the United States must have received an  
8524 honorable discharge upon separation or discharge from the Armed  
8525 Forces of the United States.

8526 2. The applicant holds a valid license for the profession  
8527 issued by another state, the District of Columbia, any  
8528 possession or territory of the United States, or any foreign  
8529 jurisdiction.

8530 3. The applicant, where required by the specific practice  
8531 act, has complied with insurance or bonding requirements.

8532 4.a. A complete set of the applicant's fingerprints is  
8533 submitted to the Department of Law Enforcement for a statewide  
8534 criminal history check for those professions that require  
8535 fingerprints for initial licensure.

8536 b. The Department of Law Enforcement shall forward the  
8537 fingerprints submitted pursuant to sub-subparagraph a. to the  
8538 Federal Bureau of Investigation for a national criminal history  
8539 check. The department shall, ~~and the board may,~~ review the  
8540 results of the criminal history checks according to the level 2  
8541 screening standards in s. 435.04 and determine whether the  
8542 applicant meets the licensure requirements. The costs of  
8543 fingerprint processing shall be borne by the applicant. If the

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8544 applicant's fingerprints are submitted through an authorized  
8545 agency or vendor, the agency or vendor must ~~shall~~ collect the  
8546 required processing fees and remit the fees to the Department of  
8547 Law Enforcement.

8548 **Section 272. Paragraph (a) of subsection (3) of section**  
8549 **455.213, Florida Statutes, is amended to read:**

8550 455.213 General licensing provisions.—

8551 (3) (a) Notwithstanding any other law, the department  
8552 ~~applicable board~~ shall use the process in this subsection for  
8553 review of an applicant's criminal record to determine his or her  
8554 eligibility for licensure as:

8555 1. A barber under chapter 476;

8556 ~~2. A cosmetologist or cosmetology specialist under chapter~~  
8557 ~~477;~~

8558 ~~2.3.~~ Any of the following construction professions under  
8559 chapter 489:

8560 a. Air-conditioning contractor;

8561 b. Electrical contractor;

8562 c. Mechanical contractor;

8563 d. Plumbing contractor;

8564 e. Pollutant storage systems contractor;

8565 f. Roofing contractor;

8566 g. Sheet metal contractor;

8567 h. Solar contractor;

8568 i. Swimming pool and spa contractor;

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8569 j. Underground utility and excavation contractor; or

8570 k. Other specialty contractors; or

8571 ~~3.4.~~ Any other profession for which the department issues  
8572 a license, provided the profession is offered to inmates in any  
8573 correctional institution or correctional facility as vocational  
8574 training or through an industry certification program.

8575 **Section 273. Subsection (1) of section 468.386, Florida**  
8576 **Statutes, is amended to read:**

8577 468.386 Fees; local licensing requirements.—

8578 (1) (a) The department ~~board~~ by rule may establish  
8579 application, examination, licensure, renewal, and other  
8580 reasonable and necessary fees, based upon the department's  
8581 estimate of the costs ~~to the board~~ in administering this act.

8582 (b) Effective July 1, 2026, all fees established by the  
8583 department in administering this act shall be reduced by 50  
8584 percent.

8585 **Section 274. Subsection (1), paragraph (c) of subsection**  
8586 **(2), subsections (4) and (5), paragraphs (b) and (e) of**  
8587 **subsection (6), paragraphs (a) and (c) of subsection (7), and**  
8588 **subsections (8) and (10) of section 468.609, Florida Statutes,**  
8589 **are amended to read:**

8590 468.609 Administration of this part; standards for  
8591 certification; additional categories of certification.—

8592 (1) Except as provided in this part, any person who  
8593 desires to be certified shall apply to the department ~~board~~, in

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8594 writing upon forms approved and furnished by the department  
8595 ~~board~~, to take the certification examination.

8596 (2) A person may take the examination for certification as  
8597 a building code inspector or plans examiner pursuant to this  
8598 part if the person:

8599 (c) Meets eligibility requirements according to one of the  
8600 following criteria:

8601 1. Demonstrates 4 years' combined experience in the field  
8602 of construction or a related field, building code inspection, or  
8603 plans review corresponding to the certification category sought;

8604 2. Demonstrates a combination of postsecondary education  
8605 in the field of construction or a related field and experience  
8606 which totals 3 years, with at least 1 year of such total being  
8607 experience in construction, building code inspection, or plans  
8608 review;

8609 3. Demonstrates a combination of technical education in  
8610 the field of construction or a related field and experience  
8611 which totals 3 years, with at least 1 year of such total being  
8612 experience in construction, building code inspection, or plans  
8613 review;

8614 4. Currently holds a standard certificate issued by the  
8615 department ~~board~~ or a firesafety inspector license issued under  
8616 chapter 633, with a minimum of 3 years' verifiable full-time  
8617 experience in firesafety inspection or firesafety plan review,  
8618 and has satisfactorily completed a building code inspector or

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8619 plans examiner training program that provides at least 100 hours  
8620 but not more than 200 hours of cross-training in the  
8621 certification category sought. The department ~~board~~ shall  
8622 establish by rule criteria for the development and  
8623 implementation of the training programs. The department ~~board~~  
8624 must accept all classroom training offered by an approved  
8625 provider if the content substantially meets the intent of the  
8626 classroom component of the training program;

8627         5. Demonstrates a combination of the completion of an  
8628 approved training program in the field of building code  
8629 inspection or plan review and a minimum of 2 years' experience  
8630 in the field of building code inspection, plan review, fire code  
8631 inspections and fire plans review of new buildings as a  
8632 firesafety inspector certified under s. 633.216, or  
8633 construction. The approved training portion of this requirement  
8634 must include proof of satisfactory completion of a training  
8635 program that provides at least 200 hours but not more than 300  
8636 hours of cross-training that is approved by the department ~~board~~  
8637 in the chosen category of building code inspection or plan  
8638 review in the certification category sought with at least 20  
8639 hours but not more than 30 hours of instruction in state laws,  
8640 rules, and ethics relating to professional standards of  
8641 practice, duties, and responsibilities of a certificateholder.  
8642 The department ~~board~~ shall coordinate with the Building  
8643 Officials Association of Florida, Inc., to establish by rule the

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8644 development and implementation of the training program. However,  
8645 the department board must accept all classroom training offered  
8646 by an approved provider if the content substantially meets the  
8647 intent of the classroom component of the training program;

8648         6. Currently holds a standard certificate issued by the  
8649 department board or a firesafety inspector license issued under  
8650 chapter 633 and:

8651           a. Has at least 4 years' verifiable full-time experience  
8652 as an inspector or plans examiner in a standard certification  
8653 category currently held or has a minimum of 4 years' verifiable  
8654 full-time experience as a firesafety inspector licensed under  
8655 chapter 633.

8656           b. Has satisfactorily completed a building code inspector  
8657 or plans examiner classroom training course or program that  
8658 provides at least 200 but not more than 300 hours in the  
8659 certification category sought, except for residential training  
8660 programs, which must provide at least 500 but not more than 800  
8661 hours of training as prescribed by the department board. The  
8662 department board shall establish by rule criteria for the  
8663 development and implementation of classroom training courses and  
8664 programs in each certification category; or

8665           7.a. Has completed a 4-year internship certification  
8666 program as a building code inspector or plans examiner,  
8667 including an internship program for residential inspectors,  
8668 while also employed full time by a municipality, county, or

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8669 other governmental jurisdiction, under the direct supervision of  
8670 a certified building official. A person may also complete the  
8671 internship certification program, including an internship  
8672 program for residential inspectors, while employed full time by  
8673 a private provider or a private provider's firm that performs  
8674 the services of a building code inspector or plans examiner,  
8675 while under the direct supervision of a certified building  
8676 official. Proof of graduation with a related vocational degree  
8677 or college degree ~~or of verifiable work experience~~ may be  
8678 exchanged for the internship experience requirement year-for-  
8679 year, but may reduce the requirement to no less than 1 year.  
8680 Proof of verifiable work experience as an inspector or plans  
8681 examiner of any other type may be exchanged for the internship  
8682 experience requirement year-for-year, but may reduce the  
8683 requirement to no less than 1 year.

8684 b. Has passed an examination administered by the  
8685 International Code Council in the certification category sought.  
8686 Such examination must be passed before beginning the internship  
8687 certification program.

8688 c. Has passed the principles and practice examination  
8689 before completing the internship certification program.

8690 d. Has passed a department-approved ~~board-approved~~ 40-hour  
8691 code training course in the certification category sought before  
8692 completing the internship certification program.

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8693 e. Has obtained a favorable recommendation from the  
8694 supervising building official after completion of the internship  
8695 certification program.

8696 (4) No person may engage in the duties of a building code  
8697 administrator, plans examiner, or building code inspector  
8698 pursuant to this part after October 1, 1993, unless such person  
8699 possesses one of the following types of certificates, currently  
8700 valid, issued by the department board ~~board~~ attesting to the person's  
8701 qualifications to hold such position:

8702 (a) A standard certificate.

8703 (b) A limited certificate.

8704 (c) A provisional certificate.

8705 (5)(a) To obtain a standard certificate, an individual  
8706 must pass an examination approved by the department board ~~board~~ which  
8707 demonstrates that the applicant has fundamental knowledge of the  
8708 state laws and codes relating to the construction of buildings  
8709 for which the applicant has building code administration, plans  
8710 examination, or building code inspection responsibilities. It is  
8711 the intent of the Legislature that the examination approved for  
8712 certification pursuant to this part be substantially equivalent  
8713 to the examinations administered by the International Code  
8714 Council.

8715 (b) A standard certificate shall be issued to each  
8716 applicant who successfully completes the examination, which  
8717 certificate authorizes the individual named thereon to practice

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8718 throughout the state as a building code administrator, plans  
8719 examiner, or building code inspector within such class and level  
8720 as is specified by the department ~~board~~.

8721 (c) The department ~~board~~ may accept proof that the  
8722 applicant has passed an examination which is substantially  
8723 equivalent to the department-approved ~~board-approved~~ examination  
8724 set forth in this section.

8725 (6)

8726 (b) By October 1, 1993, individuals who were employed on  
8727 July 1, 1993, as building code administrators, plans examiners,  
8728 or building code inspectors, who are not eligible for a standard  
8729 certificate, but who wish to continue in such employment, shall  
8730 submit to the department ~~board~~ the appropriate application and  
8731 certification fees and shall receive a limited certificate  
8732 qualifying them to engage in building code administration, plans  
8733 examination, or building code inspection in the class, at the  
8734 performance level, and within the governmental jurisdiction in  
8735 which such person is employed.

8736 (e) By March 1, 2003, or 1 year after the Florida Building  
8737 Code is implemented, whichever is later, individuals who were  
8738 employed by an educational board, the Department of Education,  
8739 or the State University System as building code administrators,  
8740 plans examiners, or inspectors, who do not wish to apply for a  
8741 standard certificate but who wish to continue in such  
8742 employment, shall submit to the department ~~board~~ the appropriate

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8743 application and certification fees and shall receive a limited  
8744 certificate qualifying such individuals to engage in building  
8745 code administration, plans examination, or inspection in the  
8746 class, at the performance level, and within the governmental  
8747 jurisdiction in which such person is employed.

8748 (7) (a) The department board shall provide for the issuance  
8749 of provisional certificates valid for 2 years, as specified by  
8750 department board rule, to any building code inspector or plans  
8751 examiner who meets the eligibility requirements described in  
8752 subsection (2) and any newly employed or promoted building code  
8753 administrator who meets the eligibility requirements described  
8754 in subsection (3). The provisional license may be renewed by the  
8755 department board for just cause; however, a provisional license  
8756 is not valid for longer than 3 years.

8757 (c) The department board shall provide for appropriate  
8758 levels of provisional certificates and may issue these  
8759 certificates with such special conditions or requirements as the  
8760 department board deems necessary to protect the public safety  
8761 and health. The department board may not place a special  
8762 condition or requirement on a provisional certificate with  
8763 respect to the requirement of employment by a municipality,  
8764 county, or other local governmental agency.

8765 (8) Any individual applying to the department board may be  
8766 issued a certificate valid for multiple building code inspection  
8767 classes, as deemed appropriate by the department board.

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8768 (10) (a) The department board ~~board~~ may by rule create categories  
8769 of certification in addition to those defined in s. 468.603(4)  
8770 and (7) ~~s. 468.603(5) and (8)~~. Such certification categories may  
8771 ~~shall~~ not be mandatory and may ~~shall~~ not act to diminish the  
8772 scope of any certificate created by statute.

8773 (b) The department board ~~board~~ shall by rule establish:

8774 1. Reciprocity of certification with any other state that  
8775 requires an examination administered by the International Code  
8776 Council.

8777 2. That an applicant for certification as a building code  
8778 inspector or plans examiner may apply for a provisional  
8779 certificate valid for the duration of the internship period.

8780 3. That partial completion of an internship program is  
8781 transferable among jurisdictions, private providers, and firms  
8782 of private providers on a form prescribed by the department  
8783 ~~board~~.

8784 4. That an applicant may apply for a standard certificate  
8785 on a form prescribed by the department board ~~board~~ upon successful  
8786 completion of an internship certification program.

8787 5. That an applicant may apply for a standard certificate  
8788 at least 30 days but no more than 60 days before completing the  
8789 internship certification program.

8790 6. That a building code inspector or plans examiner who  
8791 has standard certification may seek an additional certification  
8792 in another category by completing an additional nonconcurrent 1-

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8793 year internship program in the certification category sought and  
8794 passing an examination administered by the International Code  
8795 Council and a department-approved ~~board-approved~~ 40-hour code  
8796 training course.

8797 **Section 275. Section 471.015, Florida Statutes, is amended**  
8798 **to read:**

8799 471.015 Licensure.—

8800 (1) The department ~~management corporation~~ shall issue a  
8801 license to any applicant who the department ~~board~~ certifies is  
8802 qualified to practice engineering and who has passed the  
8803 fundamentals examination and the principles and practice  
8804 examination.

8805 (2) (a) The department ~~board~~ shall certify for licensure  
8806 any applicant who has submitted proof satisfactory to the  
8807 department ~~board~~ that he or she is at least 18 years of age and  
8808 who:

8809 1. Satisfies the requirements of s. 471.013(1)(a)1. and  
8810 has a record of at least 4 years of active engineering  
8811 experience of a character indicating competence to be in  
8812 responsible charge of engineering; or

8813 2. Satisfies the requirements of s. 471.013(1)(a)2. and  
8814 has a record of at least 6 years of active engineering  
8815 experience of a character indicating competence to be in  
8816 responsible charge of engineering.

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- 8817 (b) The department ~~board~~ may refuse to certify any  
8818 applicant who has violated s. 471.031.
- 8819 (3) The department ~~board~~ shall certify as qualified for a  
8820 license by endorsement an applicant who:
- 8821 (a) Qualifies to take the fundamentals examination and the  
8822 principles and practice examination as set forth in s. 471.013,  
8823 has passed a United States national, regional, state, or  
8824 territorial licensing examination that is substantially  
8825 equivalent to the fundamentals examination and principles and  
8826 practice examination required by s. 471.013, and has satisfied  
8827 the experience requirements set forth in paragraph (2) (a) and s.  
8828 471.013; ~~or~~
- 8829 (b) Holds a valid license to practice engineering issued  
8830 by another state or territory of the United States, or a foreign  
8831 jurisdiction if the criteria for issuance of the license were  
8832 substantially the same as the licensure criteria that existed in  
8833 this state at the time the license was issued; or
- 8834 (c) Holds a valid license to practice engineering issued  
8835 by a foreign jurisdiction approved by the board and holds an  
8836 active Council Record with the National Council of Examiners for  
8837 Engineering and Surveying.
- 8838 (4) The department ~~may management corporation shall~~ not  
8839 issue a license by endorsement to any applicant who is under  
8840 investigation in another state for any act that would constitute  
8841 a violation of this chapter or of chapter 455 until such time as

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8842 the investigation is complete and disciplinary proceedings have  
8843 been terminated.

8844 (5) (a) The department board shall deem that an applicant  
8845 who seeks licensure by endorsement has passed an examination  
8846 substantially equivalent to the fundamentals examination when  
8847 such applicant has held a valid professional engineer's license  
8848 in another state for 10 years.

8849 (b) The department board shall deem that an applicant who  
8850 seeks licensure by endorsement has passed an examination  
8851 substantially equivalent to the fundamentals examination and the  
8852 principles and practices examination when such applicant has  
8853 held a valid professional engineer's license in another state  
8854 for 15 years.

8855 (6) The department board may require a personal appearance  
8856 by any applicant for licensure under this chapter. Any applicant  
8857 of whom a personal appearance is required must be given adequate  
8858 notice of the time and place of the appearance and provided with  
8859 a statement of the purpose of and reasons requiring the  
8860 appearance. If an applicant is required to appear, the time  
8861 period within which a licensure application must be granted or  
8862 denied is tolled until such time as the applicant appears.  
8863 However, if the applicant fails to appear before the department  
8864 ~~board~~ at either of the next two regularly scheduled department  
8865 ~~board~~ meetings, the application for licensure may be denied.

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8866 (7) The department board shall, by rule, establish  
8867 qualifications for certification of licensees as special  
8868 inspectors of threshold buildings, as defined in ss. 553.71 and  
8869 553.79, and shall compile a list of persons who are certified. A  
8870 special inspector is not required to meet standards for  
8871 certification other than those established by the department  
8872 ~~board~~, and the fee owner of a threshold building may not be  
8873 prohibited from selecting any person certified by the department  
8874 ~~board~~ to be a special inspector. The department board shall  
8875 develop minimum qualifications for the qualified representative  
8876 of the special inspector who is authorized to perform  
8877 inspections of threshold buildings on behalf of the special  
8878 inspector under s. 553.79.

8879 **Section 276. Effective January 1, 2026, section 473.308,**  
8880 **Florida Statutes, is amended to read:**

8881 473.308 Licensure.—

8882 (1) A person desiring to be licensed as a Florida  
8883 certified public accountant in this state shall apply to the  
8884 department for licensure, and the department shall license any  
8885 applicant who the department board certifies is qualified to  
8886 practice public accounting.

8887 (2) The department board shall certify for licensure any  
8888 applicant who successfully passes the licensure examination and  
8889 satisfies the requirements of subsections (4), (5), and (6), and  
8890 shall certify for licensure any firm that satisfies the

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8891 requirements of ss. 473.309 and 473.3101. The department board  
8892 may refuse to certify any applicant or firm that has violated  
8893 any of the provisions of s. 473.322.

8894 (3) A person desiring to be licensed as a Florida  
8895 certified public accountant or a firm desiring to engage in the  
8896 practice of public accounting must create and maintain an online  
8897 account with the department and provide an e-mail address to  
8898 function as the primary means of contact for all communication  
8899 from the department. Certified public accountants and firms are  
8900 responsible for maintaining accurate contact information on file  
8901 with the department and must submit any change in an e-mail  
8902 address or street address within 30 days after the change. All  
8903 changes must be submitted through the department's online  
8904 system.

8905 (4) (a) An applicant for licensure must:

8906 1. Complete have at least 150 semester hours of college  
8907 education, including a baccalaureate or higher degree conferred  
8908 by an accredited college or university, with a concentration in  
8909 accounting and business as prescribed by the department; in the  
8910 total educational program to the extent specified by the board.

8911 2. Hold a master's degree in accounting or finance  
8912 conferred by an accredited college or university with a  
8913 concentration in accounting and business as prescribed by the  
8914 department;

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8915 3. Hold a baccalaureate degree in accounting or finance  
8916 conferred by an accredited college or university with a  
8917 concentration in accounting and business as prescribed by the  
8918 department; or

8919 4. Hold a baccalaureate degree in any major course of  
8920 study conferred by an accredited college or university and have  
8921 completed coursework required for a concentration in accounting  
8922 and business as prescribed by the department.

8923 (b) The department shall prescribe the coursework required  
8924 for a concentration in accounting and business. The department  
8925 may deem that an applicant has satisfied requirements for such  
8926 coursework if the applicant receives a baccalaureate or higher  
8927 degree in accounting or finance conferred by an accredited  
8928 college or university in a state or territory of the United  
8929 States. An applicant receiving a baccalaureate or higher degree  
8930 with a major course of study other than accounting or finance  
8931 must complete the coursework required for a concentration in  
8932 accounting and business as prescribed by the department.

8933 (5) (a) An applicant for licensure who completes the  
8934 education requirements under subparagraph (4) (a)1. or  
8935 subparagraph (4) (a)2. ~~after December 31, 2008,~~ must show that he  
8936 ~~or she has had~~ 1 year of work experience. An applicant who  
8937 completes the education requirements under subparagraph (4) (a)3.  
8938 or subparagraph (4) (a)4. must show 2 years of work experience.

8939 (b) The work experience under paragraph (a) This

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8940 ~~experience~~ shall include providing any type of service or advice  
8941 involving the use of accounting, attest, compilation, management  
8942 advisory, financial advisory, tax, or consulting skills, all of  
8943 which must be verified by a certified public accountant who is  
8944 licensed by a state or territory of the United States. This  
8945 experience is acceptable if it was gained through employment in  
8946 government, industry, academia, or public practice; constituted  
8947 a substantial part of the applicant's duties; and was verified  
8948 by a certified public accountant licensed by a state or  
8949 territory of the United States.

8950 (c) The department board shall adopt rules specifying  
8951 standards and providing for the review and approval of the work  
8952 experience required by this subsection ~~section~~.

8953 ~~(d)(b)~~ However, an applicant who completed the  
8954 requirements of subsection (4) on or before December 31, 2008,  
8955 and who passes the licensure examination on or before June 30,  
8956 2010, is exempt from the requirements of this subsection.

8957 (6)(a) An applicant for licensure must ~~shall~~ show that she  
8958 or he ~~the applicant~~ has good moral character. For purposes of  
8959 this paragraph, the term

8960 ~~(7)(a)~~ "good moral character" means a personal history of  
8961 honesty, fairness, and respect for the rights of others and for  
8962 the laws of this state and nation.

8963 (b) The department board may refuse to certify an  
8964 applicant for failure to satisfy this requirement if:

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8965 1. The department board finds a reasonable relationship  
8966 between the lack of good moral character of the applicant and  
8967 the professional responsibilities of a certified public  
8968 accountant; and

8969 2. The finding by the department board of lack of good  
8970 moral character is supported by competent substantial evidence.

8971 (c) When an applicant is found to be unqualified for a  
8972 license because of a lack of good moral character, the  
8973 department board shall furnish to the applicant a statement  
8974 containing the findings of the department board, a complete  
8975 record of the evidence upon which the determination was based,  
8976 and a notice of the rights of the applicant to a rehearing and  
8977 appeal.

8978 ~~(7)-(8)~~ The department board shall certify as qualified for  
8979 a license by endorsement an applicant who:

8980 (a) Is not licensed and has not been licensed in any state  
8981 or territory and who has met the requirements of this section  
8982 for education, work experience, and good moral character and has  
8983 passed a national, regional, state, or territorial licensing  
8984 examination that is substantially equivalent to the examination  
8985 required by s. 473.306; or

8986 ~~(b)1.~~ holds an active a valid license as a certified  
8987 public accountant to practice public accounting issued by  
8988 another state or a territory of the United States, if the  
8989 applicant has maintained good moral character and, at the time

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8990 of licensure by such other state or territory, the applicant was  
8991 required to show evidence of having obtained at least a  
8992 baccalaureate degree from an accredited college or university  
8993 and having passed the Uniform CPA Examination ~~criteria for~~  
8994 ~~issuance of such license were substantially equivalent to the~~  
8995 ~~licensure criteria that existed in this state at the time the~~  
8996 ~~license was issued;~~

8997 ~~2. Holds a valid license to practice public accounting~~  
8998 ~~issued by another state or territory of the United States but~~  
8999 ~~the criteria for issuance of such license did not meet the~~  
9000 ~~requirements of subparagraph 1.; has met the requirements of~~  
9001 ~~this section for education, work experience, and good moral~~  
9002 ~~character; and has passed a national, regional, state, or~~  
9003 ~~territorial licensing examination that is substantially~~  
9004 ~~equivalent to the examination required by s. 473.306; or~~

9005 ~~3. Holds a valid license to practice public accounting~~  
9006 ~~issued by another state or territory of the United States for at~~  
9007 ~~least 10 years before the date of application; has passed a~~  
9008 ~~national, regional, state, or territorial licensing examination~~  
9009 ~~that is substantially equivalent to the examination required by~~  
9010 ~~s. 473.306; and has met the requirements of this section for~~  
9011 ~~good moral character.~~

9012 ~~(9) If the applicant has at least 5 years of experience in~~  
9013 ~~the practice of public accountancy in the United States or in~~  
9014 ~~the practice of public accountancy or its equivalent in a~~

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9015 ~~foreign country that the International Qualifications Appraisal~~  
9016 ~~Board of the National Association of State Boards of Accountancy~~  
9017 ~~has determined has licensure standards that are substantially~~  
9018 ~~equivalent to those in the United States, or has at least 5~~  
9019 ~~years of work experience that meets the requirements of~~  
9020 ~~subsection (5), the board must waive the requirements of~~  
9021 ~~subsection (4) which are in excess of a baccalaureate degree.~~  
9022 ~~All experience that is used as a basis for waiving the~~  
9023 ~~requirements of subsection (4) must be while licensed as a~~  
9024 ~~certified public accountant by another state or territory of the~~  
9025 ~~United States or while licensed in the practice of public~~  
9026 ~~accountancy or its equivalent in a foreign country that the~~  
9027 ~~International Qualifications Appraisal Board of the National~~  
9028 ~~Association of State Boards of Accountancy has determined has~~  
9029 ~~licensure standards that are substantially equivalent to those~~  
9030 ~~in the United States. The board shall have the authority to~~  
9031 ~~establish the standards for experience that meet this~~  
9032 ~~requirement.~~

9033 ~~(8)-(10)~~ The department board may refuse to certify for  
9034 licensure any applicant who is under investigation in another  
9035 state for any act that would constitute a violation of this act  
9036 or chapter 455, until such time as the investigation is complete  
9037 and disciplinary proceedings are ~~have been~~ terminated.

9038 **Section 277. Section 473.3085, Florida Statutes, is**  
9039 **created to read:**

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9040 473.3085 Licensure of international applicants.-

9041 (1) An international applicant who seeks licensure as a  
9042 certified public accountant in this state must meet the  
9043 requirements for education, work experience, and good moral  
9044 character under s. 473.308.

9045 (2) An applicant must apply to the department for  
9046 licensure.

9047 (3) An international applicant must create and maintain an  
9048 online account with the department and provide an e-mail address  
9049 to function as the primary means of contact for all  
9050 communication from the department. An applicant must submit any  
9051 change in e-mail address within 30 days after the change. All  
9052 changes must be submitted through the department's online  
9053 system.

9054 (4) The department shall certify for licensure any  
9055 applicant who satisfies the requirements of subsections (1) and  
9056 (2), except the department may refuse to certify an applicant  
9057 who has violated s. 473.322.

9058 (5) The department shall adopt rules to implement this  
9059 section.

9060 **Section 278. Effective January 1, 2026, subsections (1),**  
9061 **(3), and (4) of section 473.3141, Florida Statutes, are amended**  
9062 **to read:**

9063 473.3141 Certified public accountants licensed in other  
9064 states.-

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9065 (1) ~~Except as otherwise provided in this chapter,~~ An  
9066 individual who holds an active license in good standing as a  
9067 certified public accountant in another state or a territory of  
9068 the United States and who does not have an office in this state  
9069 has the privileges of Florida certified public accountants and  
9070 may provide public accounting services in this state without  
9071 obtaining a license under this chapter or notifying or  
9072 registering with the department board or paying a fee if, at the  
9073 time of licensure by such other state or territory, the  
9074 individual was required to show evidence of having obtained at  
9075 least a baccalaureate degree and having passed the Uniform CPA  
9076 Examination.

9077 ~~(a) Holds a valid license as a certified public accountant~~  
9078 ~~from a state that the board or its designee has determined by~~  
9079 ~~rule to have adopted standards that are substantially equivalent~~  
9080 ~~to the certificate requirements in s. 5 of the Uniform~~  
9081 ~~Accountancy Act in the issuance of licenses; or~~

9082 ~~(b) Holds a valid license as a certified public accountant~~  
9083 ~~from a state that has not been approved by the board as having~~  
9084 ~~adopted standards in substantial equivalence with s. 5 of the~~  
9085 ~~Uniform Accountancy Act, but obtains verification from the~~  
9086 ~~board, or its designee, as determined by rule, that the~~  
9087 ~~individual's certified public accountant qualifications are~~  
9088 ~~substantially equivalent to the certificate requirements in s. 5~~  
9089 ~~of the Uniform Accountancy Act.~~

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9090  
9091 The department board shall define by rule what constitutes an  
9092 office.

9093 (3) An individual certified public accountant from another  
9094 state or a territory of the United States who practices pursuant  
9095 to this section, and the firm that employs that individual,  
9096 shall both consent, as a condition of the privilege of  
9097 practicing in this state:

9098 (a) To the ~~personal and subject matter~~ jurisdiction and  
9099 disciplinary authority of the department board;

9100 (b) To comply with this chapter and the applicable  
9101 department board rules;

9102 (c) That if the individual's license as a certified public  
9103 accountant from another the state or a territory of the United  
9104 States becomes invalid ~~of the individual's principal place of~~  
9105 ~~business is no longer valid~~, the individual must ~~will~~ cease  
9106 offering or rendering public accounting services in this state,  
9107 individually and on behalf of a firm; and

9108 (d) To the appointment of the department ~~state board~~ that  
9109 issued the individual's license as the agent upon whom process  
9110 may be served in any action or proceeding by the ~~board or~~  
9111 department against the individual or firm.

9112 (4) An individual who qualifies to practice under this  
9113 section may perform the services identified in s. 473.302(7)(a)  
9114 ~~s. 473.302(8)(a)~~ only through a firm that has obtained a license

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9115 issued under s. 473.3101 or is authorized by s. 473.3101 to  
9116 provide such services.

9117 **Section 279. Subsections (2), (8), and (9) of section**  
9118 **476.184, Florida Statutes, are amended, and subsection (11) is**  
9119 **added to that section, to read:**

9120 476.184 Barbershop licensure; requirements; fee;  
9121 inspection; license display.—

9122 (2) The department board shall adopt rules governing the  
9123 licensure and operation of a barbershop and its facilities,  
9124 personnel, safety and sanitary requirements, and the license  
9125 application and granting process.

9126 (8) Renewal of license registration for barbershops shall  
9127 be accomplished pursuant to rules adopted by the department  
9128 ~~board~~. The department board is further authorized to adopt rules  
9129 governing delinquent renewal of licenses and may impose penalty  
9130 fees for delinquent renewal.

9131 (9) The department board is authorized to adopt rules  
9132 governing the operation and periodic inspection of barbershops  
9133 licensed under this chapter.

9134 (11) (a) The department shall adopt rules governing the  
9135 licensure, operation, and inspection of mobile barbershops,  
9136 including their facilities, personnel, and safety and sanitary  
9137 requirements.

9138 (b) Each mobile barbershop must comply with all licensure  
9139 and operating requirements specified in this chapter, chapter

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9140 455, or rules of the department that apply to barbershops at  
9141 fixed locations, except to the extent that such requirements  
9142 conflict with this subsection or rules adopted pursuant to this  
9143 subsection.

9144 (c) A mobile barbershop must maintain a permanent business  
9145 address, located in the inspection area of the local department  
9146 office, at which records of appointments, itineraries, license  
9147 numbers of employees, and vehicle identification numbers of the  
9148 licenseholder's mobile barbershop shall be kept and made  
9149 available for verification purposes by department personnel, and  
9150 at which correspondence from the department can be received.

9151 (d) To facilitate periodic inspections of a mobile  
9152 barbershop, before the beginning of each month each mobile  
9153 barbershop licenseholder must file with the department a written  
9154 monthly itinerary listing the locations where and the dates and  
9155 hours when the mobile barbershop will be operating.

9156 (e) The licenseholder must comply with all local laws and  
9157 ordinances regulating business establishments, with all  
9158 applicable requirements of the Americans with Disabilities Act  
9159 relating to accommodations for persons with disabilities, and  
9160 with all applicable requirements of the Occupational Safety and  
9161 Health Administration.

9162 **Section 280. Section 476.188, Florida Statutes, is amended**  
9163 **to read:**

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9164 476.188 Barber services to be performed in a licensed  
9165 ~~registered~~ barbershop; exception.—

9166 (1) Barber services shall be performed only by licensed  
9167 barbers in licensed ~~registered~~ barbershops, except as otherwise  
9168 provided in this section.

9169 (2) Pursuant to rules established by the department board,  
9170 barber services may be performed by a licensed barber in a  
9171 location other than a licensed ~~registered~~ barbershop, including,  
9172 but not limited to, a nursing home, hospital, or residence, when  
9173 a client for reasons of ill health is unable to go to a licensed  
9174 ~~registered~~ barbershop. Arrangements for the performance of  
9175 barber services in a location other than a licensed ~~registered~~  
9176 barbershop may shall be made only through a licensed ~~registered~~  
9177 barbershop. However, a barber may shampoo, cut, or arrange hair  
9178 in a location other than a licensed ~~registered~~ barbershop  
9179 without such arrangements.

9180 (3) Any person who holds a valid barber's license in any  
9181 state or who is authorized to practice barbering in any country,  
9182 territory, or jurisdiction of the United States may perform  
9183 barber services in a location other than a licensed ~~registered~~  
9184 barbershop when such services are performed in connection with  
9185 the motion picture, fashion photography, theatrical, or  
9186 television industry; a manufacturer trade show demonstration; or  
9187 an educational seminar.

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9188           (4) Pursuant to rules adopted by the department, the  
9189 practice of barbering may be performed in a location other than  
9190 a licensed barbershop when performed in connection with a  
9191 special event and by a person who holds the proper license.

9192           **Section 281. Subsections (1) through (7) of section**  
9193 **481.213, Florida Statutes, are amended to read:**

9194           481.213 Licensure and registration.—

9195           (1) The department shall license or register any applicant  
9196 who ~~the board certifies~~ is certified and qualified for licensure  
9197 or registration and who has paid the initial licensure or  
9198 registration fee. Licensure as an architect under this section  
9199 shall be deemed to include all the rights and privileges of  
9200 registration as an interior designer under this section.

9201           (2) The department ~~board~~ shall certify for licensure ~~or~~  
9202 ~~registration~~ by examination any applicant who passes the  
9203 prescribed licensure or registration examination and satisfies  
9204 the requirements of ss. 481.209 and 481.211, for architects, or  
9205 the requirements of s. 481.209, for interior designers.

9206           (3) The department ~~board~~ shall certify as qualified for a  
9207 license by endorsement as an architect or registration as a  
9208 registered interior designer an applicant who:

9209           (a) Qualifies to take the prescribed licensure or  
9210 registration examination, and has passed the prescribed  
9211 licensure or registration examination or a substantially  
9212 equivalent examination in another jurisdiction, as set forth in

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9213 s. 481.209 for architects or registered interior designers, as  
9214 applicable, and has satisfied the internship requirements set  
9215 forth in s. 481.211 for architects;

9216 (b) Holds a valid license to practice architecture or a  
9217 license, registration, or certification to practice interior  
9218 design issued by another jurisdiction of the United States, if  
9219 the criteria for issuance of such license were substantially  
9220 equivalent to the licensure criteria that existed in this state  
9221 at the time the license was issued; or

9222 (c) Has passed the prescribed licensure examination and  
9223 Holds a valid certificate issued by the National Council of  
9224 Architectural Registration Boards, and holds a valid license to  
9225 practice architecture issued by another state, another ~~or~~  
9226 jurisdiction of the United States, or a foreign jurisdiction  
9227 approved by the department.

9228  
9229 An architect who is licensed in another state, another  
9230 jurisdiction of the United States, or a foreign jurisdiction  
9231 approved by the department who seeks qualification for licensure  
9232 ~~license~~ by endorsement under this subsection must complete a 2-  
9233 hour class approved by the department ~~board~~ on wind mitigation  
9234 techniques.

9235 (4) The department ~~board~~ may refuse to certify any  
9236 applicant who has violated any of the provisions of s. 481.223,

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9237 s. 481.225, ~~s. 481.223~~, ~~s. 481.225~~, or s. 481.2251, as  
9238 applicable.

9239 (5) The department ~~board~~ may refuse to certify any  
9240 applicant who is under investigation in any jurisdiction for any  
9241 act which would constitute a violation of this part or of  
9242 chapter 455 until such time as the investigation is complete and  
9243 disciplinary proceedings have been terminated.

9244 (6) The department ~~board~~ shall adopt rules to implement  
9245 the provisions of this part relating to the examination,  
9246 internship, and licensure of applicants.

9247 (7) For persons whose licensure requires satisfaction of  
9248 the requirements of ss. 481.209 and 481.211, the department  
9249 ~~board~~ shall, by rule, establish qualifications for certification  
9250 of such persons as special inspectors of threshold buildings, as  
9251 defined in ss. 553.71 and 553.79, and shall compile a list of  
9252 persons who are certified. A special inspector is not required  
9253 to meet standards for certification other than those established  
9254 by the department ~~board~~, and the fee owner of a threshold  
9255 building may not be prohibited from selecting any person  
9256 certified by the department ~~board~~ to be a special inspector. The  
9257 department ~~board~~ shall develop minimum qualifications for the  
9258 qualified representative of the special inspector who is  
9259 authorized under s. 553.79 to perform inspections of threshold  
9260 buildings on behalf of the special inspector.

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9261           **Section 282. Paragraph (b) of subsection (6), paragraph**  
9262 **(1) of subsection (8), paragraphs (a) and (d) of subsection (9),**  
9263 **and subsection (15) of section 499.012, Florida Statutes, are**  
9264 **amended, to read:**

9265           499.012 Permit application requirements.—

9266           (6) A permit issued by the department is nontransferable.  
9267 Each permit is valid only for the person or governmental unit to  
9268 which it is issued and is not subject to sale, assignment, or  
9269 other transfer, voluntarily or involuntarily; nor is a permit  
9270 valid for any establishment other than the establishment for  
9271 which it was originally issued.

9272           (b)1. An application for a new permit is required when a  
9273 majority of the ownership or controlling interest of a permitted  
9274 establishment is transferred or assigned or when a lessee agrees  
9275 to undertake or provide services to the extent that legal  
9276 liability for operation of the establishment will rest with the  
9277 lessee. The application for the new permit must be made within  
9278 30 days after ~~before~~ the date of the sale, transfer, assignment,  
9279 or lease.

9280           2. A permittee that is authorized to distribute  
9281 prescription drugs may transfer such drugs to the new owner or  
9282 lessee under subparagraph 1. only after the new owner or lessee  
9283 has been approved for a permit to distribute prescription drugs.  
9284

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9285 The department may revoke the permit of any person that fails to  
9286 comply with the requirements of this subsection.

9287 (8) An application for a permit or to renew a permit for a  
9288 prescription drug wholesale distributor or an out-of-state  
9289 prescription drug wholesale distributor submitted to the  
9290 department must include:

9291 (1) ~~The name of each of the applicant's designated~~  
9292 ~~representatives as required by subsection (15), together with~~  
9293 The personal information statement and fingerprints required  
9294 pursuant to subsection (9) for each such person.

9295 (9) (a) Each person required by subsection (8) ~~or~~  
9296 ~~subsection (15)~~ to provide a personal information statement and  
9297 fingerprints shall provide the following information to the  
9298 department on forms prescribed by the department:

9299 1. The person's places of residence for the past 7 years.

9300 2. The person's date and place of birth.

9301 3. The person's occupations, positions of employment, and  
9302 offices held during the past 7 years.

9303 4. The principal business and address of any business,  
9304 corporation, or other organization in which each such office of  
9305 the person was held or in which each such occupation or position  
9306 of employment was carried on.

9307 5. Whether the person has been, during the past 7 years,  
9308 the subject of any proceeding for the revocation of any license

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9309 and, if so, the nature of the proceeding and the disposition of  
9310 the proceeding.

9311 6. Whether, during the past 7 years, the person has been  
9312 enjoined, temporarily or permanently, by a court of competent  
9313 jurisdiction from violating any federal or state law regulating  
9314 the possession, control, or distribution of prescription drugs,  
9315 together with details concerning any such event.

9316 7. A description of any involvement by the person with any  
9317 business, including any investments, other than the ownership of  
9318 stock in a publicly traded company or mutual fund, during the  
9319 past 4 years, which manufactured, administered, prescribed,  
9320 distributed, or stored pharmaceutical products and any lawsuits  
9321 in which such businesses were named as a party.

9322 8. A description of any felony criminal offense of which  
9323 the person, as an adult, was found guilty, regardless of whether  
9324 adjudication of guilt was withheld or whether the person pled  
9325 guilty or nolo contendere. A criminal offense committed in  
9326 another jurisdiction which would have been a felony in this  
9327 state must be reported. If the person indicates that a criminal  
9328 conviction is under appeal and submits a copy of the notice of  
9329 appeal of that criminal offense, the applicant must, within 15  
9330 days after the disposition of the appeal, submit to the  
9331 department a copy of the final written order of disposition.

9332 9. A photograph of the person taken in the previous 180  
9333 days.

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9334 10. A set of fingerprints for the person on a form and  
9335 under procedures specified by the department, together with  
9336 payment of an amount equal to the costs incurred by the  
9337 department for the criminal record check of the person.

9338 11. The name, address, occupation, and date and place of  
9339 birth for each member of the person's immediate family who is 18  
9340 years of age or older. As used in this subparagraph, the term  
9341 "member of the person's immediate family" includes the person's  
9342 spouse, children, parents, siblings, the spouses of the person's  
9343 children, and the spouses of the person's siblings.

9344 12. Any other relevant information that the department  
9345 requires.

9346 (d) For purposes of applying for renewal of a permit under  
9347 subsection (8) ~~or certification under subsection (15)~~, a person  
9348 may submit the following in lieu of satisfying the requirements  
9349 of paragraphs (a), (b), and (c):

9350 1. A photograph of the individual taken within 180 days;  
9351 and

9352 2. A copy of the personal information statement form most  
9353 recently submitted to the department and a certification under  
9354 oath, on a form specified by the department, that the individual  
9355 has reviewed the previously submitted personal information  
9356 statement form and that the information contained therein  
9357 remains unchanged.

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9358 ~~(15) (a) Each establishment that is issued an initial or~~  
9359 ~~renewal permit as a prescription drug wholesale distributor or~~  
9360 ~~an out-of-state prescription drug wholesale distributor must~~  
9361 ~~designate in writing to the department at least one natural~~  
9362 ~~person to serve as the designated representative of the~~  
9363 ~~wholesale distributor. Such person must have an active~~  
9364 ~~certification as a designated representative from the~~  
9365 ~~department.~~

9366 ~~(b) To be certified as a designated representative, a~~  
9367 ~~natural person must:~~

9368 ~~1. Submit an application on a form furnished by the~~  
9369 ~~department and pay the appropriate fees.~~

9370 ~~2. Be at least 18 years of age.~~

9371 ~~3. Have at least 2 years of verifiable full-time:~~

9372 ~~a. Work experience in a pharmacy licensed in this state or~~  
9373 ~~another state, where the person's responsibilities included, but~~  
9374 ~~were not limited to, recordkeeping for prescription drugs;~~

9375 ~~b. Managerial experience with a prescription drug~~  
9376 ~~wholesale distributor licensed in this state or in another~~  
9377 ~~state;~~

9378 ~~c. Managerial experience with the United States Armed~~  
9379 ~~Forces, where the person's responsibilities included, but were~~  
9380 ~~not limited to, recordkeeping, warehousing, distributing, or~~  
9381 ~~other logistics services pertaining to prescription drugs;~~

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9382 ~~d. Managerial experience with a state or federal~~  
9383 ~~organization responsible for regulating or permitting~~  
9384 ~~establishments involved in the distribution of prescription~~  
9385 ~~drugs, whether in an administrative or a sworn law enforcement~~  
9386 ~~capacity; or~~

9387 ~~e. Work experience as a drug inspector or investigator~~  
9388 ~~with a state or federal organization, whether in an~~  
9389 ~~administrative or a sworn law enforcement capacity, where the~~  
9390 ~~person's responsibilities related primarily to compliance with~~  
9391 ~~state or federal requirements pertaining to the distribution of~~  
9392 ~~prescription drugs.~~

9393 ~~4. Receive a passing score of at least 75 percent on an~~  
9394 ~~examination given by the department regarding federal laws~~  
9395 ~~governing distribution of prescription drugs and this part and~~  
9396 ~~the rules adopted by the department governing the wholesale~~  
9397 ~~distribution of prescription drugs. This requirement shall be~~  
9398 ~~effective 1 year after the results of the initial examination~~  
9399 ~~are mailed to the persons that took the examination. The~~  
9400 ~~department shall offer such examinations at least four times~~  
9401 ~~each calendar year.~~

9402 ~~5. Provide the department with a personal information~~  
9403 ~~statement and fingerprints pursuant to subsection (9).~~

9404 ~~(c) The department may deny an application for~~  
9405 ~~certification as a designated representative or may suspend or~~

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9406 ~~revoke a certification of a designated representative pursuant~~  
9407 ~~to s. 499.067.~~

9408 ~~(d) A designated representative:~~

9409 ~~1. Must be actively involved in and aware of the actual~~  
9410 ~~daily operation of the wholesale distributor.~~

9411 ~~2. Must be employed full time in a managerial position by~~  
9412 ~~the wholesale distributor.~~

9413 ~~3. Must be physically present at the establishment during~~  
9414 ~~normal business hours, except for time periods when absent due~~  
9415 ~~to illness, family illness or death, scheduled vacation, or~~  
9416 ~~other authorized absence.~~

9417 ~~4. May serve as a designated representative for only one~~  
9418 ~~wholesale distributor at any one time.~~

9419 ~~(e) A wholesale distributor must notify the department~~  
9420 ~~when a designated representative leaves the employ of the~~  
9421 ~~wholesale distributor. Such notice must be provided to the~~  
9422 ~~department within 10 business days after the last day of~~  
9423 ~~designated representative's employment with the wholesale~~  
9424 ~~distributor.~~

9425 ~~(f) A wholesale distributor may not operate under a~~  
9426 ~~prescription drug wholesale distributor permit or an out-of-~~  
9427 ~~state prescription drug wholesale distributor permit for more~~  
9428 ~~than 10 business days after the designated representative leaves~~  
9429 ~~the employ of the wholesale distributor, unless the wholesale~~  
9430 ~~distributor employs another designated representative and~~

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9431 ~~notifies the department within 10 business days of the identity~~  
9432 ~~of the new designated representative.~~

9433 **Section 283. Subsection (9) of section 499.0121, Florida**  
9434 **Statutes, is amended to read:**

9435 499.0121 Storage and handling of prescription drugs;  
9436 recordkeeping.—The department shall adopt rules to implement  
9437 this section as necessary to protect the public health, safety,  
9438 and welfare. Such rules shall include, but not be limited to,  
9439 requirements for the storage and handling of prescription drugs  
9440 and for the establishment and maintenance of prescription drug  
9441 distribution records.

9442 (9) RESPONSIBLE PERSONS.—Wholesale distributors must  
9443 establish and maintain lists of officers, directors, managers,  
9444 ~~designated representatives~~, and other persons in charge of  
9445 wholesale drug distribution, storage, and handling, including a  
9446 description of their duties and a summary of their  
9447 qualifications.

9448 **Section 284. Subsection (9) of section 499.041, Florida**  
9449 **Statutes, is amended to read:**

9450 499.041 Schedule of fees for drug, device, and cosmetic  
9451 applications and permits, product registrations, and free-sale  
9452 certificates.—

9453 ~~(9) The department shall assess each person applying for~~  
9454 ~~certification as a designated representative a fee of \$150, plus~~  
9455 ~~the cost of processing the criminal history record check.~~

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9456           **Section 285. Subsection (1) of section 509.261, Florida**  
9457 **Statutes, is amended to read:**

9458           509.261 Revocation or suspension of licenses; fines;  
9459 procedure.—

9460           (1) Any public lodging establishment or public food  
9461 service establishment that has operated or is operating in  
9462 violation of this chapter or the rules of the division,  
9463 operating in violation of s. 581.217(7), relating to the retail  
9464 sale of products containing hemp extract intended for human  
9465 ingestion or inhalation, operating without a license, or  
9466 operating with a suspended or revoked license may be subject by  
9467 the division to:

9468           (a) Fines not to exceed \$1,000 per offense;

9469           (b) Mandatory completion, at personal expense, of a  
9470 remedial educational program administered by a food safety  
9471 training program provider approved by the division, as provided  
9472 in s. 509.049; and

9473           (c) The suspension, revocation, or refusal of a license  
9474 issued pursuant to this chapter.

9475           **Section 286. Section 569.002, Florida Statutes, is**  
9476 **reordered, to read:**

9477           569.002 Definitions.—As used in this part, the term:

9478           (1) "Any person under the age of 21" does not include any  
9479 person under the age of 21 who:

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9480 (a) Is in the military reserve or on active duty in the  
9481 Armed Forces of the United States; or

9482 (b) Is acting in his or her scope of lawful employment  
9483 with an entity licensed under chapter 210 or this part.

9484 (2)(1) "Dealer" is synonymous with the term "retail  
9485 tobacco products dealer."

9486 (3)(2) "Division" means the Division of Alcoholic  
9487 Beverages and Tobacco of the Department of Business and  
9488 Professional Regulation.

9489 ~~(3) "Nicotine product" has the same meaning as in s.~~  
9490 ~~569.31.~~

9491 (4) "Nicotine dispensing device" has the same meaning as  
9492 in s. 569.31.

9493 (5) "Nicotine product" has the same meaning as in s.  
9494 569.31.

9495 (6)(5) "Permit" is synonymous with the term "retail  
9496 tobacco products dealer permit."

9497 (7)(6) "Retail tobacco products dealer" means the holder  
9498 of a retail tobacco products dealer permit.

9499 (8)(7) "Retail tobacco products dealer permit" means a  
9500 permit issued by the division pursuant to s. 569.003.

9501 (9)(8) "Tobacco products" includes loose tobacco leaves,  
9502 and products made from tobacco leaves, in whole or in part, and  
9503 cigarette wrappers, which can be used for smoking, sniffing, or  
9504 chewing.

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9505 ~~(9) "Any person under the age of 21" does not include any~~  
9506 ~~person under the age of 21 who:~~

9507 ~~(a) Is in the military reserve or on active duty in the~~  
9508 ~~Armed Forces of the United States; or~~

9509 ~~(b) Is acting in his or her scope of lawful employment~~  
9510 ~~with an entity licensed under the provisions of chapter 210 or~~  
9511 ~~this part.~~

9512 **Section 287. Section 569.006, Florida Statutes, is amended**  
9513 **to read:**

9514 569.006 Retail tobacco products dealers; administrative  
9515 penalties.—The division may suspend or revoke the permit of the  
9516 dealer upon sufficient cause appearing of the violation of ~~any~~  
9517 ~~of the provisions of~~ this chapter, or any violation of the laws  
9518 of this state or any state or territory of the United States  
9519 ~~including part II of this chapter~~ if the dealer deals, at  
9520 retail, in nicotine products within this ~~the~~ state or allows a  
9521 nicotine products vending machine to be located on its premises  
9522 within this ~~the~~ state, by a dealer or by a dealer's agent or  
9523 employee. The division may also assess and accept administrative  
9524 fines of up to \$1,000 against a dealer for each violation. The  
9525 division shall deposit all fines collected into the General  
9526 Revenue Fund as collected. An order imposing an administrative  
9527 fine becomes effective 15 days after the date of the order. The  
9528 division may suspend the imposition of a penalty against a

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9529 dealer, conditioned upon the dealer's compliance with terms the  
9530 division considers appropriate.

9531 **Section 288. Section 569.35, Florida Statutes, is amended**  
9532 **to read:**

9533 569.35 Retail nicotine product dealers; administrative  
9534 penalties.—The division may suspend or revoke the permit of a  
9535 dealer, including the retail tobacco products dealer permit of a  
9536 retail tobacco products dealer as defined in s. 569.002 ~~s.~~  
9537 ~~569.002(4)~~, upon sufficient cause appearing of the violation of  
9538 any of the provisions of this part or any violation of the laws  
9539 of this state or any state or territory of the United States, by  
9540 a dealer, or by a dealer's agent or employee. The division may  
9541 also assess and accept an administrative fine of up to \$1,000  
9542 against a dealer for each violation. The division shall deposit  
9543 all fines collected into the General Revenue Fund as collected.  
9544 An order imposing an administrative fine becomes effective 15  
9545 days after the date of the order. The division may suspend the  
9546 imposition of a penalty against a dealer, conditioned upon the  
9547 dealer's compliance with terms the division considers  
9548 appropriate.

9549 **Section 289. Paragraphs (e), (f), and (g) of subsection**  
9550 **(3) of section 581.217, Florida Statutes, are redesignated as**  
9551 **paragraphs (f), (g), and (h), respectively, a new paragraph (e)**  
9552 **is added to that subsection, and paragraphs (e) and (f) are**  
9553 **added to subsection (11) of that section, to read:**

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9554 581.217 State hemp program.—

9555 (3) DEFINITIONS.—As used in this section, the term:

9556 (e) "Division" means the Division of Alcoholic Beverages  
9557 and Tobacco of the Department of Business and Professional  
9558 Regulation.

9559 (11) ENFORCEMENT.—

9560 (e) The division may assist any agent of the department in  
9561 enforcing subsection (7) and the rules adopted by the department  
9562 relating to the retail sale of products containing hemp extract  
9563 intended for human ingestion or inhalation.

9564 (f) The division is authorized to enter any public or  
9565 private premises during regular business hours in the  
9566 performance of its duties relating to the retail sale of  
9567 products containing hemp extract intended for human ingestion or  
9568 inhalation.

9569 **Section 290. Paragraph (a) of subsection (3) and paragraph**  
9570 **(c) of subsection (10) of section 20.60, Florida Statutes, are**  
9571 **amended, and paragraph (a) of subsection (5) of that section is**  
9572 **reenacted, to read:**

9573 20.60 Department of Commerce; creation; powers and  
9574 duties.—

9575 (3) (a) The following divisions and offices of the  
9576 Department of Commerce are established:

- 9577 1. The Division of Economic Development.  
9578 2. The Division of Community Development.

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- 9579 3. The Division of Workforce Services.
- 9580 4. The Division of Finance and Administration.
- 9581 5. The Division of Information Technology.
- 9582 6. The Office of the Secretary.
- 9583 7. The Office of Rural Prosperity.
- 9584 8. The Office of Economic Accountability and Transparency,
- 9585 which shall:
- 9586 a. Oversee the department's critical objectives as
- 9587 determined by the secretary and make sure that the department's
- 9588 key objectives are clearly communicated to the public.
- 9589 b. Organize department resources, expertise, data, and
- 9590 research to focus on and solve the complex economic challenges
- 9591 facing the state.
- 9592 c. Provide leadership for the department's priority issues
- 9593 that require integration of policy, management, and critical
- 9594 objectives from multiple programs and organizations internal and
- 9595 external to the department; and organize and manage external
- 9596 communication on such priority issues.
- 9597 d. Promote and facilitate key department initiatives to
- 9598 address priority economic issues and explore data and identify
- 9599 opportunities for innovative approaches to address such economic
- 9600 issues.
- 9601 e. Promote strategic planning for the department.

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9602 (5) The divisions within the department have specific  
9603 responsibilities to achieve the duties, responsibilities, and  
9604 goals of the department. Specifically:

9605 (a) The Division of Economic Development shall:

9606 1. Analyze and evaluate business prospects identified by  
9607 the Governor and the secretary.

9608 2. Administer certain tax refund, tax credit, and grant  
9609 programs created in law. Notwithstanding any other provision of  
9610 law, the department may expend interest earned from the  
9611 investment of program funds deposited in the Grants and  
9612 Donations Trust Fund to contract for the administration of those  
9613 programs, or portions of the programs, assigned to the  
9614 department by law, by the appropriations process, or by the  
9615 Governor. Such expenditures shall be subject to review under  
9616 chapter 216.

9617 3. Develop measurement protocols for the state incentive  
9618 programs and for the contracted entities which will be used to  
9619 determine their performance and competitive value to the state.  
9620 Performance measures, benchmarks, and sanctions must be  
9621 developed in consultation with the legislative appropriations  
9622 committees and the appropriate substantive committees, and are  
9623 subject to the review and approval process provided in s.  
9624 216.177. The approved performance measures, standards, and  
9625 sanctions shall be included and made a part of the strategic

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9626 plan for contracts entered into for delivery of programs  
9627 authorized by this section.

9628 4. Develop a 5-year statewide strategic plan. The  
9629 strategic plan must include, but need not be limited to:

9630 a. Strategies for the promotion of business formation,  
9631 expansion, recruitment, and retention through aggressive  
9632 marketing, attraction of venture capital and finance  
9633 development, domestic trade, international development, and  
9634 export assistance, which lead to more and better jobs and higher  
9635 wages for all geographic regions, disadvantaged communities, and  
9636 populations of the state, including rural areas, minority  
9637 businesses, and urban core areas.

9638 b. The development of realistic policies and programs to  
9639 further the economic diversity of the state, its regions, and  
9640 their associated industrial clusters.

9641 c. Specific provisions for the stimulation of economic  
9642 development and job creation in rural areas and midsize cities  
9643 and counties of the state, including strategies for rural  
9644 marketing and the development of infrastructure in rural areas.

9645 d. Provisions for the promotion of the successful long-  
9646 term economic development of the state with increased emphasis  
9647 in market research and information.

9648 e. Plans for the generation of foreign investment in the  
9649 state which create jobs paying above-average wages and which  
9650 result in reverse investment in the state, including programs

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9651 that establish viable overseas markets, assist in meeting the  
9652 financing requirements of export-ready firms, broaden  
9653 opportunities for international joint venture relationships, use  
9654 the resources of academic and other institutions, coordinate  
9655 trade assistance and facilitation services, and facilitate  
9656 availability of and access to education and training programs  
9657 that assure requisite skills and competencies necessary to  
9658 compete successfully in the global marketplace.

9659 f. The identification of business sectors that are of  
9660 current or future importance to the state's economy and to the  
9661 state's global business image, and development of specific  
9662 strategies to promote the development of such sectors.

9663 g. Strategies for talent development necessary in the  
9664 state to encourage economic development growth, taking into  
9665 account factors such as the state's talent supply chain,  
9666 education and training opportunities, and available workforce.

9667 h. Strategies and plans to support this state's defense,  
9668 space, and aerospace industries and the emerging complementary  
9669 business activities and industries that support the development  
9670 and growth of defense, space, and aerospace in this state.

9671 5. Update the strategic plan every 5 years.

9672 6. Involve CareerSource Florida, Inc.; direct-support  
9673 organizations of the department; local governments; the general  
9674 public; local and regional economic development organizations;  
9675 other local, state, and federal economic, international, and

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9676 workforce development entities; the business community; and  
9677 educational institutions to assist with the strategic plan.

9678 7. Coordinate with the Florida Tourism Industry Marketing  
9679 Corporation in the development of the 4-year marketing plan  
9680 pursuant to s. 288.1226(13).

9681 8. Administer and manage relationships, as appropriate,  
9682 with the entities and programs created pursuant to the Florida  
9683 Capital Formation Act, ss. 288.9621-288.96255.

9684 (10) The department shall, by November 1 of each year,  
9685 submit an annual report to the Governor, the President of the  
9686 Senate, and the Speaker of the House of Representatives on the  
9687 condition of the business climate and economic development in  
9688 the state.

9689 (c) The report must incorporate annual reports of other  
9690 programs, including:

9691 1. A detailed report of the performance of the Black  
9692 Business Loan Program and a cumulative summary of quarterly  
9693 report data required under s. 288.714.

9694 2. ~~The Rural Economic Development Initiative established~~  
9695 ~~under s. 288.0656.~~

9696 3. A detailed report of the performance of the Florida  
9697 Development Finance Corporation and a summary of the  
9698 corporation's report required under s. 288.9610.

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9699        ~~3.4.~~ Information provided by Space Florida under s.  
9700 331.3051 and an analysis of the activities and accomplishments  
9701 of Space Florida.

9702            **Section 291. Subsection (5) is added to section 163.3168,**  
9703 **Florida Statutes, to read:**

9704            163.3168 Planning innovations and technical assistance.—

9705            (5) When selecting applications for funding for technical  
9706 assistance, the state land planning agency shall give preference  
9707 to local governments located in a rural area of opportunity as  
9708 defined in s. 288.0656. The state land planning agency shall  
9709 consult with the Office of Rural Prosperity when awarding  
9710 funding pursuant to this section.

9711            **Section 292. Paragraph (h) of subsection (1) of section**  
9712 **215.971, Florida Statutes, is amended to read:**

9713            215.971 Agreements funded with federal or state  
9714 assistance.—

9715            (1) An agency agreement that provides state financial  
9716 assistance to a recipient or subrecipient, as those terms are  
9717 defined in s. 215.97, or that provides federal financial  
9718 assistance to a subrecipient, as defined by applicable United  
9719 States Office of Management and Budget circulars, must include  
9720 all of the following:

9721            (h)1. If the agency agreement provides federal or state  
9722 financial assistance to a county or municipality that is a rural  
9723 community or rural area of opportunity as those terms are

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9724 defined in s. 288.0656(2), a provision allowing the agency to  
9725 provide for the payment of invoices to the county, municipality,  
9726 or rural area of opportunity as that term is defined in s.  
9727 288.0656(2), for verified and eligible performance that has been  
9728 completed in accordance with the terms and conditions set forth  
9729 in the agreement. This provision is not intended to require  
9730 reimbursement to the county, municipality, or rural area of  
9731 opportunity for invoices paid, but to allow the agency to  
9732 provide for the payment of invoices due. The agency shall  
9733 expedite such payment requests in order to facilitate the timely  
9734 payment of invoices received by the county, municipality, or  
9735 rural area of opportunity. This provision is included to  
9736 alleviate the financial hardships that certain rural counties  
9737 and municipalities encounter when administering agreements, and  
9738 must be exercised by the agency when a county or municipality  
9739 demonstrates financial hardship, to the extent that federal or  
9740 state law, rule, or other regulation allows such payments. This  
9741 paragraph may not be construed to alter or limit any other  
9742 provisions of federal or state law, rule, or other regulation.

9743 2. By August 1, 2026, and each year thereafter, each state  
9744 agency shall report to the Office of Rural Prosperity  
9745 summarizing the implementation of this paragraph for the  
9746 preceding fiscal year. The Office of Rural Prosperity shall  
9747 summarize the information received pursuant to this paragraph in  
9748 its annual report as required in s. 288.013.

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9749           **Section 293. Section 218.67, Florida Statutes, is amended**  
9750 **to read:**

9751           218.67 Distribution for fiscally constrained counties.—

9752           (1) Each county ~~that is entirely within a rural area of~~  
9753 ~~opportunity as designated by the Governor pursuant to s.~~  
9754 ~~288.0656 or each county~~ for which the value of a mill will raise  
9755 no more than \$10 ~~\$5~~ million in revenue, based on the taxable  
9756 value certified pursuant to s. 1011.62(4)(a)1.a., from the  
9757 previous July 1, shall be considered a fiscally constrained  
9758 county.

9759           (2) Each fiscally constrained county government that  
9760 participates in the local government half-cent sales tax shall  
9761 be eligible to receive an additional distribution ~~from the Local~~  
9762 ~~Government Half-cent Sales Tax Clearing Trust Fund,~~ as provided  
9763 in s. 212.20(6)(d)6. ~~s. 202.18(2)(e)1.~~, in addition to its  
9764 regular monthly distribution provided under this part and any  
9765 emergency or supplemental distribution under s. 218.65.

9766           (3) The amount to be distributed to each fiscally  
9767 constrained county shall be determined by the Department of  
9768 Revenue at the beginning of the fiscal year, using the prior  
9769 fiscal year's sales and use tax collections from the most recent  
9770 fiscal year that reports 12 months of collections ~~July 1 taxable~~  
9771 ~~value certified pursuant to s. 1011.62(4)(a)1.a., tax data,~~  
9772 population as defined in s. 218.21, and the most current  
9773 calendar year per capita personal income published by the Bureau

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9774 of Economic Analysis of the United States Department of Commerce  
9775 ~~millage rate levied for the prior fiscal year. The amount~~  
9776 ~~distributed shall be allocated based upon the following factors:~~

9777 (a) The contribution-to-revenue ~~relative revenue-raising-~~  
9778 ~~capacity~~ factor for each participating county shall equal 100  
9779 multiplied by a quotient, the numerator of which is the county's  
9780 population and the denominator of which is the state sales and  
9781 use tax collections attributable to the county ~~be the ability of~~  
9782 ~~the eligible county to generate ad valorem revenues from 1 mill~~  
9783 ~~of taxation on a per capita basis. A county that raises no more~~  
9784 ~~than \$25 per capita from 1 mill shall be assigned a value of 1;~~  
9785 ~~a county that raises more than \$25 but no more than \$30 per~~  
9786 ~~capita from 1 mill shall be assigned a value of 0.75; and a~~  
9787 ~~county that raises more than \$30 but no more than \$50 per capita~~  
9788 ~~from 1 mill shall be assigned a value of 0.5. No value shall be~~  
9789 ~~assigned to counties that raise more than \$50 per capita from 1~~  
9790 ~~mill of ad valorem taxation.~~

9791 (b) The personal-income ~~local-effort~~ factor shall equal a  
9792 quotient, the numerator of which is the median per capita  
9793 personal income of participating counties and the denominator of  
9794 which is the county's per capita personal income ~~be a measure of~~  
9795 ~~the relative level of local effort of the eligible county as~~  
9796 ~~indicated by the millage rate levied for the prior fiscal year.~~  
9797 ~~The local-effort factor shall be the most recently adopted~~

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9798 ~~countywide operating millage rate for each eligible county~~  
9799 ~~multiplied by 0.1.~~

9800 (c) Each eligible county's proportional allocation of the  
9801 total amount available to be distributed to all of the eligible  
9802 counties shall be in the same proportion as the sum of the  
9803 county's two factors is to the sum of the two factors for all  
9804 eligible counties. The proportional rate computation must be  
9805 carried to the fifth decimal place, and the amount to distribute  
9806 to each county must be rounded to the next whole dollar amount.  
9807 The counties that are eligible to receive an allocation under  
9808 this subsection and the amount available to be distributed to  
9809 such counties do ~~shall~~ not include counties participating in the  
9810 phaseout period under subsection (4) or the amounts they remain  
9811 eligible to receive during the phaseout.

9812 (4) For those counties that no longer qualify under the  
9813 requirements of subsection (1) after the effective date of this  
9814 act, there shall be a 2-year phaseout period. Beginning on July  
9815 1 of the year following the year in which the value of a mill  
9816 for that county exceeds \$10 ~~\$5~~ million in revenue, the county  
9817 shall receive two-thirds of the amount received in the prior  
9818 year, and beginning on July 1 of the second year following the  
9819 year in which the value of a mill for that county exceeds \$10 ~~\$5~~  
9820 million in revenue, the county shall receive one-third of the  
9821 amount received in the last year that the county qualified as a  
9822 fiscally constrained county. Following the 2-year phaseout

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9823 period, the county ~~is shall~~ no longer be eligible to receive any  
9824 distributions under this section unless the county can be  
9825 considered a fiscally constrained county as provided in  
9826 subsection (1).

9827 (5) (a) The revenues received under this section must be  
9828 allocated ~~may be used~~ by a county to be used for the following  
9829 purposes:

9830 1. Fifty percent for public safety, including salary  
9831 expenditures for law enforcement officers or correctional  
9832 officers, as those terms are defined in s. 943.10(1) and (2),  
9833 respectively, firefighters as defined in s. 633.102, or  
9834 emergency medical technicians or paramedics as those terms are  
9835 defined in s. 401.23.

9836 2. Thirty percent for infrastructure needs.

9837 3. Twenty percent for any public purpose.

9838 (b) The revenues received under this section ~~any public~~  
9839 ~~purpose, except that such revenues~~ may not be used to pay debt  
9840 service on bonds, notes, certificates of participation, or any  
9841 other forms of indebtedness.

9842 **Section 294. Subsection (6) is added to section 288.0001,**  
9843 **Florida Statutes, to read:**

9844 288.0001 Economic Development Programs Evaluation.—The  
9845 Office of Economic and Demographic Research and the Office of  
9846 Program Policy Analysis and Government Accountability (OPPAGA)  
9847 shall develop and present to the Governor, the President of the

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9848 Senate, the Speaker of the House of Representatives, and the  
9849 chairs of the legislative appropriations committees the Economic  
9850 Development Programs Evaluation.

9851 (6) (a) The Office of Economic and Demographic Research and  
9852 OPPAGA shall prepare a report on the impact of the Florida  
9853 Statutes on rural communities. Specifically, the report must  
9854 include the following:

9855 1. A review of definitions in the Florida Statutes of  
9856 terms such as "rural community," "rural area of opportunity,"  
9857 and other similar terms used to define rural areas of this  
9858 state, including population-based references, to assess the  
9859 adequacy of the current statutory framework in defining these  
9860 areas. The analysis must include, but need not be limited to:

9861 a. Evaluation of whether current provisions properly  
9862 distinguish these communities or areas from more urban and  
9863 suburban parts of this state;

9864 b. Consideration of updates to the definitions and  
9865 references to classify additional rural areas, such as growing  
9866 communities, unincorporated areas, or rural communities by  
9867 design; and

9868 c. Study of appropriate metrics to be used to describe  
9869 rural communities or areas, such as population, geographic,  
9870 demographic, or other metrics, or combinations thereof.

9871 2. A survey of local governments meeting the statutory  
9872 definition of "rural community" or "rural area of opportunity"

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9873 to assess the benefits to the local government of being  
9874 identified as such and any perceived unmet needs in the  
9875 implementation of current statutory provisions designed to  
9876 support rural communities or areas.

9877 3. An analysis of state grant programs and recurring  
9878 appropriations that explicitly benefit rural communities or  
9879 areas, including, but not limited to, program purpose, funding  
9880 amounts, participation rates, and consistency with peer-reviewed  
9881 studies on effective economic programs for these areas.

9882 (b) Upon request, the Office of Economic and Demographic  
9883 Research and OPPAGA must be provided with all data necessary to  
9884 complete the report, including any confidential data, by any  
9885 entity with information related to this review. The offices may  
9886 collaborate on all data collection and analysis.

9887 (c) The Office of Economic and Demographic Research and  
9888 OPPAGA shall submit a report to the President of the Senate and  
9889 the Speaker of the House of Representatives by December 31,  
9890 2025. The report must provide recommendations to address any  
9891 findings, including any changes in statutory definitions or  
9892 references to rural communities or areas, opportunities to  
9893 enhance state support to rural communities or areas, outcome  
9894 measures or other criteria that may be used to examine the  
9895 effectiveness of state grant programs for rural communities or  
9896 areas, and adjustments to program design, including changes to

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9897 increase participation in state grant programs for rural  
9898 communities or areas.

9899 (d) This subsection expires July 1, 2026.

9900 **Section 295. Present paragraphs (d) and (e) of subsection**  
9901 **(7) of section 288.001, Florida Statutes, are redesignated as**  
9902 **paragraphs (e) and (f), respectively, and a new paragraph (d) is**  
9903 **added to that subsection, to read:**

9904 288.001 The Florida Small Business Development Center  
9905 Network.—

9906 (7) ADDITIONAL STATE FUNDS; USES; PAY-PER-PERFORMANCE  
9907 INCENTIVES; STATEWIDE SERVICE; SERVICE ENHANCEMENTS; BEST  
9908 PRACTICES; ELIGIBILITY.—

9909 (d) Notwithstanding paragraphs (a), (b), and (c), the  
9910 network shall use funds directly appropriated for the specific  
9911 purpose of expanding service in rural communities, as defined in  
9912 s. 288.0656, in addition to any funds allocated by the network  
9913 from other sources. The network shall use the funds to develop  
9914 an activity plan focused on network consultants and resources in  
9915 rural communities. In collaboration with regional economic  
9916 development organizations as defined in s. 288.018, the plan  
9917 must provide for either full- or part-time consultants to be  
9918 available for at least 20 hours per week in rural areas or be  
9919 permanently stationed in rural areas. This may include  
9920 establishing a circuit in specific rural locations to ensure the  
9921 consultants' availability on a regular basis. By using the funds

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9922 to create a regular presence in rural areas, the network can  
9923 strengthen community collaboration, raise awareness of available  
9924 resources to provide opportunities for new business development  
9925 or existing business growth, and make professional experience,  
9926 education, and business information available in these essential  
9927 communities. The network may dedicate funds to facilitate local  
9928 or regional events that focus on small business topics, provide  
9929 consulting services, and leverage partner organizations, such as  
9930 the regional economic development organizations, local workforce  
9931 development boards as described in s. 445.07, and Florida  
9932 College System institutions.

9933 **Section 296. Section 288.007, Florida Statutes, is amended**  
9934 **to read:**

9935 288.007 Inventory of communities seeking to recruit  
9936 businesses.—By September 30 of each year, a county or  
9937 municipality that has a population of at least 25,000 or its  
9938 local economic development organization, and each local  
9939 government within a rural area of opportunity as defined in s.  
9940 288.0656 or its local economic development organization, shall  
9941 ~~must~~ submit to the department a brief overview of the strengths,  
9942 services, and economic development incentives that its community  
9943 offers. The local government or its local economic development  
9944 organization also shall ~~must~~ identify any industries that it is  
9945 encouraging to locate or relocate to its area. Unless otherwise  
9946 required pursuant to this section, a county or municipality

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9947 having a population of 25,000 or less ~~fewer~~ or its local  
9948 economic development organization seeking to recruit businesses  
9949 may submit information as required in this section and may  
9950 participate in any activity or initiative resulting from the  
9951 collection, analysis, and reporting of the information to the  
9952 department pursuant to this section.

9953 **Section 297. Section 288.013, Florida Statutes, is created**  
9954 **to read:**

9955 288.013 Office of Rural Prosperity.-

9956 (1) The Legislature finds that the unique characteristics  
9957 and nature of the rural communities in this state are integral  
9958 to making this state an attractive place to visit, work, and  
9959 live. Further, the Legislature finds that building a prosperous  
9960 rural economy and vibrant rural communities is in the best  
9961 interest of this state. Rural prosperity is integral to  
9962 supporting this state's infrastructure, housing, and  
9963 agricultural and food-processing needs, as well as promoting the  
9964 health and advancement of the overall economy of this state. It  
9965 is of importance to the state that its rural areas are able to  
9966 grow, whether locally or in regional partnerships. To better  
9967 serve rural communities, and in recognition of rural Florida's  
9968 unique challenges and opportunities, the Office of Rural  
9969 Prosperity is established to ensure these efforts are  
9970 coordinated, focused, and effective.

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9971 (2) The Office of Rural Prosperity is created within the  
9972 Department of Commerce for the purpose of supporting rural  
9973 communities by helping rural stakeholders navigate available  
9974 programs and resources and representing rural interests across  
9975 state government.

9976 (3) The Governor shall appoint a director to lead the  
9977 office, subject to confirmation by the Senate. The director  
9978 shall report to the secretary of the department and shall serve  
9979 at the pleasure of the secretary.

9980 (4) The office shall do all of the following:

9981 (a) Serve as the state's point of contact for rural local  
9982 governments.

9983 (b) Administer the Rural Economic Development Initiative  
9984 (REDI) pursuant to s. 288.0656.

9985 (c) Provide training and technical assistance to rural  
9986 local governments on a broad range of community and economic  
9987 development activities. The training and technical assistance  
9988 may be offered using communications technology or in person and  
9989 must be recorded and posted to the office's website. The  
9990 training and technical assistance must include, at a minimum,  
9991 the following topics:

9992 1. How to access state and federal resources, including  
9993 training on the online rural resource directory required under  
9994 paragraph (d).

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9995 2. Best practices relating to comprehensive planning,  
9996 economic development, and land development in rural communities.

9997 3. Strategies to address management and administrative  
9998 capacity challenges unique to rural local governments.

9999 4. Requirements of, and updates on recent changes to, the  
10000 Community Planning Act under s. 163.3161.

10001 5. Updates on other recent state and federal laws  
10002 affecting rural local governments.

10003 (d) Create and maintain an online rural resource directory  
10004 to serve as an interactive tool to navigate the various state  
10005 and federal resources, tools, and services available to rural  
10006 local governments. The office shall regularly maintain the  
10007 resource directory and, to the greatest extent possible, include  
10008 up-to-date information on state and federal programs, resources,  
10009 tools, and services that address the needs of rural communities  
10010 in all areas of governance. Each state agency shall routinely  
10011 provide information and updates to the office for maintenance of  
10012 the resource directory. The resource directory must allow users  
10013 to search by indicators, such as agency name, resource type, or  
10014 topic, and include a notification function to allow users to  
10015 receive alerts when new or modified resources are available. To  
10016 the greatest extent possible, the resource directory must  
10017 include information on financial match requirements for the  
10018 state and federal programs listed in the directory.

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10019 (5) (a) By October 1, 2025, the office shall establish and  
10020 staff seven regional rural community liaison centers across this  
10021 state for the purpose of providing specialized in-person state  
10022 support to local governments in rural areas of opportunity as  
10023 defined in s. 288.0656. The department shall by rule divide this  
10024 state into seven regions and assign a regional rural community  
10025 liaison center to each region. Each liaison center shall support  
10026 the local governments within its geographic territory and shall  
10027 be staffed with at least two full-time department personnel. At  
10028 a minimum, liaison centers shall have the following powers,  
10029 duties, and functions:

10030 1. Work with local governments to plan and achieve goals  
10031 for local or regional growth, economic development, and rural  
10032 prosperity.

10033 2. Facilitate local government access to state and federal  
10034 resources, such as grants, loans, and other aid or resources.

10035 3. Advise local governments on available waivers of  
10036 program requirements, including financial match waivers or  
10037 reductions, for projects using state or federal funds through  
10038 the Rural Economic Development Initiative under s. 288.0656.

10039 4. Coordinate local government technical assistance needs  
10040 with the department and other state or federal agencies.

10041 5. Promote model ordinances, policies, and strategies  
10042 related to economic development.

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10043 6. Assist local governments with regulatory and reporting  
10044 compliance.

10045 (b) To the greatest extent possible, the regional rural  
10046 community liaison centers shall coordinate with local and  
10047 regional governmental entities, regional economic development  
10048 organizations as defined in s. 288.018, and other appropriate  
10049 entities to establish a network to foster community-driven  
10050 solutions that promote viable and sustainable rural communities.

10051 (c) The regional rural community liaison centers shall  
10052 regularly engage with the Rural Economic Development Initiative  
10053 established in s. 288.0656, and at least one staff member from  
10054 each liaison center shall attend, either in person or by means  
10055 of electronic communication, the monthly meetings required by s.  
10056 288.0656(6)(c).

10057 (6) By December 1, 2025, and each year thereafter, the  
10058 director of the office shall submit to the Administration  
10059 Commission in the Executive Office of the Governor a written  
10060 report describing the office's operations and accomplishments  
10061 for the preceding year, inclusive of the Rural Economic  
10062 Development Initiative report required by s. 288.0656(8). In  
10063 consultation with the Department of Agriculture and Consumer  
10064 Services, the office shall also include in the annual report  
10065 recommendations for policies, programs, and funding to further  
10066 support the needs of rural communities in this state. The office  
10067 shall submit the annual report to the President of the Senate

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10068 and the Speaker of the House of Representatives by December 1 of  
10069 each year and publish the annual report on the office's website.  
10070 The director shall present, in person at the next scheduled  
10071 Administration Commission meeting, detailed information from the  
10072 annual report required by this subsection.

10073 (7) (a) The Office of Program Policy Analysis and  
10074 Government Accountability (OPPAGA) shall review the  
10075 effectiveness of the office by December 15, 2026, and each year  
10076 thereafter until 2028. Beginning in 2029, OPPAGA shall review  
10077 and evaluate the office every 3 years and shall submit a report  
10078 based on its findings. Each report must recommend policy and  
10079 statutory modifications for consideration by the Legislature.  
10080 OPPAGA shall submit each report to the President of the Senate  
10081 and the Speaker of the House of Representatives pursuant to the  
10082 schedule.

10083 (b) OPPAGA shall review strategies implemented by other  
10084 states on rural community preservation, enhancement, and  
10085 revitalization and report on their effectiveness and potential  
10086 for implementation in this state. OPPAGA shall include its  
10087 findings in its report to the President of the Senate and the  
10088 Speaker of the House of Representatives by December 15, 2027,  
10089 and every 3 years thereafter.

10090 (c)1. OPPAGA shall review each state-funded or state-  
10091 administered grant and loan program available to local  
10092 governments to:

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10093 a. Identify any specified local government financial match  
10094 requirements and whether any portion of a match may be waived or  
10095 is required to be waived, pursuant to law, and programs where a  
10096 financial match waiver may be appropriate for rural local  
10097 government applicants, if not contemplated by law.

10098 b. Identify grant and loan application evaluation  
10099 criteria, including scoring procedures, for programs that may be  
10100 perceived to be overly burdensome for rural local government  
10101 applicants, and whether special accommodations or preferences  
10102 for rural local governments may be appropriate.

10103 2. OPPAGA shall produce a report based on its review and  
10104 submit the report to the President of the Senate and the Speaker  
10105 of the House of Representatives by December 15, 2026.

10106 3. This paragraph expires June 30, 2027.

10107 **Section 298. Section 288.014, Florida Statutes, is created**  
10108 **to read:**

10109 288.014 Renaissance Grants Program.—

10110 (1) The Legislature finds that it has traditionally  
10111 provided programs to assist rural communities with economic  
10112 development and enhance their ability to attract businesses and  
10113 that, by providing that extra component of economic viability,  
10114 rural communities are able to attract new businesses and grow  
10115 existing ones. However, the Legislature finds that a subset of  
10116 rural communities has decreased in population over the past  
10117 decade, contributing to a decline in local business activity and

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10118 economic development. The Legislature further finds that the  
10119 state must transform its assistance to these specific rural  
10120 communities to help them achieve a necessary precursor of  
10121 economic viability. The Legislature further finds that the  
10122 approach intended by the creation of renaissance grants is to  
10123 focus on reversing the economic deterioration in rural  
10124 communities by retaining and attracting residents by giving them  
10125 a reason to stay, which is the impetus of natural economic  
10126 growth, business opportunities, and increased quality of life.

10127 (2) The Office of Rural Prosperity within the department  
10128 shall administer the Renaissance Grants Program to provide block  
10129 grants to eligible counties. By October 1, 2025, the Office of  
10130 Economic and Demographic Research shall certify to the Office of  
10131 Rural Prosperity which counties are growth-impeded. For the  
10132 purposes of this section, "growth-impeded" means a county that,  
10133 as of the most recent population estimate, has had a declining  
10134 population over the last 10 years. After an initial  
10135 certification, the Office of Economic and Demographic Research  
10136 shall annually certify whether the county remains growth-  
10137 impeded, until the county has 3 consecutive years of population  
10138 growth. Upon such certification of population growth, the county  
10139 is eligible to participate in the program for 1 additional year  
10140 in order for the county to prepare for the end of block grant  
10141 funding.

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10142       (3) (a) Each participating county shall enter into an  
10143 agreement with the Office of Rural Prosperity to receive the  
10144 block grant. Each county has broad authority to design its  
10145 specific plan to achieve population growth within the broad  
10146 parameters identified in this section. The Office of Rural  
10147 Prosperity may not determine the manner in which the county  
10148 implements the block grant. However, regional rural community  
10149 liaison center staff shall provide assistance in developing the  
10150 county's plan, upon request.

10151       (b) Each participating county shall report annually to the  
10152 Office of Rural Prosperity on activities undertaken,  
10153 intergovernmental agreements entered into, and other information  
10154 as required by the office.

10155       (c) Subject to appropriation, each participating county  
10156 may receive funding from funds appropriated to the program.  
10157 Counties participating in the program shall make all attempts to  
10158 limit expenses for administrative costs, consistent with the  
10159 need for prudent management and accountability in the use of  
10160 public funds. Each county may contribute other funds for block  
10161 grant purposes, including local, state, or federal grant funds,  
10162 or seek out in-kind or financial contributions from private or  
10163 public sources to assist in fulfilling the activities  
10164 undertaken.

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10165 (4) (a) A participating county shall hire and retain a  
10166 renaissance coordinator and may use block grant funds for this  
10167 purpose. The renaissance coordinator is responsible for:

10168 1. Ensuring that block grant funds are used as provided in  
10169 this section;

10170 2. Coordinating with other local governments, school  
10171 boards, Florida College System institutions, or other entities;  
10172 and

10173 3. Reporting as necessary to the state, including  
10174 information necessary pursuant to subsection (7).

10175 (b) The Office of Rural Prosperity regional rural  
10176 community liaison center staff shall provide assistance, upon  
10177 request, and training to the renaissance coordinator to ensure  
10178 successful implementation of the block grant.

10179 (5) A participating county shall design a plan to make  
10180 targeted investments in the community to achieve population  
10181 growth and increase the economic vitality of the community. The  
10182 plan must include the following key features for use of the  
10183 state support:

10184 (a) Technology centers with extended hours located within  
10185 schools or on school premises, administered by the local school  
10186 board, for such schools which provide extended hours and support  
10187 for access by students.

10188 (b) Facilities that colocate adult day care with child  
10189 care facilities. The site-sharing facilities must be managed to

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10190 also provide opportunities for direct interaction between  
10191 generations and increase the health and well-being of both  
10192 younger and older participants, reduce social isolation, and  
10193 create cost and time efficiencies for working family members.  
10194 The regional rural community liaison center staff of the Office  
10195 of Rural Prosperity shall assist the county, upon request, with  
10196 bringing to the Rural Economic Development Initiative or  
10197 directly to the appropriate state agency recommendations  
10198 necessary to streamline any required state permits, licenses,  
10199 regulations, or other requirements.

10200 (c) Technology labs managed in agreement with the nearest  
10201 Florida College System institution or a career center as  
10202 established under s. 1001.44. Repurposing vacant industrial  
10203 sites or existing office space must be given priority in the  
10204 selection of lab locations. Each local technology lab must be  
10205 staffed and open for extended hours with the capacity to  
10206 provide:

10207 1. Access to trainers and equipment necessary for users to  
10208 earn various certificates or online degrees in technology;

10209 2. Hands-on assistance with applying for appropriate  
10210 remote work opportunities; and

10211 3. Studio space with equipment for graduates and other  
10212 qualifying residents to perform remote work that is based on the  
10213 use of technology. Collaboration with community partners,  
10214 including the local workforce development board as described in

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10215 s. 445.007, to provide training opportunities, in-kind support  
10216 such as transportation to and from the lab, financing of  
10217 equipment for in-home use, or basic maintenance of such  
10218 equipment is required.

10219 (6) In addition to the hiring of a renaissance  
10220 coordinator, a participating county shall develop  
10221 intergovernmental agreements for shared responsibilities with  
10222 its municipalities, school board, and Florida College System  
10223 institution or career center and enter into necessary contracts  
10224 with providers and community partners in order to implement the  
10225 plan.

10226 (7) (a) Every 2 years, the Auditor General shall conduct an  
10227 operational audit as defined in s. 11.45 of each county's grant  
10228 activities, beginning in 2026.

10229 (b) On December 31, 2026, and every year thereafter, the  
10230 Office of Economic and Demographic Research shall submit an  
10231 annual report of renaissance block grant recipients by county to  
10232 the President of the Senate and the Speaker of the House of  
10233 Representatives. The report must provide key economic indicators  
10234 that measure progress in altering longer-term trends in the  
10235 county. The Office of Rural Prosperity shall provide the Office  
10236 of Economic and Demographic Research with information as  
10237 requested to complete the report.

10238 (8) Notwithstanding s. 216.301, funds appropriated for the  
10239 purposes of this section are not subject to reversion.

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10240 (9) This section expires June 30, 2040.

10241 **Section 299. Section 288.0175, Florida Statutes, is**  
10242 **created to read:**

10243 288.0175 Public Infrastructure Smart Technology Grant  
10244 Program.—

10245 (1) The Public Infrastructure Smart Technology Grant  
10246 Program is established within the Office of Rural Prosperity  
10247 within the department to fund and support the development of  
10248 public infrastructure smart technology projects in communities  
10249 located in rural areas of opportunity, subject to legislative  
10250 appropriation.

10251 (2) As used in this section, the term:

10252 (a) "Public infrastructure smart technology" means systems  
10253 and applications that use connectivity, data analytics, and  
10254 automation to improve public infrastructure by increasing  
10255 efficiency, enhancing public services, and promoting sustainable  
10256 development.

10257 (b) "Rural area of opportunity" has the same meaning as in  
10258 s. 288.0656.

10259 (c) "Smart technology lead organization" means a not-for-  
10260 profit corporation organized under s. 501(c)(3) of the Internal  
10261 Revenue Code which has been in existence for at least 3 years  
10262 and specializes in smart region planning.

10263 (3) (a) The Office of Rural Prosperity shall contract with  
10264 one or more smart technology lead organizations to administer

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10265 the grant program for the purpose of deploying public  
10266 infrastructure smart technology in rural communities. In  
10267 accordance with the terms required by the office, the smart  
10268 technology lead organization shall provide grants to counties  
10269 and municipalities located within a rural area of opportunity  
10270 for public infrastructure smart technology projects.

10271 (b) The office's contract with a smart technology lead  
10272 organization must specify the contract deliverables, including  
10273 financial reports and other reports due the office, timeframes  
10274 for achieving contractual obligations, and any other  
10275 requirements the office determines are necessary. The contract  
10276 must require the smart technology lead organization to do the  
10277 following:

10278 1. Collaborate with counties and municipalities located in  
10279 rural areas of opportunity to identify opportunities for local  
10280 governments to institute cost-effective smart technology  
10281 solutions for improving public services and infrastructure.

10282 2. Provide technical assistance to counties and  
10283 municipalities located in rural areas of opportunity in  
10284 developing plans for public infrastructure smart technology  
10285 projects.

10286 3. Assist counties and municipalities located in rural  
10287 areas of opportunity in connecting with other communities,  
10288 companies, and other entities to leverage the impact of each  
10289 public infrastructure smart technology project.

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10290           (4) The office shall include in its annual report required  
10291 by s. 288.013(6) a description of the projects funded under this  
10292 section.

10293           **Section 300. Subsections (1), (2), and (4) of section**  
10294 **288.018, Florida Statutes, are amended to read:**

10295           288.018 Regional Rural Development Grants Program.—

10296           (1) (a) For the purposes of this section, the term  
10297 "regional economic development organization" means an economic  
10298 development organization located in or contracted to serve a  
10299 rural area of opportunity, as defined in s. 288.0656 ~~s.~~  
10300 ~~288.0656(2)(d)~~.

10301           (b) Subject to appropriation, the Office of Rural  
10302 Prosperity ~~department~~ shall establish a grant program to provide  
10303 funding to regional economic development organizations for the  
10304 purpose of building the professional capacity of those  
10305 organizations. Building the professional capacity of a regional  
10306 economic development organization includes hiring professional  
10307 staff to develop, deliver, and provide needed economic  
10308 development professional services, including technical  
10309 assistance, education and leadership development, marketing, and  
10310 project recruitment. Grants may also be used by a regional  
10311 economic development organization to provide technical  
10312 assistance to local governments, local economic development  
10313 organizations, and existing and prospective businesses.

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10314 (c) A regional economic development organization may apply  
10315 annually to the office department for a grant. The office  
10316 ~~department~~ is authorized to approve, on an annual basis, grants  
10317 to such regional economic development organizations. Subject to  
10318 appropriation, the office may award ~~maximum amount~~ an  
10319 organization ~~may receive in any year will be \$50,000, or~~  
10320 \$250,000 for any three regional economic development  
10321 organizations that serve an entire region of a rural area of  
10322 opportunity designated pursuant to s. 288.0656(7) if they are  
10323 recognized by the office department as serving such a region.

10324 (2) In approving the participants, the office department  
10325 shall require the following:

10326 (a) Documentation of official commitments of support from  
10327 each of the units of local government represented by the  
10328 regional organization.

10329 (b) Demonstration that the organization is in existence  
10330 and actively involved in economic development activities serving  
10331 the region.

10332 (c) Demonstration of the manner in which the organization  
10333 is or will coordinate its efforts with those of other local and  
10334 state organizations.

10335 (4) Except as otherwise provided in the General  
10336 Appropriations Act, the office department may expend up to  
10337 \$750,000 each fiscal year from funds appropriated ~~to the Rural~~

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10338 ~~Community Development Revolving Loan Fund~~ for the purposes  
10339 outlined in this section.

10340 **Section 301. Section 288.019, Florida Statutes, is amended**  
10341 **to read:**

10342 288.019 Rural considerations in grant review and  
10343 evaluation processes; financial match waiver or reduction.—

10344 (1) Notwithstanding any other law, and to the fullest  
10345 extent possible, each agency and organization ~~the member~~  
10346 ~~agencies and organizations~~ of the Rural Economic Development  
10347 Initiative (REDI) as defined in s. 288.0656 ~~s. 288.0656(6)(a)~~  
10348 shall review:

10349 (a) All grant and loan application evaluation criteria and  
10350 scoring procedures to ensure the fullest access for rural  
10351 communities ~~counties~~ as defined in s. 288.0656 ~~s. 288.0656(2)~~ to  
10352 resources available throughout the state; and

10353 (b) The financial match requirements for projects in rural  
10354 communities.

10355 (2)(1) Each REDI agency and organization shall consider  
10356 the impact on and ability of rural communities to meet and be  
10357 competitive under such criteria, scoring, and requirements. Upon  
10358 review, each REDI agency and organization shall ~~review all~~  
10359 ~~evaluation and scoring procedures~~ and develop a proposal for  
10360 modifications to those procedures which minimize the financial  
10361 and resource impact to a rural community, including waiver or

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10362 reduction of any required financial match requirements ~~impact of~~  
10363 ~~a project within a rural area.~~

10364 (a)(2) Evaluation criteria and scoring procedures must  
10365 provide for an appropriate ranking, when ranking is a component  
10366 of the program, based on the proportionate impact that projects  
10367 have on a rural area when compared with similar project impacts  
10368 on an urban area. Additionally,

10369 ~~(3)~~ evaluation criteria and scoring procedures must  
10370 recognize the disparity of available fiscal resources for an  
10371 equal level of financial support from an urban county or  
10372 municipality and a rural county or municipality.

10373 ~~(a)~~ The evaluation criteria should weight contribution in  
10374 proportion to the amount of funding available at the local  
10375 level.

10376 (b) Match requirements must be waived or reduced for rural  
10377 communities. When appropriate, an in-kind match must ~~should~~ be  
10378 allowed and applied as a financial match when a rural community  
10379 county is experiencing economic financial distress as defined in  
10380 s. 288.0656 ~~through elevated unemployment at a rate in excess of~~  
10381 ~~the state's average by 5 percentage points or because of the~~  
10382 ~~loss of its ad valorem base.~~ Donations of land, though usually  
10383 not recognized as an in-kind match, may be treated as such. As  
10384 appropriate, each agency and organization that applies for or  
10385 receives federal funding must request federal approval to waive

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10386 or reduce the financial match requirements, if any, for projects  
10387 in rural communities.

10388 (3)-(4) For existing programs, The proposal modified  
10389 evaluation criteria and scoring procedure must be submitted  
10390 delivered to the Office of Rural Prosperity department for  
10391 distribution to the REDI agencies and organizations. The REDI  
10392 agencies and organizations shall review and make comments and  
10393 recommendations that. Future rules, programs, evaluation  
10394 criteria, and scoring processes must be brought before a REDI  
10395 meeting for review, discussion, and recommendation to allow  
10396 rural communities counties fuller access to the state's  
10397 resources.

10398 (4) Each REDI agency and organization shall ensure that  
10399 related administrative rules or policies are modified, as  
10400 necessary, to reflect the finalized proposal and that  
10401 information about the authorized wavier or reduction is included  
10402 in the online rural resource directory of the Office of Rural  
10403 Prosperity required in s. 288.013(4) (d).

10404 (5) The rural liaison from the related regional district  
10405 shall assist the rural community to make requests of waiver or  
10406 reduction of match.

10407 **Section 302. Subsection (3) is added to section 288.021,**  
10408 **Florida Statutes, to read:**

10409 288.021 Economic development liaison.-

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10410 (3) When practicable, the staff member appointed as the  
10411 economic development liaison shall also serve as the agency  
10412 representative for the Rural Economic Development Initiative  
10413 pursuant to s. 288.0656.

10414 **Section 303. Section 288.065, Florida Statutes, is amended**  
10415 **to read:**

10416 288.065 Rural Community Development Revolving Loan Fund.—

10417 (1) The Rural Community Development Revolving Loan Fund  
10418 Program is established within the Office of Rural Prosperity  
10419 ~~department~~ to facilitate the use of existing federal, state, and  
10420 local financial resources by providing local governments with  
10421 financial assistance to further promote the economic viability  
10422 of rural communities. These funds may be used to finance  
10423 initiatives directed toward maintaining or developing the  
10424 economic base of rural communities, especially initiatives  
10425 addressing employment opportunities for residents of these  
10426 communities.

10427 (2) (a) The program shall provide for long-term loans, loan  
10428 guarantees, and loan loss reserves to units of local  
10429 governments, or economic development organizations substantially  
10430 underwritten by a unit of local government.7

10431 (b) For purposes of this section, the term "unit of local  
10432 government" means:

10433 1. A county ~~within counties~~ with a population ~~populations~~  
10434 of 75,000 or less. ~~fewer, or within any~~

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10435           2. A county with a population of 125,000 or less ~~fewer~~  
10436 which is contiguous to a county with a population of 75,000 or  
10437 less. ~~fewer~~

10438           3. A municipality within a county described in  
10439 subparagraph 1. or subparagraph 2.

10440           4. A county or municipality within a rural area of  
10441 opportunity.

10442  
10443 For purposes of this paragraph, population is determined in  
10444 accordance with the most recent official estimates pursuant to  
10445 s. 186.901 and must include those residing in incorporated and  
10446 unincorporated areas of a county, ~~based on the most recent~~  
10447 ~~official population estimate as determined under s. 186.901,~~  
10448 ~~including those residing in incorporated areas and those~~  
10449 ~~residing in unincorporated areas of the county, or to units of~~  
10450 ~~local government, or economic development organizations~~  
10451 ~~substantially underwritten by a unit of local government, within~~  
10452 ~~a rural area of opportunity.~~

10453           ~~(c)-(b)~~ Requests for loans must ~~shall~~ be made by  
10454 application to the office ~~department~~. Loans must ~~shall~~ be made  
10455 pursuant to agreements specifying the terms and conditions  
10456 agreed to between the applicant and the office ~~department~~. The  
10457 loans are ~~shall be~~ the legal obligations of the applicant.

10458           ~~(d)-(e)~~ All repayments of principal and interest shall be  
10459 returned to the loan fund and made available for loans to other

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10460 applicants. However, in a rural area of opportunity designated  
10461 under s. 288.0656 ~~by the Governor~~, and upon approval by the  
10462 office ~~department~~, repayments of principal and interest may be  
10463 retained by the applicant if such repayments are dedicated and  
10464 matched to fund regionally based economic development  
10465 organizations representing the rural area of opportunity.

10466 (3) The office ~~department~~ shall manage the fund,  
10467 establishing loan practices that must include, but are not  
10468 limited to, procedures for establishing loan interest rates,  
10469 uses of funding, application procedures, and application review  
10470 procedures. The office has ~~department shall have~~ final approval  
10471 authority for any loan under this section.

10472 (4) Notwithstanding ~~the provisions of~~ s. 216.301, funds  
10473 appropriated for this loan fund may ~~purpose shall~~ not be subject  
10474 to reversion.

10475 (5) The office shall include in its annual report required  
10476 under s. 288.013 detailed information about the fund, including  
10477 loans made during the previous fiscal year, loans active, loans  
10478 terminated or repaid, and the amount of funds not obligated as  
10479 of 14 days before the date the report is due.

10480 **Section 304. Subsections (1), (2), and (3) of section**  
10481 **288.0655, Florida Statutes, are amended, and subsection (6) is**  
10482 **added to that section, to read:**

10483 288.0655 Rural Infrastructure Fund.—

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10484 (1) There is created within the Office of Rural Prosperity  
10485 ~~department~~ the Rural Infrastructure Fund to facilitate the  
10486 planning, preparing, and financing of infrastructure projects in  
10487 rural communities which will encourage job creation, capital  
10488 investment, and the strengthening and diversification of rural  
10489 economies by promoting tourism, trade, and economic development.  
10490 Subject to appropriation, grants under this program may be  
10491 awarded to a unit of local government within a rural community  
10492 or rural area of opportunity as defined in s. 288.0656; or to a  
10493 regional economic development organization, a unit of local  
10494 government, or an economic development organization  
10495 substantially underwritten by a unit of local government for an  
10496 infrastructure project located within an unincorporated area  
10497 that has a population of 15,000 or less, has been in existence  
10498 for 100 years or more, is contiguous to a rural community, and  
10499 has been adversely affected by a natural disaster or presents a  
10500 unique economic development opportunity of regional impact.

10501 (2) (a) Funds appropriated by the Legislature shall be  
10502 distributed by the office ~~department~~ through grant programs that  
10503 maximize the use of federal, local, and private resources,  
10504 including, but not limited to, those available under the Small  
10505 Cities Community Development Block Grant Program.

10506 (b) To facilitate access of rural communities and rural  
10507 areas of opportunity as defined by the Rural Economic  
10508 Development Initiative to infrastructure funding programs of the

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10509 Federal Government, such as those offered by the United States  
10510 Department of Agriculture and the United States Department of  
10511 Commerce, and state programs, including those offered by Rural  
10512 Economic Development Initiative agencies, and to facilitate  
10513 local government or private infrastructure funding efforts, the  
10514 office department ~~department~~ may award grants for up to 75 percent of the  
10515 total infrastructure project cost, or up to 100 percent of the  
10516 total infrastructure project cost for a project located in a  
10517 rural community as defined in s. 288.0656(2) which is also  
10518 located in a fiscally constrained county as defined in s.  
10519 218.67(1) or a rural area of opportunity as defined in s.  
10520 288.0656(2). Eligible uses of funds may include improving any  
10521 inadequate infrastructure that has resulted in regulatory action  
10522 that prohibits economic or community growth and reducing the  
10523 costs to community users of proposed infrastructure improvements  
10524 that exceed such costs in comparable communities. Eligible uses  
10525 of funds include improvements to public infrastructure for  
10526 industrial or commercial sites and upgrades to or development of  
10527 public tourism infrastructure. Authorized infrastructure may  
10528 include the following public or public-private partnership  
10529 facilities: storm water systems; telecommunications facilities;  
10530 roads or other remedies to transportation impediments; nature-  
10531 based tourism facilities; or other physical requirements  
10532 necessary to facilitate tourism, trade, and economic development  
10533 activities in the community. Authorized infrastructure may also

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10534 include publicly or privately owned self-powered nature-based  
10535 tourism facilities, publicly owned telecommunications  
10536 facilities, and additions to the distribution facilities of the  
10537 existing natural gas utility as defined in s. 366.04(3)(c), the  
10538 existing electric utility as defined in s. 366.02, or the  
10539 existing water or wastewater utility as defined in s.  
10540 367.021(12), or any other existing water or wastewater facility,  
10541 which owns a gas or electric distribution system or a water or  
10542 wastewater system in this state when:

10543 1. A contribution-in-aid of construction is required to  
10544 serve public or public-private partnership facilities under the  
10545 tariffs of any natural gas, electric, water, or wastewater  
10546 utility as defined herein; and

10547 2. Such utilities as defined herein are willing and able  
10548 to provide such service.

10549 (c) The office department may award grants of up to  
10550 \$300,000 for infrastructure feasibility studies, design and  
10551 engineering activities, or other infrastructure planning and  
10552 preparation or site readiness activities. Site readiness  
10553 expenses may include clearing title, surveys, permitting,  
10554 environmental studies, and regulatory compliance costs. Grants  
10555 awarded under this paragraph may be used in conjunction with  
10556 grants awarded under paragraph (b). In evaluating applications  
10557 under this paragraph, the office department shall consider the

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10558 extent to which the application seeks to minimize administrative  
10559 and consultant expenses.

10560 (d) The office ~~department~~ shall participate in a  
10561 memorandum of agreement with the United States Department of  
10562 Agriculture under which state funds available through the Rural  
10563 Infrastructure Fund may be advanced, in excess of the prescribed  
10564 state share, for a project that has received from the United  
10565 States Department of Agriculture a preliminary determination of  
10566 eligibility for federal financial support. State funds in excess  
10567 of the prescribed state share which are advanced pursuant to  
10568 this paragraph and the memorandum of agreement shall be  
10569 reimbursed when funds are awarded under an application for  
10570 federal funding.

10571 (e) To enable local governments to access the resources  
10572 available pursuant to s. 403.973(17), the office ~~department~~ may  
10573 award grants for surveys, feasibility studies, and other  
10574 activities related to the identification and preclearance review  
10575 of land which is suitable for preclearance review. Authorized  
10576 grants under this paragraph may not exceed \$75,000 each, except  
10577 in the case of a project in a rural area of opportunity, in  
10578 which case the grant may not exceed \$300,000. Any funds awarded  
10579 under this paragraph must be matched at a level of 50 percent  
10580 with local funds, except that any funds awarded for a project in  
10581 a rural area of opportunity do not require a match of local  
10582 funds. ~~If an application for funding is for a catalyst site, as~~

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10583 ~~defined in s. 288.0656, the requirement for local match may be~~  
10584 ~~waived pursuant to the process in s. 288.06561.~~ In evaluating  
10585 applications under this paragraph, the office ~~department~~ shall  
10586 consider the extent to which the application seeks to minimize  
10587 administrative and consultant expenses.

10588 (3) The office ~~department~~, in consultation with the  
10589 Department of Transportation ~~Florida Tourism Industry Marketing~~  
10590 ~~Corporation~~, the Department of Environmental Protection, and the  
10591 Florida Fish and Wildlife Conservation Commission, as  
10592 appropriate, shall review and certify applications pursuant to  
10593 s. 288.061. The review must include an evaluation of the  
10594 economic benefit and long-term viability. The office ~~has~~  
10595 ~~department shall have~~ final approval for any grant under this  
10596 section.

10597 (6) The office shall include in its annual report required  
10598 under s. 288.013 detailed information about the fund, including  
10599 grants made for the year, grants active, grants terminated or  
10600 complete, and the amount of funds not obligated as of 14 days  
10601 before the date the report is due.

10602 **Section 305. Subsection (1), paragraphs (a), (b), and (e)**  
10603 **of subsection (2), subsections (3) and (6), paragraphs (b) and**  
10604 **(c) of subsection (7), and subsection (8) of section 288.0656,**  
10605 **Florida Statutes, are amended to read:**

10606 288.0656 Rural Economic Development Initiative.—

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10607 (1) (a) Recognizing that rural communities and regions  
10608 continue to face extraordinary challenges in their efforts to  
10609 significantly improve their economies, specifically in terms of  
10610 personal income, job creation, average wages, and strong tax  
10611 bases, it is the intent of the Legislature to encourage and  
10612 facilitate the location and expansion of major economic  
10613 development projects of significant scale in such rural  
10614 communities. The Legislature finds that rural communities are  
10615 the essential conduits for the economy's distribution,  
10616 manufacturing, and food supply.

10617 (b) The Rural Economic Development Initiative, known as  
10618 "REDI," is created within the Office of Rural Prosperity  
10619 ~~department~~, and all the participation of state and regional  
10620 agencies listed in paragraph (6) (a) shall participate in this  
10621 initiative is authorized.

10622 (2) As used in this section, the term:

10623 ~~(a) "Catalyst project" means a business locating or~~  
10624 ~~expanding in a rural area of opportunity to serve as an economic~~  
10625 ~~generator of regional significance for the growth of a regional~~  
10626 ~~target industry cluster. The project must provide capital~~  
10627 ~~investment on a scale significant enough to affect the entire~~  
10628 ~~region and result in the development of high-wage and high-skill~~  
10629 ~~jobs.~~

10630 ~~(b) "Catalyst site" means a parcel or parcels of land~~  
10631 ~~within a rural area of opportunity that has been prioritized as~~

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10632 ~~a geographic site for economic development through partnerships~~  
10633 ~~with state, regional, and local organizations. The site must be~~  
10634 ~~reviewed by REDI and approved by the department for the purposes~~  
10635 ~~of locating a catalyst project.~~

10636 ~~(c)(e)~~ "Rural community" means:

10637 1. A county with a population of 75,000 or less ~~fewer~~.

10638 2. A county with a population of 125,000 or less ~~fewer~~  
10639 which is contiguous to a county with a population of 75,000 or  
10640 less ~~fewer~~.

10641 3. A municipality within a county described in  
10642 subparagraph 1. or subparagraph 2.

10643 4. An unincorporated federal enterprise community or an  
10644 incorporated rural city with a population of 25,000 or less  
10645 ~~fewer~~ and an employment base focused on traditional agricultural  
10646 or resource-based industries, located in a county not defined as  
10647 rural, which has at least three or more of the economic distress  
10648 factors identified in paragraph (a) ~~paragraph (e)~~ and verified  
10649 by the office ~~department~~.

10650  
10651 For purposes of this paragraph, population shall be determined  
10652 in accordance with the most recent official estimate pursuant to  
10653 s. 186.901.

10654 (3) REDI shall be responsible for coordinating and  
10655 focusing the efforts and resources of state and regional  
10656 agencies on the problems which affect the fiscal, economic, and

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10657 community viability of Florida's ~~economically distressed~~ rural  
10658 communities, working with local governments, community-based  
10659 organizations, and private organizations that have an interest  
10660 in the growth and development of these communities to find ways  
10661 to balance environmental and growth management issues with local  
10662 needs.

10663 (6) (a) By August 1 of each year, the head of each of the  
10664 following agencies and organizations shall designate a deputy  
10665 secretary or higher-level staff person from within the agency or  
10666 organization to serve as the REDI representative for the agency  
10667 or organization:

- 10668 1. The Department of Transportation.
- 10669 2. The Department of Environmental Protection.
- 10670 3. The Department of Agriculture and Consumer Services.
- 10671 4. The Department of State.
- 10672 5. The Department of Health.
- 10673 6. The Department of Children and Families.
- 10674 7. The Department of Corrections.
- 10675 8. The Department of Education.
- 10676 9. The Department of Juvenile Justice.
- 10677 10. The Fish and Wildlife Conservation Commission.
- 10678 11. Each water management district.
- 10679 12. CareerSource Florida, Inc.
- 10680 13. VISIT Florida.
- 10681 14. The Florida Regional Planning Council Association.

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10682 15. The Agency for Health Care Administration.

10683 16. The Institute of Food and Agricultural Sciences  
10684 (IFAS).

10685 (b) An alternate for each designee must ~~shall~~ also be  
10686 chosen, who must also be a deputy secretary or higher-level  
10687 staff person, and the names of the designees and alternates must  
10688 shall be reported ~~sent~~ to the director of the Office of Rural  
10689 Prosperity. At least one rural liaison from each regional rural  
10690 community liaison center must participate in the REDI meetings  
10691 ~~Secretary of Commerce.~~

10692 (c) REDI shall meet at least each month, but may meet more  
10693 often as necessary. Each REDI representative, or his or her  
10694 designee, shall be physically present or available by means of  
10695 electronic communication for each meeting.

10696 (d) ~~(b)~~ Each REDI representative must have comprehensive  
10697 knowledge of his or her agency's functions, both regulatory and  
10698 service in nature, and of the state's economic goals, policies,  
10699 and programs. This person shall be the primary point of contact  
10700 for his or her agency with REDI on issues and projects relating  
10701 to ~~economically distressed~~ rural communities and with regard to  
10702 expediting project review, shall ensure a prompt effective  
10703 response to problems arising with regard to rural issues, and  
10704 shall work closely with the other REDI representatives in the  
10705 identification of opportunities for preferential awards of  
10706 program funds, contractual or other agreement provisions which

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10707 | meet the requirements of s. 215.971, and allowances and waiver  
10708 | of program requirements when necessary to encourage and  
10709 | facilitate ~~long-term private~~ capital investment and job  
10710 | creation.

10711 |       (e)~~(e)~~ The REDI representatives shall work with REDI in  
10712 | the review and evaluation of statutes and rules for adverse  
10713 | impact on rural communities and the development of alternative  
10714 | proposals to mitigate that impact.

10715 |       (f)~~(d)~~ Each REDI representative shall be responsible for  
10716 | ensuring that each district office or facility of his or her  
10717 | agency is informed quarterly about the Rural Economic  
10718 | Development Initiative and for providing assistance throughout  
10719 | the agency in the implementation of REDI activities.

10720 |       (7)

10721 |       (b) Designation as a rural area of opportunity under this  
10722 | subsection shall be contingent upon the execution of a  
10723 | memorandum of agreement among the office ~~department~~; the  
10724 | governing body of the county; and the governing bodies of any  
10725 | municipalities to be included within a rural area of  
10726 | opportunity. Such agreement shall specify the terms and  
10727 | conditions of the designation, including, but not limited to,  
10728 | the duties and responsibilities of the county and any  
10729 | participating municipalities to take actions designed to  
10730 | facilitate the retention and expansion of existing businesses in

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10731 the area, as well as the recruitment of new businesses to the  
10732 area.

10733 ~~(c) Each rural area of opportunity may designate catalyst~~  
10734 ~~projects, provided that each catalyst project is specifically~~  
10735 ~~recommended by REDI and confirmed as a catalyst project by the~~  
10736 ~~department. All state agencies and departments shall use all~~  
10737 ~~available tools and resources to the extent permissible by law~~  
10738 ~~to promote the creation and development of each catalyst project~~  
10739 ~~and the development of catalyst sites.~~

10740 (8) REDI shall submit a report to the Office of Rural  
10741 Prosperity ~~department~~ on all REDI activities for the previous  
10742 fiscal year as a supplement to the office's ~~department's~~ annual  
10743 report required under s. 288.013 ~~s. 20.60~~. This supplementary  
10744 report must include:

10745 (a) A status report on every project ~~all projects~~  
10746 currently being coordinated through REDI, the number of  
10747 preferential awards and allowances made pursuant to this section  
10748 in detail by award, allowance, or match type, the dollar amount  
10749 of such awards, and the names of the recipients.

10750 (b) A description of all waivers of program requirements  
10751 granted, including a list by program of each waiver that was  
10752 granted. If waivers were requested but were not granted, a list  
10753 of ungranted waivers, including reasons why the waivers were not  
10754 granted, must be included.

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10755 (c) Detailed information as to the economic impact of the  
10756 projects coordinated by REDI.

10757 (d) Recommendations based on the review and evaluation of  
10758 statutes and rules having an adverse impact on rural communities  
10759 and proposals to mitigate such adverse impacts.

10760 (e) Legislative recommendations for statutory waivers or  
10761 reductions of specified economic development program  
10762 requirements, including financial match waivers or reductions,  
10763 for applicants within rural areas of opportunity.

10764 (f) Outcomes of proposals submitted pursuant to s.  
10765 288.019.

10766 **Section 306.** Section 288.06561, Florida Statutes, is  
10767 repealed.

10768 **Section 307. Subsections (2), (3), and (4) of section**  
10769 **288.0657, Florida Statutes, are amended to read:**

10770 288.0657 Florida rural economic development strategy  
10771 grants.—

10772 (2) The Office of Rural Prosperity shall provide  
10773 ~~department may accept and administer moneys appropriated to the~~  
10774 ~~department for providing~~ grants to assist rural communities to  
10775 develop and implement strategic economic development plans.  
10776 Grants may be provided to assist with costs associated with  
10777 marketing a site to business and site selectors for an economic  
10778 development project that is part of an economic development

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10779 plan, either as part of funding to develop and implement a plan  
10780 or related to an already adopted plan.

10781 (3) A rural community, an economic development  
10782 organization in a rural area, or a regional organization  
10783 representing at least one rural community or such economic  
10784 development organizations may apply for such grants. The rural  
10785 liaison for the rural community shall assist those applying for  
10786 such grants.

10787 (4) The office department shall establish criteria for  
10788 reviewing grant applications. These criteria must ~~shall~~ include,  
10789 but are not limited to, the degree of participation and  
10790 commitment by the local community and the application's  
10791 consistency with local comprehensive plans or the application's  
10792 proposal to ensure such consistency. Grants for marketing may  
10793 include funding for advertising campaign materials and costs  
10794 associated with meetings, trade missions, and professional  
10795 development affiliated with site preparation and marketing. The  
10796 office department shall review each application for a grant. ~~The~~  
10797 ~~department may approve grants only to the extent that funds are~~  
10798 ~~appropriated for such grants by the Legislature.~~

10799 **Section 308. Paragraph (a) of subsection (13) of section**  
10800 **288.1226, Florida Statutes, is amended to read:**

10801 288.1226 Florida Tourism Industry Marketing Corporation;  
10802 use of property; board of directors; duties; audit.—

10803 (13) FOUR-YEAR MARKETING PLAN.—

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10804 (a) The corporation shall, in collaboration with the  
10805 department, develop a 4-year marketing plan. At a minimum, the  
10806 marketing plan must discuss the following:

10807 1. Continuation of overall tourism growth in this state.

10808 2. Expansion to new or under-represented tourist markets.

10809 3. Maintenance of traditional and loyal tourist markets.

10810 4. Coordination of efforts with county destination  
10811 marketing organizations, other local government marketing  
10812 groups, privately owned attractions and destinations, and other  
10813 private sector partners to create a seamless, four-season  
10814 advertising campaign for the state and its regions.

10815 5. Development of innovative techniques or promotions to  
10816 build repeat visitation by targeted segments of the tourist  
10817 population.

10818 6. Consideration of innovative sources of state funding  
10819 for tourism marketing.

10820 7. Promotion of nature-based tourism, including, but not  
10821 limited to, promotion of the Florida Greenways and Trails System  
10822 as described under s. 260.014 and the Florida Shared-Use  
10823 Nonmotorized Trail Network as described under s. 339.81.

10824 8. Coordination of efforts with the Office of Greenways  
10825 and Trails of the Department of Environmental Protection and the  
10826 department to promote and assist local communities, including,  
10827 but not limited to, communities designated as trail towns by the  
10828 Office of Greenways and Trails, to maximize use of nearby trails

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10829 as economic assets, including specific promotion of trail-based  
10830 tourism.

10831 9. Promotion of heritage tourism.

10832 10. Development of a component to address emergency  
10833 response to natural and manmade disasters from a marketing  
10834 standpoint.

10835 11. Provision of appropriate marketing assistance  
10836 resources to small, rural, and agritourism businesses located in  
10837 this state. Such resources may include, but are not limited to,  
10838 marketing plans, marketing assistance, promotional support,  
10839 media development, technical expertise, marketing advice,  
10840 technology training, and social marketing support.

10841 **Section 309.** Section 288.12266, Florida Statutes, is  
10842 repealed.

10843 **Section 310. Paragraph (f) of subsection (2) and**  
10844 **paragraphs (a), (b), and (c) of subsection (4) of section**  
10845 **288.9961, Florida Statutes, are amended, and subsections (6) and**  
10846 **(7) are added to that section, to read:**

10847 288.9961 Promotion of broadband adoption; Florida Office  
10848 of Broadband.—

10849 (2) DEFINITIONS.—As used in this section, the term:

10850 (f) "Underserved" means a geographic area of this state in  
10851 which there is no provider of broadband Internet service that  
10852 offers a connection to the Internet with a capacity for  
10853 transmission at a consistent speed of at least 100 megabits per

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10854 second downstream and at least 20 ~~10~~ megabits per second  
10855 upstream.

10856 (4) FLORIDA OFFICE OF BROADBAND.—The Florida Office of  
10857 Broadband is created within the Division of Community  
10858 Development in the department for the purpose of developing,  
10859 marketing, and promoting broadband Internet services in this  
10860 state. The office, in the performance of its duties, shall do  
10861 all of the following:

10862 (a) Create a strategic plan that has goals and strategies  
10863 for increasing and improving the availability of, access to, and  
10864 use of broadband Internet service in this state. In development  
10865 of the plan, the department shall incorporate applicable federal  
10866 broadband activities, including any efforts or initiatives of  
10867 the Federal Communications Commission, to improve broadband  
10868 Internet service in this state. The plan must identify available  
10869 federal funding sources for the expansion or improvement of  
10870 broadband. The strategic plan must be submitted to the Governor,  
10871 the President of the Senate, and the Speaker of the House of  
10872 Representatives by June 30, 2022. The strategic plan must be  
10873 updated biennially thereafter. The plan must include a process  
10874 to review and verify public input regarding transmission speeds  
10875 and availability of broadband Internet service throughout this  
10876 state. The office shall consult with each regional rural  
10877 community liaison center within the Office of Rural Prosperity  
10878 on the development and update of the plan.

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10879 (b) Build and facilitate local technology planning teams  
10880 or partnerships with members representing cross-sections of the  
10881 community, which may include, but are not limited to,  
10882 representatives from the following organizations and industries:  
10883 libraries, K-12 education, colleges and universities, local  
10884 health care providers, private businesses, community  
10885 organizations, economic development organizations, local  
10886 governments, tourism, parks and recreation, and agriculture. The  
10887 local technology planning teams or partnerships shall work with  
10888 rural communities to help the communities understand their  
10889 current broadband availability, locate unserved and underserved  
10890 businesses and residents, identify assets relevant to broadband  
10891 deployment, build partnerships with broadband service providers,  
10892 and identify opportunities to leverage assets and reduce  
10893 barriers to the deployment of broadband Internet services in the  
10894 community. The teams or partnerships must be proactive in rural  
10895 communities as defined in s. 288.0656 ~~fiscally constrained~~  
10896 ~~counties~~ in identifying and providing assistance, in  
10897 coordination with the regional rural community liaison centers  
10898 within the Office of Rural Prosperity, with applying for federal  
10899 grants for broadband Internet service.

10900 (c) Provide technical and planning assistance to rural  
10901 communities in coordination with the regional rural community  
10902 liaison centers within the Office of Rural Prosperity.

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10903        (6) The office shall submit to the Governor, the President  
10904 of the Senate, and the Speaker of the House of Representatives a  
10905 quarterly report detailing the implementation of broadband  
10906 activities in rural, unserved, and underserved communities. Such  
10907 information must be listed by county and include the amount of  
10908 state and federal funds allocated and expended in the county by  
10909 program; the progress toward deploying broadband in the county;  
10910 any technical assistance provided; the activities of the local  
10911 technology planning teams and partnerships; and the fulfillment  
10912 of any other duties of the office required by this part.

10913        (7) By December 31 each year, the office shall submit to  
10914 the Governor, the President of the Senate, and the Speaker of  
10915 the House of Representatives an annual report on the office's  
10916 operations and accomplishments for that calendar year and the  
10917 status of broadband Internet service access and use in this  
10918 state. The report must also incorporate the quarterly reports on  
10919 rural, unserved, and underserved communities required by  
10920 subsection (6).

10921        **Section 311.** Section 290.06561, Florida Statutes, is  
10922 repealed.

10923        **Section 312. Subsection (37) is added to section 334.044,**  
10924 **Florida Statutes, to read:**

10925        334.044 Powers and duties of the department.—The  
10926 department shall have the following general powers and duties:

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10927 (37) To provide technical assistance and support from the  
10928 appropriate district of the department to counties that are not  
10929 located in a metropolitan planning organization created pursuant  
10930 to s. 339.175.

10931 **Section 313. Section 339.0801, Florida Statutes, is**  
10932 **amended to read:**

10933 339.0801 Allocation of increased revenues derived from  
10934 amendments to s. 319.32(5)(a) ~~by ch. 2012-128.~~

10935 (1) Funds that result from increased revenues to the State  
10936 Transportation Trust Fund derived from the amendments to s.  
10937 319.32(5)(a) made by s. 11, chapter 2012-128, Laws of Florida,  
10938 ~~this act~~ must be used annually, first as set forth in paragraph  
10939 (a) subsection (1) and then as set forth in paragraphs (b), (c),  
10940 and (d) subsections (2)-(4), notwithstanding any other provision  
10941 of law:

10942 (a) 1. (1) (a) Beginning in the 2013-2014 fiscal year and  
10943 annually for 30 years thereafter, \$10 million shall be for the  
10944 purpose of funding any seaport project identified in the adopted  
10945 work program of the Department of Transportation, to be known as  
10946 the Seaport Investment Program.

10947 2. (b) The revenues may be assigned, pledged, or set aside  
10948 as a trust for the payment of principal or interest on revenue  
10949 bonds, or other forms of indebtedness issued by an individual  
10950 port or appropriate local government having jurisdiction  
10951 thereof, or collectively by interlocal agreement among any of

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10952 the ports, or used to purchase credit support to permit such  
10953 borrowings. Alternatively, revenue bonds shall be issued by the  
10954 Division of Bond Finance at the request of the Department of  
10955 Transportation under the State Bond Act and shall be secured by  
10956 such revenues as are provided in this subsection.

10957 3.~~(e)~~ Revenue bonds or other indebtedness issued hereunder  
10958 are not a general obligation of the state and are secured solely  
10959 by a first lien on the revenues distributed under this  
10960 subsection.

10961 4.~~(d)~~ The state covenants with holders of the revenue  
10962 bonds or other instruments of indebtedness issued pursuant to  
10963 this subsection that it will not repeal this subsection; nor  
10964 take any other action, including but not limited to amending  
10965 this subsection, that will materially and adversely affect the  
10966 rights of such holders so long as revenue bonds or other  
10967 indebtedness authorized by this subsection are outstanding.

10968 5.~~(e)~~ The proceeds of any revenue bonds or other  
10969 indebtedness, after payment of costs of issuance and  
10970 establishment of any required reserves, shall be invested in  
10971 projects approved by the Department of Transportation and  
10972 included in the department's adopted work program, by amendment  
10973 if necessary. As required under s. 11(f), Art. VII of the State  
10974 Constitution, the Legislature approves projects included in the  
10975 department's adopted work program, including any projects added  
10976 to the work program by amendment under s. 339.135(7).

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10977        ~~6.(f)~~ Any revenues that are not used for the payment of  
10978 bonds as authorized by this subsection may be used for purposes  
10979 authorized under the Florida Seaport Transportation and Economic  
10980 Development Program. This revenue source is in addition to any  
10981 amounts provided for and appropriated in accordance with ss.  
10982 311.07 and 320.20(3) and (4).

10983        ~~(b)(2)~~ Beginning in the 2013-2014 fiscal year and annually  
10984 thereafter, \$10 million shall be transferred to the  
10985 Transportation Disadvantaged Trust Fund, to be used as specified  
10986 in s. 427.0159.

10987        ~~(c)(3)~~ Beginning in the 2013-2014 fiscal year and annually  
10988 thereafter, \$10 million shall be allocated to the Small County  
10989 Outreach Program to be used as specified in s. 339.2818. These  
10990 funds are in addition to the funds provided for the program  
10991 pursuant to s. 201.15(4)(a)2.

10992        ~~(d)(4)~~ After the distributions required pursuant to  
10993 paragraphs (a), (b), and (c) subsections (1)-(3), the remaining  
10994 funds shall be used annually for transportation projects within  
10995 this state for existing or planned strategic transportation  
10996 projects which connect major markets within this state or  
10997 between this state and other states, which focus on job  
10998 creation, and which increase this state's viability in the  
10999 national and global markets.

11000        (2) The remaining funds that result from increased revenue  
11001 to the State Transportation Trust Fund derived pursuant to s.

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11002 319.32(5)(a) must be used annually, notwithstanding any other  
11003 law, beginning in the 2025-2026 fiscal year and annually  
11004 thereafter, for the Small County Road Assistance Program as  
11005 prescribed in s. 339.2816.

11006 (3)(5) Pursuant to s. 339.135(7), the department shall  
11007 amend the work program to add the projects provided for in this  
11008 section.

11009 **Section 314. Subsection (3) and paragraph (a) of**  
11010 **subsection (4) of section 339.2816, Florida Statutes, are**  
11011 **amended, and paragraph (c) of subsection (4) of that section is**  
11012 **reenacted, to read:**

11013 339.2816 Small County Road Assistance Program.—

11014 (3) Subject to appropriation, beginning with fiscal year  
11015 1999-2000 until fiscal year 2009-2010, and beginning again with  
11016 fiscal year 2012-2013, up to \$25 million annually from the State  
11017 Transportation Trust Fund ~~must~~ ~~may~~ be used for the purposes of  
11018 funding the Small County Road Assistance Program as described in  
11019 this section. In addition, beginning with fiscal year 2025-2026,  
11020 the department must use the additional revenues allocated by s.  
11021 339.0801 for the Small County Road Assistance Program.

11022 (4)(a) Small counties shall be eligible to compete for  
11023 funds that have been designated for the Small County Road  
11024 Assistance Program for resurfacing or reconstruction projects on  
11025 county roads that were part of the county road system on June  
11026 10, 1995. Capacity improvements on county roads are ~~shall~~ not ~~be~~

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11027 eligible for funding under the program unless a safety issue  
11028 exists or the department finds it necessary to widen existing  
11029 lanes as part of a resurfacing or reconstruction project.

11030 (c) The following criteria must be used to prioritize road  
11031 projects for funding under the program:

11032 1. The primary criterion is the physical condition of the  
11033 road as measured by the department.

11034 2. As secondary criteria the department may consider:

11035 a. Whether a road is used as an evacuation route.

11036 b. Whether a road has high levels of agricultural travel.

11037 c. Whether a road is considered a major arterial route.

11038 d. Whether a road is considered a feeder road.

11039 e. Whether a road is located in a fiscally constrained  
11040 county, as defined in s. 218.67(1).

11041 f. Other criteria related to the impact of a project on  
11042 the public road system or on the state or local economy as  
11043 determined by the department.

11044 **Section 315. Subsection (3) of section 339.2817, Florida**  
11045 **Statutes, is amended, and a new subsection (6) is added to that**  
11046 **section, to read:**

11047 339.2817 County Incentive Grant Program.—

11048 (3) The department must consider, but is not limited to,  
11049 the following criteria for evaluation of projects for County  
11050 Incentive Grant Program assistance:

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- 11051 (a) The extent to which the project will encourage,  
11052 enhance, or create economic benefits;
- 11053 (b) The likelihood that assistance would enable the  
11054 project to proceed at an earlier date than the project could  
11055 otherwise proceed;
- 11056 (c) The extent to which assistance would foster innovative  
11057 public-private partnerships and attract private debt or equity  
11058 investment;
- 11059 (d) The extent to which the project uses new technologies,  
11060 including intelligent transportation systems, which enhance the  
11061 efficiency of the project;
- 11062 (e) The extent to which the project enhances connectivity  
11063 between rural agricultural areas and market distribution  
11064 centers;
- 11065 (f)(e) The extent to which the project helps to maintain  
11066 or protect the environment; and
- 11067 (g)(f) The extent to which the project includes  
11068 transportation benefits for improving intermodalism and safety.
- 11069 (6) Beginning in the 2025-2026 fiscal year, the department  
11070 shall give priority to a county located either wholly or  
11071 partially within the Everglades Agricultural Area as defined in  
11072 s. 373.4592(15) which, notwithstanding subsection (4), requests  
11073 100 percent of the project costs for an eligible project that  
11074 meets the criteria established in paragraph (3) (e). Requests

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11075 under this subsection are subject to appropriation and limited  
11076 to \$15 million annually. This subsection expires July 1, 2031.

11077 **Section 316. Subsections (1), (2), (3), (6), (7), and (8)**  
11078 **of section 339.2818, Florida Statutes, are amended to read:**

11079 339.2818 Small County Outreach Program.—

11080 (1) There is created within the department ~~of~~  
11081 ~~Transportation~~ the Small County Outreach Program. The purpose of  
11082 this program is to assist small county governments in repairing  
11083 or rehabilitating county bridges, paving unpaved roads,  
11084 addressing road-related drainage improvements, resurfacing or  
11085 reconstructing county roads, or constructing capacity or safety  
11086 improvements to county roads.

11087 (2) For the purposes of this section, the term "small  
11088 county" means any county that has a population of 200,000 or  
11089 less as determined by the most recent official population census  
11090 determination estimate pursuant to s. 186.901.

11091 ~~(3) Funds allocated under this program, pursuant to s. 4,~~  
11092 ~~ch. 2000-257, Laws of Florida, are in addition to any funds~~  
11093 ~~provided pursuant to s. 339.2816, for the Small County Road~~  
11094 ~~Assistance Program.~~

11095 (5)(6) Funds paid into the State Transportation Trust Fund  
11096 pursuant to ss. 201.15, 320.072, and 339.0801 ~~s. 201.15~~ for the  
11097 purposes of the Small County Outreach Program may be ~~are hereby~~  
11098 annually appropriated for expenditure to support the Small  
11099 County Outreach Program.

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11100        ~~(6)-(7)~~ Subject to a specific appropriation in addition to  
11101 funds annually appropriated for projects under this section, a  
11102 municipality within a rural area of opportunity or a rural area  
11103 of opportunity community designated under s. 288.0656(7) (a) may  
11104 compete for the additional project funding using the criteria  
11105 listed in subsection (3) ~~(4)~~ at up to 100 percent of project  
11106 costs, excluding capacity improvement projects.

11107        ~~(8) Subject to a specific appropriation in addition to~~  
11108 ~~funds appropriated for projects under this section, a local~~  
11109 ~~government either wholly or partially within the Everglades~~  
11110 ~~Agricultural Area as defined in s. 373.4592(15), the Peace River~~  
11111 ~~Basin, or the Suwannee River Basin may compete for additional~~  
11112 ~~funding using the criteria listed in paragraph (4) (c) at up to~~  
11113 ~~100 percent of project costs on state or county roads used~~  
11114 ~~primarily as farm-to-market connections between rural~~  
11115 ~~agricultural areas and market distribution centers, excluding~~  
11116 ~~capacity improvement projects.~~

11117        **Section 317. Section 339.68, Florida Statutes, is amended**  
11118 **to read:**

11119        (Substantial rewording of section.

11120        See s. 339.68, F.S., for present text.)

11121        339.68 Florida Arterial Road Modernization Program.—

11122        (1) The Legislature finds that increasing demands continue  
11123 to be placed on rural arterial roads in this state by a fast-  
11124 growing economy, continued population growth, and increased

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11125 tourism. Investment in the rural arterial roads of this state is  
11126 needed to maintain the safety, mobility, reliability, and  
11127 resiliency of the transportation system in order to support the  
11128 movement of people, goods, and commodities; to enhance economic  
11129 prosperity and competitiveness; and to enrich the quality of  
11130 life of the rural communities and the environment of this state.

11131 (2) The Florida Arterial Road Modernization Program is  
11132 created within the department to make capacity and safety  
11133 improvements to two-lane arterial roads or connect existing  
11134 arterial roads located in rural communities. For purposes of  
11135 this section, the term "rural community" has the same meaning as  
11136 provided in s. 288.0656.

11137 (3) Subject to annual appropriation, beginning in the  
11138 2025-2026 fiscal year, the department shall allocate from the  
11139 State Transportation Trust Fund a minimum of \$50 million in each  
11140 fiscal year for purposes of funding the program. This funding is  
11141 in addition to any other funding provided to the program by any  
11142 other law.

11143 (4) The department shall use the following criteria to  
11144 prioritize projects for funding under the program:

11145 (a) Whether the road has documented safety concerns or  
11146 requires additional safety and design improvements. This may be  
11147 evidenced by the number of fatalities or crashes per vehicle  
11148 mile traveled.

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11149 (b) Whether the road has or is projected to have a  
11150 significant amount of truck tractor traffic as determined by the  
11151 department. For purposes of this paragraph, the term "truck  
11152 tractor" has the same meaning as in s. 320.01(11).

11153 (c) Whether the road is used to transport agricultural  
11154 products and commodities from the farm to the market or other  
11155 sale or distribution point.

11156 (d) Whether the road is used to transport goods to or from  
11157 warehouses, distribution centers, or intermodal logistics  
11158 centers as defined in s. 311.101(2).

11159 (e) Whether the road is used as an evacuation route.

11160 (f) Whether the physical condition of the road meets  
11161 department standards.

11162 (g) Whether the road currently has, or is projected to  
11163 have within the next 5 years, a level of service of D, E, or F.

11164 (h) Any other criteria related to the impact of a project  
11165 on the public road system or on the state or local economy as  
11166 determined by the department.

11167 (5) By January 1, 2027, and every 2 years thereafter, the  
11168 department shall submit to the Governor, the President of the  
11169 Senate, and the Speaker of the House of Representatives a report  
11170 regarding the use and condition of arterial roads located in  
11171 rural communities, which report must include the following:

11172 (a) A map of roads located in rural communities which are  
11173 designated as arterial roads.

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11174 (b) A needs assessment that must include, but is not  
11175 limited to, consideration of infrastructure improvements to  
11176 improve capacity on arterial roads in rural communities.

11177 (c) A synopsis of the department's project prioritization  
11178 process.

11179 (d) An estimate of the local and state economic impact of  
11180 improving capacity on arterial roads in rural communities.

11181 (e) A listing of the arterial roads and the associated  
11182 improvements to be included in the program and a schedule or  
11183 timeline for the inclusion of such projects in the work program.

11184 **Section 318.** (1) The Department of Transportation shall  
11185 allocate funds to implement the Small County Road Assistance  
11186 Program as created by s. 339.2816, Florida Statutes, and amend  
11187 the current tentative work program for the 2025-2026 through  
11188 2031-2032 fiscal years to include additional projects. In  
11189 addition, before adoption of the work program, the department  
11190 shall submit a budget amendment pursuant to s. 339.135(7),  
11191 Florida Statutes, requesting budget authority necessary to  
11192 implement the additional projects.

11193 (2) The department shall allocate sufficient funds to  
11194 implement the Florida Arterial Road Modernization Program,  
11195 develop a plan to expend the revenues as specified in s. 339.68,  
11196 Florida Statutes, and, before its adoption, amend the current  
11197 tentative work program for the 2025-2026 through 2031-2032  
11198 fiscal years to include the program's projects. In addition,

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11199 | before adoption of the work program, the department shall submit  
11200 | a budget amendment pursuant to s. 339.135(7), Florida Statutes,  
11201 | requesting budget authority necessary to implement the program  
11202 | as specified in s. 339.68, Florida Statutes.

11203 | (3) Notwithstanding any other law, the increase in revenue  
11204 | to the State Transportation Trust Fund derived from the  
11205 | amendments to ss. 201.15 and 319.32, Florida Statutes, deposited  
11206 | into the trust fund pursuant to ss. 201.15 and 339.0801, Florida  
11207 | Statutes, shall be used by the department to fund the programs  
11208 | as specified in this section.

11209 | **Section 319. Subsection (3) of section 420.9073, Florida**  
11210 | **Statutes, is amended to read:**

11211 | 420.9073 Local housing distributions.—

11212 | (3) Calculation of guaranteed amounts:

11213 | (a) The guaranteed amount under subsection (1) shall be  
11214 | calculated for each state fiscal year by multiplying \$1 million  
11215 | ~~\$350,000~~ by a fraction, the numerator of which is the amount of  
11216 | funds distributed to the Local Government Housing Trust Fund  
11217 | pursuant to s. 201.15(4)(c) and the denominator of which is the  
11218 | total amount of funds distributed to the Local Government  
11219 | Housing Trust Fund pursuant to s. 201.15. Awards under this  
11220 | subsection are subject to legislative appropriation.

11221 | (b) The guaranteed amount under subsection (2) shall be  
11222 | calculated for each state fiscal year by multiplying \$1 million  
11223 | ~~\$350,000~~ by a fraction, the numerator of which is the amount of

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11224 funds distributed to the Local Government Housing Trust Fund  
11225 pursuant to s. 201.15(4)(d) and the denominator of which is the  
11226 total amount of funds distributed to the Local Government  
11227 Housing Trust Fund pursuant to s. 201.15.

11228 **Section 320. Paragraph (n) of subsection (5) of section**  
11229 **420.9075, Florida Statutes, is amended, paragraph (o) is added**  
11230 **to that subsection, and paragraph (b) of subsection (13) of that**  
11231 **section is reenacted, to read:**

11232 420.9075 Local housing assistance plans; partnerships.—

11233 (5) The following criteria apply to awards made to  
11234 eligible sponsors or eligible persons for the purpose of  
11235 providing eligible housing:

11236 (n) Funds from the local housing distribution not used to  
11237 meet the criteria established in paragraph (a), ~~or~~ paragraph  
11238 (c), or paragraph (o), or not used for the administration of a  
11239 local housing assistance plan must be used for housing  
11240 production and finance activities, including, but not limited  
11241 to, financing preconstruction activities or the purchase of  
11242 existing units, providing rental housing, and providing home  
11243 ownership training to prospective home buyers and owners of  
11244 homes assisted through the local housing assistance plan.

11245 1. Notwithstanding the provisions of paragraphs (a) and  
11246 (c), program income as defined in s. 420.9071(26) may also be  
11247 used to fund activities described in this paragraph.

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11248           2. When preconstruction due-diligence activities conducted  
11249 as part of a preservation strategy show that preservation of the  
11250 units is not feasible and will not result in the production of  
11251 an eligible unit, such costs shall be deemed a program expense  
11252 rather than an administrative expense if such program expenses  
11253 do not exceed 3 percent of the annual local housing  
11254 distribution.

11255           3. If both an award under the local housing assistance  
11256 plan and federal low-income housing tax credits are used to  
11257 assist a project and there is a conflict between the criteria  
11258 prescribed in this subsection and the requirements of s. 42 of  
11259 the Internal Revenue Code of 1986, as amended, the county or  
11260 eligible municipality may resolve the conflict by giving  
11261 precedence to the requirements of s. 42 of the Internal Revenue  
11262 Code of 1986, as amended, in lieu of following the criteria  
11263 prescribed in this subsection with the exception of paragraphs  
11264 (a) and (g) of this subsection.

11265           4. Each county and each eligible municipality may award  
11266 funds as a grant for construction, rehabilitation, or repair as  
11267 part of disaster recovery or emergency repairs or to remedy  
11268 accessibility or health and safety deficiencies. Any other  
11269 grants must be approved as part of the local housing assistance  
11270 plan.

11271           (o) Notwithstanding paragraphs (a) and (c), up to 25  
11272 percent of the funds made available in each county and eligible

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11273 municipality from the local housing distribution may be used to  
11274 preserve multifamily affordable rental housing funded through  
11275 United States Department of Agriculture loans. These funds are  
11276 subject to legislative appropriation and may be used to  
11277 rehabilitate housing, extend affordability periods, or acquire  
11278 or transfer properties in partnership with private  
11279 organizations. This paragraph expires on June 30, 2031.

11280 (13)

11281 (b) If, as a result of its review of the annual report,  
11282 the corporation determines that a county or eligible  
11283 municipality has failed to implement a local housing incentive  
11284 strategy, or, if applicable, a local housing incentive plan, it  
11285 shall send a notice of termination of the local government's  
11286 share of the local housing distribution by certified mail to the  
11287 affected county or eligible municipality.

11288 1. The notice must specify a date of termination of the  
11289 funding if the affected county or eligible municipality does not  
11290 implement the plan or strategy and provide for a local response.  
11291 A county or eligible municipality shall respond to the  
11292 corporation within 30 days after receipt of the notice of  
11293 termination.

11294 2. The corporation shall consider the local response that  
11295 extenuating circumstances precluded implementation and grant an  
11296 extension to the timeframe for implementation. Such an extension  
11297 shall be made in the form of an extension agreement that

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11298 provides a timeframe for implementation. The chief elected  
11299 official of a county or eligible municipality or his or her  
11300 designee shall have the authority to enter into the agreement on  
11301 behalf of the local government.

11302 3. If the county or the eligible municipality has not  
11303 implemented the incentive strategy or entered into an extension  
11304 agreement by the termination date specified in the notice, the  
11305 local housing distribution share terminates, and any uncommitted  
11306 local housing distribution funds held by the affected county or  
11307 eligible municipality in its local housing assistance trust fund  
11308 shall be transferred to the Local Government Housing Trust Fund  
11309 to the credit of the corporation to administer.

11310 4.a. If the affected local government fails to meet the  
11311 timeframes specified in the agreement, the corporation shall  
11312 terminate funds. The corporation shall send a notice of  
11313 termination of the local government's share of the local housing  
11314 distribution by certified mail to the affected local government.  
11315 The notice shall specify the termination date, and any  
11316 uncommitted funds held by the affected local government shall be  
11317 transferred to the Local Government Housing Trust Fund to the  
11318 credit of the corporation to administer.

11319 b. If the corporation terminates funds to a county, but an  
11320 eligible municipality receiving a local housing distribution  
11321 pursuant to an interlocal agreement maintains compliance with  
11322 program requirements, the corporation shall thereafter

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11323 distribute directly to the participating eligible municipality  
11324 its share calculated in the manner provided in ss. 420.9072 and  
11325 420.9073.

11326 c. Any county or eligible municipality whose local  
11327 distribution share has been terminated may subsequently elect to  
11328 receive directly its local distribution share by adopting the  
11329 ordinance, resolution, and local housing assistance plan in the  
11330 manner and according to the procedures provided in ss. 420.907-  
11331 420.9079.

11332 **Section 321. Subsection (3) of section 163.3187, Florida**  
11333 **Statutes, is amended to read:**

11334 163.3187 Process for adoption of small scale comprehensive  
11335 plan amendment.—

11336 (3) If the small scale development amendment involves a  
11337 site within a rural area of opportunity as defined under s.  
11338 288.0656 ~~s. 288.0656(2)(d)~~ for the duration of such designation,  
11339 the acreage limit listed in subsection (1) shall be increased by  
11340 100 percent. The local government approving the small scale plan  
11341 amendment shall certify to the state land planning agency that  
11342 the plan amendment furthers the economic objectives set forth in  
11343 the executive order issued under s. 288.0656(7), and the  
11344 property subject to the plan amendment shall undergo public  
11345 review to ensure that all concurrency requirements and federal,  
11346 state, and local environmental permit requirements are met.

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11347           **Section 322. Section 212.205, Florida Statutes, is amended**  
11348 **to read:**

11349           212.205 Sales tax distribution reporting.—By March 15 of  
11350 each year, each person who received a distribution pursuant to  
11351 s. 212.20(6)(d)7.b. and c. ~~s. 212.20(6)(d)6.b. and c.~~ in the  
11352 preceding calendar year shall report to the Office of Economic  
11353 and Demographic Research the following information:

11354           (1) An itemized accounting of all expenditures of the  
11355 funds distributed in the preceding calendar year, including  
11356 amounts spent on debt service.

11357           (2) A statement indicating what portion of the distributed  
11358 funds have been pledged for debt service.

11359           (3) The original principal amount and current debt service  
11360 schedule of any bonds or other borrowing for which the  
11361 distributed funds have been pledged for debt service.

11362           **Section 323. Section 257.191, Florida Statutes, is amended**  
11363 **to read:**

11364           257.191 Construction grants.—The Division of Library and  
11365 Information Services may accept and administer library  
11366 construction moneys appropriated to it and shall allocate such  
11367 appropriation to municipal, county, and regional libraries in  
11368 the form of library construction grants on a matching basis. The  
11369 local matching portion shall be no less than the grant amount,  
11370 on a dollar-for-dollar basis, up to the maximum grant amount,  
11371 unless the matching requirement is waived pursuant to s. 288.019

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11372 ~~by s. 288.06561~~. Initiation of a library construction project 12  
11373 months or less prior to the grant award under this section does  
11374 ~~shall~~ not affect the eligibility of an applicant to receive a  
11375 library construction grant. The division shall adopt rules for  
11376 the administration of library construction grants. For the  
11377 purposes of this section, s. 257.21 does not apply.

11378 **Section 324. Subsection (2) of section 257.193, Florida**  
11379 **Statutes, is amended to read:**

11380 257.193 Community Libraries in Caring Program.—

11381 (2) The purpose of the Community Libraries in Caring  
11382 Program is to assist libraries in rural communities, as defined  
11383 in s. 288.0656(2) and subject to the provisions of s. 288.019 ~~s.~~  
11384 ~~288.06561~~, to strengthen their collections and services, improve  
11385 literacy in their communities, and improve the economic  
11386 viability of their communities.

11387 **Section 325. Subsection (17) of section 265.283, Florida**  
11388 **Statutes, is amended to read:**

11389 265.283 Definitions.—The following definitions shall apply  
11390 to ss. 265.281-265.703:

11391 (17) "Underserved arts community assistance program  
11392 grants" means grants used by qualified organizations under the  
11393 Rural Economic Development Initiative, pursuant to s. 288.0656  
11394 and subject to the provisions of s. 288.019 ~~ss. 288.0656 and~~  
11395 ~~288.06561~~, for the purpose of economic and organizational  
11396 development for underserved cultural organizations.

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11397           **Section 326. Paragraphs (a) and (d) of subsection (3) of**  
11398 **section 288.11621, Florida Statutes, are amended to read:**

11399           288.11621 Spring training baseball franchises.—

11400           (3) USE OF FUNDS.—

11401           (a) A certified applicant may use funds provided under s.  
11402 212.20(6)(d)7.b. ~~s. 212.20(6)(d)6.b.~~ only to:

11403           1. Serve the public purpose of acquiring, constructing,  
11404 reconstructing, or renovating a facility for a spring training  
11405 franchise.

11406           2. Pay or pledge for the payment of debt service on, or to  
11407 fund debt service reserve funds, arbitrage rebate obligations,  
11408 or other amounts payable with respect thereto, bonds issued for  
11409 the acquisition, construction, reconstruction, or renovation of  
11410 such facility, or for the reimbursement of such costs or the  
11411 refinancing of bonds issued for such purposes.

11412           3. Assist in the relocation of a spring training franchise  
11413 from one unit of local government to another only if the  
11414 governing board of the current host local government by a  
11415 majority vote agrees to relocation.

11416           (d)1. All certified applicants must place unexpended state  
11417 funds received pursuant to s. 212.20(6)(d)7.b. ~~s.~~  
11418 ~~212.20(6)(d)6.b.~~ in a trust fund or separate account for use  
11419 only as authorized in this section.

11420           2. A certified applicant may request that the Department  
11421 of Revenue suspend further distributions of state funds made

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11422 available under s. 212.20(6)(d)7.b. ~~s. 212.20(6)(d)6.b.~~ for 12  
11423 months after expiration of an existing agreement with a spring  
11424 training franchise to provide the certified applicant with an  
11425 opportunity to enter into a new agreement with a spring training  
11426 franchise, at which time the distributions shall resume.

11427 3. The expenditure of state funds distributed to an  
11428 applicant certified before July 1, 2010, must begin within 48  
11429 months after the initial receipt of the state funds. In  
11430 addition, the construction of, or capital improvements to, a  
11431 spring training facility must be completed within 24 months  
11432 after the project's commencement.

11433 **Section 327. Paragraph (c) of subsection (2) and**  
11434 **paragraphs (a), (c), and (d) of subsection (3) of section**  
11435 **288.11631, Florida Statutes, are amended to read:**

11436 288.11631 Retention of Major League Baseball spring  
11437 training baseball franchises.—

11438 (2) CERTIFICATION PROCESS.—

11439 (c) Each applicant certified on or after July 1, 2013,  
11440 shall enter into an agreement with the department which:

11441 1. Specifies the amount of the state incentive funding to  
11442 be distributed. The amount of state incentive funding per  
11443 certified applicant may not exceed \$20 million. However, if a  
11444 certified applicant's facility is used by more than one spring  
11445 training franchise, the maximum amount may not exceed \$50  
11446 million, and the Department of Revenue shall make distributions

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11447 to the applicant pursuant to s. 212.20(6)(d)7.c. ~~s.~~  
11448 ~~212.20(6)(d)6.e.~~

11449 2. States the criteria that the certified applicant must  
11450 meet in order to remain certified. These criteria must include a  
11451 provision stating that the spring training franchise must  
11452 reimburse the state for any funds received if the franchise does  
11453 not comply with the terms of the contract. If bonds were issued  
11454 to construct or renovate a facility for a spring training  
11455 franchise, the required reimbursement must be equal to the total  
11456 amount of state distributions expected to be paid from the date  
11457 the franchise violates the agreement with the applicant through  
11458 the final maturity of the bonds.

11459 3. States that the certified applicant is subject to  
11460 decertification if the certified applicant fails to comply with  
11461 this section or the agreement.

11462 4. States that the department may recover state incentive  
11463 funds if the certified applicant is decertified.

11464 5. Specifies the information that the certified applicant  
11465 must report to the department.

11466 6. Includes any provision deemed prudent by the  
11467 department.

11468 (3) USE OF FUNDS.—

11469 (a) A certified applicant may use funds provided under s.  
11470 212.20(6)(d)7.c. ~~s. 212.20(6)(d)6.e.~~ only to:

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11471 1. Serve the public purpose of constructing or renovating  
11472 a facility for a spring training franchise.

11473 2. Pay or pledge for the payment of debt service on, or to  
11474 fund debt service reserve funds, arbitrage rebate obligations,  
11475 or other amounts payable with respect thereto, bonds issued for  
11476 the construction or renovation of such facility, or for the  
11477 reimbursement of such costs or the refinancing of bonds issued  
11478 for such purposes.

11479 (c) The Department of Revenue may not distribute funds  
11480 under s. 212.20(6)(d)7.c. ~~s. 212.20(6)(d)6.e.~~ until July 1,  
11481 2016. Further, the Department of Revenue may not distribute  
11482 funds to an applicant certified on or after July 1, 2013, until  
11483 it receives notice from the department that:

11484 1. The certified applicant has encumbered funds under  
11485 either subparagraph (a)1. or subparagraph (a)2.; and

11486 2. If applicable, any existing agreement with a spring  
11487 training franchise for the use of a facility has expired.

11488 (d)1. All certified applicants shall place unexpended  
11489 state funds received pursuant to s. 212.20(6)(d)7.c. ~~s.~~  
11490 ~~212.20(6)(d)6.e.~~ in a trust fund or separate account for use  
11491 only as authorized in this section.

11492 2. A certified applicant may request that the department  
11493 notify the Department of Revenue to suspend further  
11494 distributions of state funds made available under s.  
11495 212.20(6)(d)7.c. ~~s. 212.20(6)(d)6.e.~~ for 12 months after

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11496 expiration of an existing agreement with a spring training  
11497 franchise to provide the certified applicant with an opportunity  
11498 to enter into a new agreement with a spring training franchise,  
11499 at which time the distributions shall resume.

11500 3. The expenditure of state funds distributed to an  
11501 applicant certified after July 1, 2013, must begin within 48  
11502 months after the initial receipt of the state funds. In  
11503 addition, the construction or renovation of a spring training  
11504 facility must be completed within 24 months after the project's  
11505 commencement.

11506 **Section 328. Subsection (1) of section 443.191, Florida**  
11507 **Statutes, is amended to read:**

11508 443.191 Unemployment Compensation Trust Fund;  
11509 establishment and control.—

11510 (1) There is established, as a separate trust fund apart  
11511 from all other public funds of this state, an Unemployment  
11512 Compensation Trust Fund, which shall be administered by the  
11513 Department of Commerce exclusively for the purposes of this  
11514 chapter. The fund must consist of:

11515 (a) All contributions and reimbursements collected under  
11516 this chapter;

11517 (b) Interest earned on any moneys in the fund;

11518 (c) Any property or securities acquired through the use of  
11519 moneys belonging to the fund;

11520 (d) All earnings of these properties or securities;

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11521 (e) All money credited to this state's account in the  
11522 federal Unemployment Compensation Trust Fund under 42 U.S.C. s.  
11523 1103;

11524 (f) All money collected for penalties imposed pursuant to  
11525 s. 443.151(6) (a);

11526 (g) Advances on the amount in the federal Unemployment  
11527 Compensation Trust Fund credited to the state under 42 U.S.C. s.  
11528 1321, as requested by the Governor or the Governor's designee;  
11529 and

11530 (h) All money deposited in this account as a distribution  
11531 pursuant to s. 212.20(6)(d)7.e. ~~s. 212.20(6)(d)6.e.~~

11532  
11533 Except as otherwise provided in s. 443.1313(4), all moneys in  
11534 the fund must be mingled and undivided.

11535 **Section 329. Section 571.26, Florida Statutes, is amended**  
11536 **to read:**

11537 571.26 Florida Agricultural Promotional Campaign Trust  
11538 Fund.—There is hereby created the Florida Agricultural  
11539 Promotional Campaign Trust Fund within the Department of  
11540 Agriculture and Consumer Services to receive all moneys related  
11541 to the Florida Agricultural Promotional Campaign. Moneys  
11542 deposited in the trust fund shall be appropriated for the sole  
11543 purpose of implementing the Florida Agricultural Promotional  
11544 Campaign, except for money deposited in the trust fund pursuant  
11545 to s. 212.20(6)(d)7.h. ~~s. 212.20(6)(d)6.h.~~, which shall be held

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11546 separately and used solely for the purposes identified in s.  
11547 571.265.

11548 **Section 330. Subsection (2) of section 571.265, Florida**  
11549 **Statutes, is amended to read:**

11550 571.265 Promotion of Florida thoroughbred breeding and of  
11551 thoroughbred racing at Florida thoroughbred tracks; distribution  
11552 of funds.—

11553 (2) Funds deposited into the Florida Agricultural  
11554 Promotional Campaign Trust Fund pursuant to s. 212.20(6)(d)7.f.  
11555 ~~s. 212.20(6)(d)6.f.~~ shall be used by the department to encourage  
11556 the agricultural activity of breeding thoroughbred racehorses in  
11557 this state and to enhance thoroughbred racing conducted at  
11558 thoroughbred tracks in this state as provided in this section.  
11559 If the funds made available under this section are not fully  
11560 used in any one fiscal year, any unused amounts shall be carried  
11561 forward in the trust fund into future fiscal years and made  
11562 available for distribution as provided in this section.

11563 **Section 331. For the purpose of incorporating the**  
11564 **amendment made by this act to section 20.60, Florida Statutes,**  
11565 **in a reference thereto, subsection (8) of section 288.9935,**  
11566 **Florida Statutes, is reenacted to read:**

11567 288.9935 Microfinance Guarantee Program.—

11568 (8) The department must, in the department's report  
11569 required under s. 20.60(10), include an annual report on the  
11570 program. The report must, at a minimum, provide:

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11571 (a) A comprehensive description of the program, including  
11572 an evaluation of its application and guarantee activities,  
11573 recommendations for change, and identification of any other  
11574 state programs that overlap with the program;

11575 (b) An assessment of the current availability of and  
11576 access to credit for entrepreneurs and small businesses in this  
11577 state;

11578 (c) A summary of the financial and employment results of  
11579 the entrepreneurs and small businesses receiving loan  
11580 guarantees, including the number of full-time equivalent jobs  
11581 created as a result of the guaranteed loans and the amount of  
11582 wages paid to employees in the newly created jobs;

11583 (d) Industry data about the borrowers, including the six-  
11584 digit North American Industry Classification System (NAICS)  
11585 code;

11586 (e) The name and location of lenders that receive loan  
11587 guarantees;

11588 (f) The number of loan guarantee applications received;

11589 (g) The number, duration, location, and amount of  
11590 guarantees made;

11591 (h) The number and amount of guaranteed loans outstanding,  
11592 if any;

11593 (i) The number and amount of guaranteed loans with  
11594 payments overdue, if any;

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11595 (j) The number and amount of guaranteed loans in default,  
11596 if any;

11597 (k) The repayment history of the guaranteed loans made;  
11598 and

11599 (l) An evaluation of the program's ability to meet the  
11600 financial performance measures and objectives specified in  
11601 subsection (3).

11602 **Section 332. For the purpose of incorporating the**  
11603 **amendment made by this act to section 218.67, Florida Statutes,**  
11604 **in a reference thereto, paragraph (c) of subsection (5) of**  
11605 **section 125.0104, Florida Statutes, is reenacted to read:**

11606 125.0104 Tourist development tax; procedure for levying;  
11607 authorized uses; referendum; enforcement.—

11608 (5) AUTHORIZED USES OF REVENUE.—

11609 (c) A county located adjacent to the Gulf of Mexico or the  
11610 Atlantic Ocean, except a county that receives revenue from taxes  
11611 levied pursuant to s. 125.0108, which meets the following  
11612 criteria may use up to 10 percent of the tax revenue received  
11613 pursuant to this section to reimburse expenses incurred in  
11614 providing public safety services, including emergency medical  
11615 services as defined in s. 401.107(3), and law enforcement  
11616 services, which are needed to address impacts related to  
11617 increased tourism and visitors to an area. However, if taxes  
11618 collected pursuant to this section are used to reimburse  
11619 emergency medical services or public safety services for tourism

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11620 or special events, the governing board of a county or  
11621 municipality may not use such taxes to supplant the normal  
11622 operating expenses of an emergency medical services department,  
11623 a fire department, a sheriff's office, or a police department.

11624 To receive reimbursement, the county must:

11625 1.a. Generate a minimum of \$10 million in annual proceeds  
11626 from any tax, or any combination of taxes, authorized to be  
11627 levied pursuant to this section;

11628 b. Have at least three municipalities; and

11629 c. Have an estimated population of less than 275,000,  
11630 according to the most recent population estimate prepared  
11631 pursuant to s. 186.901, excluding the inmate population; or

11632 2. Be a fiscally constrained county as described in s.  
11633 218.67(1).

11634

11635 The board of county commissioners must by majority vote approve  
11636 reimbursement made pursuant to this paragraph upon receipt of a  
11637 recommendation from the tourist development council.

11638 **Section 333. For the purpose of incorporating the**  
11639 **amendment made by this act to section 218.67, Florida Statutes,**  
11640 **in a reference thereto, subsection (3) of section 193.624,**  
11641 **Florida Statutes, is reenacted to read:**

11642 193.624 Assessment of renewable energy source devices.—

11643 (3) This section applies to the installation of a  
11644 renewable energy source device installed on or after January 1,

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11645 2013, to new and existing residential real property. This  
11646 section applies to a renewable energy source device installed on  
11647 or after January 1, 2018, to all other real property, except  
11648 when installed as part of a project planned for a location in a  
11649 fiscally constrained county, as defined in s. 218.67(1), and for  
11650 which an application for a comprehensive plan amendment or  
11651 planned unit development zoning has been filed with the county  
11652 on or before December 31, 2017.

11653 **Section 334. For the purpose of incorporating the**  
11654 **amendment made by this act to section 218.67, Florida Statutes,**  
11655 **in a reference thereto, subsection (2) of section 196.182,**  
11656 **Florida Statutes, is reenacted to read:**

11657 196.182 Exemption of renewable energy source devices.—

11658 (2) The exemption provided in this section does not apply  
11659 to a renewable energy source device that is installed as part of  
11660 a project planned for a location in a fiscally constrained  
11661 county, as defined in s. 218.67(1), and for which an application  
11662 for a comprehensive plan amendment or planned unit development  
11663 zoning has been filed with the county on or before December 31,  
11664 2017.

11665 **Section 335. For the purpose of incorporating the**  
11666 **amendment made by this act to section 218.67, Florida Statutes,**  
11667 **in a reference thereto, subsection (1) of section 218.12,**  
11668 **Florida Statutes, is reenacted to read:**

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11669 218.12 Appropriations to offset reductions in ad valorem  
11670 tax revenue in fiscally constrained counties.—

11671 (1) Beginning in fiscal year 2008-2009, the Legislature  
11672 shall appropriate moneys to offset the reductions in ad valorem  
11673 tax revenue experienced by fiscally constrained counties, as  
11674 defined in s. 218.67(1), which occur as a direct result of the  
11675 implementation of revisions of Art. VII of the State  
11676 Constitution approved in the special election held on January  
11677 29, 2008. The moneys appropriated for this purpose shall be  
11678 distributed in January of each fiscal year among the fiscally  
11679 constrained counties based on each county's proportion of the  
11680 total reduction in ad valorem tax revenue resulting from the  
11681 implementation of the revision.

11682 **Section 336. For the purpose of incorporating the**  
11683 **amendment made by this act to section 218.67, Florida Statutes,**  
11684 **in a reference thereto, subsection (1) of section 218.125,**  
11685 **Florida Statutes, is reenacted to read:**

11686 218.125 Offset for tax loss associated with certain  
11687 constitutional amendments affecting fiscally constrained  
11688 counties.—

11689 (1) Beginning in the 2010-2011 fiscal year, the  
11690 Legislature shall appropriate moneys to offset the reductions in  
11691 ad valorem tax revenue experienced by fiscally constrained  
11692 counties, as defined in s. 218.67(1), which occur as a direct  
11693 result of the implementation of revisions of ss. 3(f) and 4(b),

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11694 Art. VII of the State Constitution which were approved in the  
11695 general election held in November 2008. The moneys appropriated  
11696 for this purpose shall be distributed in January of each fiscal  
11697 year among the fiscally constrained counties based on each  
11698 county's proportion of the total reduction in ad valorem tax  
11699 revenue resulting from the implementation of the revisions.

11700 **Section 337. For the purpose of incorporating the**  
11701 **amendment made by this act to section 218.67, Florida Statutes,**  
11702 **in a reference thereto, subsection (1) of section 218.135,**  
11703 **Florida Statutes, is reenacted to read:**

11704 218.135 Offset for tax loss associated with reductions in  
11705 value of certain citrus fruit packing and processing equipment.—

11706 (1) For the 2018-2019 fiscal year, the Legislature shall  
11707 appropriate moneys to offset the reductions in ad valorem tax  
11708 revenue experienced by fiscally constrained counties, as defined  
11709 in s. 218.67(1), which occur as a direct result of the  
11710 implementation of s. 193.4516. The moneys appropriated for this  
11711 purpose shall be distributed in January 2019 among the fiscally  
11712 constrained counties based on each county's proportion of the  
11713 total reduction in ad valorem tax revenue resulting from the  
11714 implementation of s. 193.4516.

11715 **Section 338. For the purpose of incorporating the**  
11716 **amendment made by this act to section 218.67, Florida Statutes,**  
11717 **in a reference thereto, subsection (1) of section 218.136,**  
11718 **Florida Statutes, is reenacted to read:**

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11719 218.136 Offset for ad valorem revenue loss affecting  
11720 fiscally constrained counties.—

11721 (1) Beginning in fiscal year 2025-2026, the Legislature  
11722 shall appropriate moneys to offset the reductions in ad valorem  
11723 tax revenue experienced by fiscally constrained counties, as  
11724 defined in s. 218.67(1), which occur as a direct result of the  
11725 implementation of revisions of s. 6(a), Art. VII of the State  
11726 Constitution approved in the November 2024 general election. The  
11727 moneys appropriated for this purpose shall be distributed in  
11728 January of each fiscal year among the fiscally constrained  
11729 counties based on each county's proportion of the total  
11730 reduction in ad valorem tax revenue resulting from the  
11731 implementation of the revision of s. 6(a), Art. VII of the State  
11732 Constitution.

11733 **Section 339. For the purpose of incorporating the**  
11734 **amendment made by this act to section 218.67, Florida Statutes,**  
11735 **in a reference thereto, paragraph (cc) of subsection (2) of**  
11736 **section 252.35, Florida Statutes, is reenacted to read:**

11737 252.35 Emergency management powers; Division of Emergency  
11738 Management.—

11739 (2) The division is responsible for carrying out the  
11740 provisions of ss. 252.31-252.90. In performing its duties, the  
11741 division shall:

11742 (cc) Prioritize technical assistance and training to  
11743 fiscally constrained counties as defined in s. 218.67(1) on

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11744 aspects of safety measures, preparedness, prevention, response,  
11745 recovery, and mitigation relating to natural disasters and  
11746 emergencies.

11747 **Section 340. For the purpose of incorporating the**  
11748 **amendment made by this act to section 218.67, Florida Statutes,**  
11749 **in a reference thereto, subsection (4) of section 288.102,**  
11750 **Florida Statutes, is reenacted to read:**

11751 288.102 Supply Chain Innovation Grant Program.—

11752 (4) A minimum of a one-to-one match of nonstate resources,  
11753 including local, federal, or private funds, to the state  
11754 contribution is required. An award may not be made for a project  
11755 that is receiving or using state funding from another state  
11756 source or statutory program, including tax credits. The one-to-  
11757 one match requirement is waived for a public entity located in a  
11758 fiscally constrained county as defined in s. 218.67(1).

11759 **Section 341. For the purpose of incorporating the**  
11760 **amendment made by this act to section 218.67, Florida Statutes,**  
11761 **in a reference thereto, paragraph (g) of subsection (16) of**  
11762 **section 403.064, Florida Statutes, is reenacted to read:**

11763 403.064 Reuse of reclaimed water.—

11764 (16) By November 1, 2021, domestic wastewater utilities  
11765 that dispose of effluent, reclaimed water, or reuse water by  
11766 surface water discharge shall submit to the department for  
11767 review and approval a plan for eliminating nonbeneficial surface  
11768 water discharge by January 1, 2032, subject to the requirements

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11769 of this section. The plan must include the average gallons per  
11770 day of effluent, reclaimed water, or reuse water that will no  
11771 longer be discharged into surface waters and the date of such  
11772 elimination, the average gallons per day of surface water  
11773 discharge which will continue in accordance with the  
11774 alternatives provided for in subparagraphs (a)2. and 3., and the  
11775 level of treatment that the effluent, reclaimed water, or reuse  
11776 water will receive before being discharged into a surface water  
11777 by each alternative.

11778 (g) This subsection does not apply to any of the  
11779 following:

11780 1. A domestic wastewater treatment facility that is  
11781 located in a fiscally constrained county as described in s.  
11782 218.67(1).

11783 2. A domestic wastewater treatment facility that is  
11784 located in a municipality that is entirely within a rural area  
11785 of opportunity as designated pursuant to s. 288.0656.

11786 3. A domestic wastewater treatment facility that is  
11787 located in a municipality that has less than \$10 million in  
11788 total revenue, as determined by the municipality's most recent  
11789 annual financial report submitted to the Department of Financial  
11790 Services in accordance with s. 218.32.

11791 4. A domestic wastewater treatment facility that is  
11792 operated by an operator of a mobile home park as defined in s.

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11793 723.003 and has a permitted capacity of less than 300,000  
11794 gallons per day.

11795 **Section 342. For the purpose of incorporating the**  
11796 **amendment made by this act to section 218.67, Florida Statutes,**  
11797 **in references thereto, subsections (2) and (3) of section**  
11798 **589.08, Florida Statutes, are reenacted to read:**

11799 589.08 Land acquisition restrictions.—

11800 (2) The Florida Forest Service may receive, hold the  
11801 custody of, and exercise the control of any lands, and set aside  
11802 into a separate, distinct and inviolable fund, any proceeds  
11803 derived from the sales of the products of such lands, the use  
11804 thereof in any manner, or the sale of such lands save the 25  
11805 percent of the proceeds to be paid into the State School Fund as  
11806 provided by law. The Florida Forest Service may use and apply  
11807 such funds for the acquisition, use, custody, management,  
11808 development, or improvement of any lands vested in or subject to  
11809 the control of the Florida Forest Service. After full payment  
11810 has been made for the purchase of a state forest to the Federal  
11811 Government or other grantor, 15 percent of the gross receipts  
11812 from a state forest shall be paid to the fiscally constrained  
11813 county or counties, as described in s. 218.67(1), in which it is  
11814 located in proportion to the acreage located in each county for  
11815 use by the county or counties for school purposes.

11816 (3) The Florida Forest Service shall pay 15 percent of the  
11817 gross receipts from the Goethe State Forest to each fiscally

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11818 | constrained county, as described in s. 218.67(1), in which a  
11819 | portion of the respective forest is located in proportion to the  
11820 | forest acreage located in such county. The funds must be equally  
11821 | divided between the board of county commissioners and the school  
11822 | board of each fiscally constrained county.

11823 |       **Section 343. For the purpose of incorporating the**  
11824 | **amendment made by this act to section 218.67, Florida Statutes,**  
11825 | **in a reference thereto, paragraph (f) of subsection (1) of**  
11826 | **section 1011.62, Florida Statutes, is reenacted to read:**

11827 |       1011.62 Funds for operation of schools.—If the annual  
11828 | allocation from the Florida Education Finance Program to each  
11829 | district for operation of schools is not determined in the  
11830 | annual appropriations act or the substantive bill implementing  
11831 | the annual appropriations act, it shall be determined as  
11832 | follows:

11833 |       (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
11834 | OPERATION.—The following procedure shall be followed in  
11835 | determining the annual allocation to each district for  
11836 | operation:

11837 |       (f) *Small district factor.*—An additional value per full-  
11838 | time equivalent student membership is provided to each school  
11839 | district with a full-time equivalent student membership of fewer  
11840 | than 20,000 full-time equivalent students which is in a fiscally  
11841 | constrained county as described in s. 218.67(1). The amount of

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11842 the additional value shall be specified in the General  
11843 Appropriations Act.

11844 **Section 344. For the purpose of incorporating the**  
11845 **amendment made by this act to sections 218.67 and 339.2818,**  
11846 **Florida Statutes, in references thereto, paragraph (c) of**  
11847 **subsection (6) of section 403.0741, Florida Statutes, is**  
11848 **reenacted to read:**

11849 403.0741 Grease waste removal and disposal.—

11850 (6) REGULATION BY LOCAL GOVERNMENTS.—

11851 (c) Fiscally constrained counties as described in s.  
11852 218.67(1) and small counties as defined in s. 339.2818(2) may  
11853 opt out of the requirements of this section.

11854 **Section 345. For the purpose of incorporating the**  
11855 **amendment made by this act to section 288.0656, Florida**  
11856 **Statutes, in a reference thereto, paragraph (e) of subsection**  
11857 **(7) of section 163.3177, Florida Statutes, is reenacted to read:**

11858 163.3177 Required and optional elements of comprehensive  
11859 plan; studies and surveys.—

11860 (7)

11861 (e) This subsection does not confer the status of rural  
11862 area of opportunity, or any of the rights or benefits derived  
11863 from such status, on any land area not otherwise designated as  
11864 such pursuant to s. 288.0656(7).

11865 **Section 346. For the purpose of incorporating the**  
11866 **amendment made by this act to section 288.9961, Florida**

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11867 **Statutes, in a reference thereto, paragraph (a) of subsection**  
11868 **(7) of section 288.9962, Florida Statutes, is reenacted to read:**

11869 288.9962 Broadband Opportunity Program.—

11870 (7) (a) In evaluating grant applications and awarding  
11871 grants, the office must give priority to applications that:

11872 1. Offer broadband Internet service to important community  
11873 institutions, including, but not limited to, libraries,  
11874 educational institutions, public safety facilities, and health  
11875 care facilities;

11876 2. Facilitate the use of telemedicine and electronic  
11877 health records;

11878 3. Serve economically distressed areas of this state, as  
11879 measured by indices of unemployment, poverty, or population loss  
11880 that are significantly greater than the statewide average;

11881 4. Provide for scalability to transmission speeds of at  
11882 least 100 megabits per second download and 10 megabits per  
11883 second upload;

11884 5. Include a component to actively promote the adoption of  
11885 the newly available broadband Internet service in the community;

11886 6. Provide evidence of strong support for the project from  
11887 citizens, government, businesses, and institutions in the  
11888 community;

11889 7. Provide access to broadband Internet service to the  
11890 greatest number of unserved households and businesses;

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11891 8. Leverage greater amounts of funding for a project from  
11892 private sources; or

11893 9. Demonstrate consistency with the strategic plan adopted  
11894 under s. 288.9961.

11895 **Section 347. For the purpose of incorporating the**  
11896 **amendment made by this act to section 339.68, Florida Statutes,**  
11897 **in references thereto, subsections (5) and (6) of section**  
11898 **339.66, Florida Statutes, are reenacted to read:**

11899 339.66 Upgrade of arterial highways with controlled access  
11900 facilities.—

11901 (5) Any existing applicable requirements relating to  
11902 department projects shall apply to projects undertaken by the  
11903 department pursuant to this section. The department shall take  
11904 into consideration the guidance and recommendations of any  
11905 previous studies or reports relevant to the projects authorized  
11906 by this section and ss. 339.67 and 339.68, including, but not  
11907 limited to, the task force reports prepared pursuant to chapter  
11908 2019-43, Laws of Florida.

11909 (6) Any existing applicable requirements relating to  
11910 turnpike projects apply to projects undertaken by the Turnpike  
11911 Enterprise pursuant to this section. The Turnpike Enterprise  
11912 shall take into consideration the guidance and recommendations  
11913 of any previous studies or reports relevant to the projects  
11914 authorized by this section and ss. 339.67 and 339.68, including,  
11915 but not limited to, the task force reports prepared pursuant to

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11916 chapter 2019-43, Laws of Florida, and with respect to any  
11917 extension of the Florida Turnpike from its northerly terminus in  
11918 Wildwood.

11919 **Section 348. For the purpose of incorporating the**  
11920 **amendment made by this act to section 420.9073, Florida**  
11921 **Statutes, in references thereto, subsections (4) and (6) of**  
11922 **section 420.9072, Florida Statutes, are reenacted to read:**

11923 420.9072 State Housing Initiatives Partnership Program.—  
11924 The State Housing Initiatives Partnership Program is created for  
11925 the purpose of providing funds to counties and eligible  
11926 municipalities as an incentive for the creation of local housing  
11927 partnerships, to expand production of and preserve affordable  
11928 housing, to further the housing element of the local government  
11929 comprehensive plan specific to affordable housing, and to  
11930 increase housing-related employment.

11931 (4) Moneys in the Local Government Housing Trust Fund  
11932 shall be distributed by the corporation to each approved county  
11933 and eligible municipality within the county as provided in s.  
11934 420.9073. Distributions shall be allocated to the participating  
11935 county and to each eligible municipality within the county  
11936 according to an interlocal agreement between the county  
11937 governing authority and the governing body of the eligible  
11938 municipality or, if there is no interlocal agreement, according  
11939 to population. The portion for each eligible municipality is  
11940 computed by multiplying the total moneys earmarked for a county

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11941 by a fraction, the numerator of which is the population of the  
11942 eligible municipality and the denominator of which is the total  
11943 population of the county. The remaining revenues shall be  
11944 distributed to the governing body of the county.

11945 (6) The moneys that otherwise would be distributed  
11946 pursuant to s. 420.9073 to a local government that does not meet  
11947 the program's requirements for receipts of such distributions  
11948 shall remain in the Local Government Housing Trust Fund to be  
11949 administered by the corporation.

11950 **Section 349. For the purpose of incorporating the**  
11951 **amendment made by this act to section 420.9073, Florida**  
11952 **Statutes, in a reference thereto, paragraph (b) of subsection**  
11953 **(7) of section 420.9076, Florida Statutes, is reenacted to read:**

11954 420.9076 Adoption of affordable housing incentive  
11955 strategies; committees.—

11956 (7) The governing board of the county or the eligible  
11957 municipality shall notify the corporation by certified mail of  
11958 its adoption of an amendment of its local housing assistance  
11959 plan to incorporate local housing incentive strategies. The  
11960 notice must include a copy of the approved amended plan.

11961 (b) If a county fails to timely adopt an amended local  
11962 housing assistance plan to incorporate local housing incentive  
11963 strategies but an eligible municipality receiving a local  
11964 housing distribution pursuant to an interlocal agreement within  
11965 the county does timely adopt an amended local housing assistance

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11966 plan to incorporate local housing incentive strategies, the  
11967 corporation, after issuance of a notice of termination, shall  
11968 thereafter distribute directly to the participating eligible  
11969 municipality its share calculated in the manner provided in s.  
11970 420.9073.

11971 **Section 350. For the purpose of incorporating the**  
11972 **amendment made by this act to section 420.9073, Florida**  
11973 **Statutes, in a reference thereto, subsection (2) of section**  
11974 **420.9079, Florida Statutes, is reenacted to read:**

11975 420.9079 Local Government Housing Trust Fund.—

11976 (2) The corporation shall administer the fund exclusively  
11977 for the purpose of implementing the programs described in ss.  
11978 420.907-420.9076 and this section. With the exception of  
11979 monitoring the activities of counties and eligible  
11980 municipalities to determine local compliance with program  
11981 requirements, the corporation shall not receive appropriations  
11982 from the fund for administrative or personnel costs. For the  
11983 purpose of implementing the compliance monitoring provisions of  
11984 s. 420.9075(9), the corporation may request a maximum of one-  
11985 quarter of 1 percent of the annual appropriation per state  
11986 fiscal year. When such funding is appropriated, the corporation  
11987 shall deduct the amount appropriated prior to calculating the  
11988 local housing distribution pursuant to ss. 420.9072 and  
11989 420.9073.

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11990           **Section 351. Subsection (10) of section 553.79, Florida**  
11991 **Statutes, is amended, and subsections (26), (27), (28) and (29)**  
11992 **are added to that section, to read:**

11993           553.79 Permits; applications; issuance; inspections.—

11994           (10) No enforcing agency may issue a building permit for  
11995 construction of any threshold building except to a licensed  
11996 general contractor, as defined in s. 489.105(2)(a) ~~s.~~  
11997 ~~489.105(3)(a)~~, or to a licensed building contractor, as defined  
11998 in s. 489.105(2)(b) ~~s. 489.105(3)(b)~~, within the scope of her or  
11999 his license. The named contractor to whom the building permit is  
12000 issued shall have the responsibility for supervision, direction,  
12001 management, and control of the construction activities on the  
12002 project for which the building permit was issued.

12003           (26) A local enforcement agency may not deny the issuance  
12004 of a certificate of occupancy to an owner of a residential or  
12005 commercial structure based on noncompliance with a Florida-  
12006 friendly landscaping ordinance adopted to implement s. 373.185  
12007 if the owner was issued a building permit for such structure  
12008 within 1 year of the declaration of a state of emergency for a  
12009 natural disaster for the county in which the structure is  
12010 located.

12011           (27) A local enforcement agency may not deny the issuance  
12012 of a building permit for the alteration, modification, or repair  
12013 of a single-family residential structure if such alteration,  
12014 modification, or repair:

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12015 (a) Is completed within 1 year after the declaration of a  
12016 state of emergency for a natural disaster for the county in  
12017 which the structure is located;

12018 (b) Is necessitated by damage to the structure caused by  
12019 the natural disaster;

12020 (c) Has a total cost that does not exceed more than 50  
12021 percent of the value of the structure;

12022 (d) Does not affect more than 50 percent of the structure;  
12023 and

12024 (e) Does not alter the footprint of the structure.

12025 (28) A local enforcement agency may not require a building  
12026 permit for the construction of playground equipment, fences, or  
12027 landscape irrigation systems on a parcel containing a single-  
12028 family residential dwelling. However, a local government may  
12029 require a building permit for any electrical work performed as  
12030 part of the construction of playground equipment, fences, or  
12031 landscape irrigation systems.

12032 (29) A local enforcement agency may not require a building  
12033 permit to perform any work that is valued at less than \$7,500 on  
12034 a parcel containing a single-family residential dwelling. This  
12035 does not apply to a larger or major project in which a division  
12036 of the project is made in amounts less than \$7,500. A local  
12037 government may require a building permit for any electrical,  
12038 plumbing, or structural work performed on a parcel containing a  
12039 single-family residential dwelling regardless of the value of

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12040 the work. For purposes of this subsection structural work does  
12041 not include the repair or replacement of exterior doors or  
12042 windows.

12043 **Section 352. Subsections (3) through (7) of section**  
12044 **475.17, Florida Statutes, are amended to read:**

12045 475.17 Qualifications for practice.—

12046 ~~(3)(a) The commission may prescribe a postlicensure~~  
12047 ~~education requirement in order for a person to maintain a valid~~  
12048 ~~sales associate's license, which shall not exceed 45 classroom~~  
12049 ~~hours of 50 minutes each, inclusive of examination, prior to the~~  
12050 ~~first renewal following initial licensure. If prescribed, this~~  
12051 ~~shall consist of one or more commission approved courses which~~  
12052 ~~total at least 45 classroom hours on one or more subjects which~~  
12053 ~~include, but are not limited to, property management, appraisal,~~  
12054 ~~real estate finance, the economics of real estate management,~~  
12055 ~~marketing, technology, sales and listing of properties, business~~  
12056 ~~office management, courses teaching practical real estate~~  
12057 ~~application skills, development of business plans, marketing of~~  
12058 ~~property, and time management. Required postlicensure education~~  
12059 ~~courses must be provided by an accredited college, university,~~  
12060 ~~or community college, by a career center, by a registered real~~  
12061 ~~estate school, or by a commission-approved sponsor.~~

12062 ~~(b) Satisfactory completion of the postlicensure education~~  
12063 ~~requirement is demonstrated by successfully meeting all~~  
12064 ~~standards established for the commission-prescribed or~~

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12065 ~~commission approved institution or school. However, notice of~~  
12066 ~~satisfactory completion shall not be issued if the student has~~  
12067 ~~absences in excess of 10 percent of the required classroom hours~~  
12068 ~~or has not satisfactorily completed a timed distance learning~~  
12069 ~~course examination.~~

12070 ~~(c) The license of any sales associate who does not~~  
12071 ~~complete the postlicensure education requirement prior to the~~  
12072 ~~first renewal following initial licensure shall be considered~~  
12073 ~~null and void. Such person wishing to again operate as a real~~  
12074 ~~estate sales associate must requalify by satisfactorily~~  
12075 ~~completing the sales associate's prelicensure course and passing~~  
12076 ~~the state examination for licensure as a sales associate.~~

12077 ~~(d) A sales associate who is required to complete any~~  
12078 ~~postlicensure education requirement must complete any~~  
12079 ~~postlicensure education requirement and hold a current and valid~~  
12080 ~~license in order to be eligible for licensure as a broker.~~

12081 ~~(4)(a) The commission may prescribe a postlicensure~~  
12082 ~~education requirement in order for a person to maintain a valid~~  
12083 ~~broker's license, which shall not exceed 60 classroom hours of~~  
12084 ~~50 minutes each, inclusive of examination, prior to the first~~  
12085 ~~renewal following initial licensure. If prescribed, this shall~~  
12086 ~~consist of one or more commission-approved courses which total~~  
12087 ~~at least 60 classroom hours on one or more subjects which~~  
12088 ~~include, but are not limited to, advanced appraisal, advanced~~  
12089 ~~property management, real estate marketing, business law,~~

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12090 ~~advanced real estate investment analyses, advanced legal~~  
12091 ~~aspects, general accounting, real estate economics,~~  
12092 ~~syndications, commercial brokerage, feasibility analyses,~~  
12093 ~~advanced real estate finance, residential brokerage, advanced~~  
12094 ~~marketing, technology, advanced business planning, time~~  
12095 ~~management, or real estate brokerage office operations. Required~~  
12096 ~~postlicensure education courses must be provided by an~~  
12097 ~~accredited college, university, or community college, by a~~  
12098 ~~career center, by a registered real estate school, or by a~~  
12099 ~~commission-approved sponsor.~~

12100 ~~(b) Satisfactory completion of the postlicensure education~~  
12101 ~~requirement is demonstrated by successfully meeting all~~  
12102 ~~standards established for the commission-prescribed or~~  
12103 ~~commission-approved institution or school. However, notice of~~  
12104 ~~satisfactory completion shall not be issued if the student has~~  
12105 ~~absences in excess of 10 percent of the required classroom hours~~  
12106 ~~or has not satisfactorily completed a timed distance learning~~  
12107 ~~course examination.~~

12108 ~~(c) The license of any broker who does not complete the~~  
12109 ~~postlicensure education requirement prior to the first renewal~~  
12110 ~~following initial licensure shall be considered null and void.~~  
12111 ~~If the licensee wishes to operate as a sales associate, she or~~  
12112 ~~he may be issued a sales associate's license after providing~~  
12113 ~~proof that she or he has satisfactorily completed the 14-hour~~  
12114 ~~continuing education course within the 6 months following~~

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12115 ~~expiration of her or his broker's license. To operate as a~~  
12116 ~~broker, the licensee must requalify by satisfactorily completing~~  
12117 ~~the broker's prelicensure course and passing the state~~  
12118 ~~examination for licensure as a broker.~~

12119 ~~(5) (a) The commission may allow an additional 6-month~~  
12120 ~~period after the first renewal following initial licensure for~~  
12121 ~~completing the postlicensure education courses for sales~~  
12122 ~~associates and brokers who cannot, due to individual physical~~  
12123 ~~hardship, as defined by rule, complete the courses within the~~  
12124 ~~required time.~~

12125 ~~(b) Except as provided in subsection (4), sales associates~~  
12126 ~~and brokers are not required to meet the 14-hour continuing~~  
12127 ~~education requirement prior to the first renewal following~~  
12128 ~~initial licensure.~~

12129 ~~(c)1. A distance learning course or courses shall be~~  
12130 ~~approved by the commission as an option to classroom hours as~~  
12131 ~~satisfactory completion of the postlicensure education course or~~  
12132 ~~courses as required by this section. The schools or sponsors~~  
12133 ~~authorized by this section have the option of providing~~  
12134 ~~classroom courses, distance learning courses, or both. However,~~  
12135 ~~satisfactory completion of a distance learning postlicensure~~  
12136 ~~education course or courses requires the satisfactory completion~~  
12137 ~~of a timed distance learning course examination. Such~~  
12138 ~~examination shall not be required to be monitored or given at a~~  
12139 ~~centralized location.~~

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12140           ~~2. The commission shall provide for postlicensure~~  
12141 ~~education courses to be made available by correspondence or~~  
12142 ~~other suitable means to any person who, by reason of hardship,~~  
12143 ~~as defined by rule, cannot attend the place or places where~~  
12144 ~~courses are regularly conducted or does not have access to the~~  
12145 ~~distance learning courses.~~

12146           ~~(3)(6) The postlicensure education requirements of this~~  
12147 ~~section, and~~ The education course requirements for one to become  
12148 initially licensed, do not apply to any applicant ~~or licensee~~  
12149 who has received a 4-year degree, or higher, in real estate from  
12150 an accredited institution of higher education.

12151           ~~(4)(7) The department commission~~ may not approve  
12152 prelicensure ~~or postlicensure~~ distance learning courses for  
12153 brokers, broker associates, and sales associates by  
12154 correspondence methods, except in instances of hardship pursuant  
12155 to subparagraphs (2)(a)3. and (5)(c)2.

12156           **Section 353. Subsection (2) of section 475.175, Florida**  
12157 **Statutes, is amended to read:**

12158           475.175 Examinations.—

12159           (2) Each accredited college, university, community  
12160 college, or registered real estate school shall notify the  
12161 ~~department commission~~ of the names of all persons who have  
12162 satisfactorily completed the educational requirements provided  
12163 for in s. 475.17(2), ~~(3), and (4)~~ in a manner prescribed by the  
12164 ~~department commission~~. Furthermore, each such educational

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12165 institution shall provide to each person satisfactorily  
12166 completing the educational requirements provided for in s.  
12167 475.17(2), ~~(3)~~, and ~~(4)~~ a certificate as proof of such  
12168 satisfactory completion.

12169 **Section 354. Subsection (1) of section 475.180, Florida**  
12170 **Statutes, is amended to read:**

12171 475.180 Nonresident licenses.—

12172 (1) Notwithstanding the prelicensure requirements set  
12173 forth under ss. 475.17(2) and (3) ~~(6)~~ and 475.175, the  
12174 department ~~commission~~ in its discretion may enter into written  
12175 agreements with similar licensing authorities of other states,  
12176 territories, or jurisdictions of the United States or foreign  
12177 national jurisdictions to ensure for Florida licensees  
12178 nonresident licensure opportunities comparable to those afforded  
12179 to nonresidents by this section. Whenever the department  
12180 ~~commission~~ determines that another jurisdiction does not offer  
12181 nonresident licensure to Florida licensees substantially  
12182 comparable to those afforded to licensees of that jurisdiction  
12183 by this section, the department ~~commission~~ shall require  
12184 licensees of that jurisdiction who apply for nonresident  
12185 licensure to meet education, experience, and examination  
12186 requirements substantially comparable to those required by that  
12187 jurisdiction with respect to Florida licensees who seek  
12188 nonresident licensure, not to exceed such requirements as  
12189 prescribed in ss. 475.17(2) and (3) ~~(6)~~ and 475.175.

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12190           **Section 355. Subsection (1) of section 475.182, Florida**  
12191 **Statutes, is amended to read:**

12192           475.182 Renewal of license;~~continuing education.~~-

12193           (1)~~(a)~~ The department shall renew a license upon receipt  
12194 of the renewal application and fee. ~~The renewal application for~~  
12195 ~~an active license as broker, broker associate, or sales~~  
12196 ~~associate shall include proof satisfactory to the commission~~  
12197 ~~that the licensee has, since the issuance or renewal of her or~~  
12198 ~~his current license, satisfactorily completed at least 14~~  
12199 ~~classroom hours of 50 minutes each of a continuing education~~  
12200 ~~course during each biennium of a license period, as prescribed~~  
12201 ~~by the commission. Approval or denial of a specialty course must~~  
12202 ~~be based on the extent to which the course content focuses on~~  
12203 ~~real estate issues relevant to the modern practice of real~~  
12204 ~~estate by a real estate licensee, including technology used in~~  
12205 ~~the real estate industry. The commission may accept as a~~  
12206 ~~substitute for such continuing education course, on a classroom-~~  
12207 ~~hour-for-classroom-hour basis, any satisfactorily completed~~  
12208 ~~education course that the commission finds is adequate to~~  
12209 ~~educate licensees within the intent of this section, including~~  
12210 ~~an approved distance learning course. However, the commission~~  
12211 ~~may not require, for the purpose of satisfactorily completing an~~  
12212 ~~approved correspondence or distance learning course, a written~~  
12213 ~~examination that is to be taken at a centralized location and is~~  
12214 ~~to be monitored.~~

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12215 ~~(b) The commission may accept as a substitute for 3~~  
12216 ~~classroom hours, one time per renewal cycle, attendance at one~~  
12217 ~~legal agenda session of the commission. In order to obtain~~  
12218 ~~credit, the licensee must notify the division at least 7 days in~~  
12219 ~~advance of his or her intent to attend. A licensee may not earn~~  
12220 ~~any continuing education credit for attending a legal agenda~~  
12221 ~~session of the commission as a party to a disciplinary action.~~

12222 **Section 356. Subsections (1), (2), and (4) of section**  
12223 **475.183, Florida Statutes, are amended to read:**

12224 475.183 Inactive status.—

12225 (1) A license which has become voluntarily inactive may be  
12226 renewed pursuant to s. 475.182 upon application to the  
12227 department. ~~The commission shall prescribe by rule continuing~~  
12228 ~~education requirements, not to exceed 12 classroom hours for~~  
12229 ~~each year the license was inactive, as a condition of renewing a~~  
12230 ~~voluntarily inactive license. The commission shall substitute~~  
12231 ~~for such continuing education requirements, on a classroom hour-~~  
12232 ~~for-classroom-hour basis, any satisfactorily completed education~~  
12233 ~~course approved in the manner specified in s. 475.182(1). A~~  
12234 person whose license is voluntarily inactive and who renews the  
12235 license may elect to continue her or his voluntarily inactive  
12236 status.

12237 (2) ~~(a) A licensee may reactivate a license that has been~~  
12238 ~~involuntarily inactive for 12 months or less by satisfactorily~~  
12239 ~~completing at least 14 hours of a commission-prescribed~~

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12240 ~~continuing education course. Notwithstanding the provisions of~~  
12241 ~~s. 455.271, a licensee may reactivate a license that has been~~  
12242 ~~involuntarily inactive for more than 12 months but fewer than 24~~  
12243 ~~months by satisfactorily completing 28 hours of a commission-~~  
12244 ~~prescribed education course.~~

12245 ~~(b)~~ Any license that has been involuntarily inactive for  
12246 more than 2 years shall automatically expire. Once a license  
12247 expires, it becomes null and void without any further action by  
12248 the ~~commission or~~ department. Ninety days prior to expiration of  
12249 the license, the department shall give notice to the licensee.  
12250 The department ~~commission~~ shall prescribe by rule a fee not to  
12251 exceed \$100 for the late renewal of an involuntarily inactive  
12252 license. The department shall collect the current renewal fee  
12253 for each renewal period in which the license was involuntarily  
12254 inactive in addition to any applicable late renewal fee.

12255 (4) The department ~~commission~~ may reinstate the license of  
12256 an individual whose license has become void if the department  
12257 ~~commission~~ determines that the individual failed to comply  
12258 because of illness or economic hardship, as defined by rule. The  
12259 individual must apply to the department ~~commission~~ for  
12260 reinstatement within 6 months after the date that the license  
12261 becomes void. Such individual must ~~meet all continuing education~~  
12262 ~~requirements prescribed by law,~~ pay appropriate licensing fees,  
12263 and otherwise be eligible for renewal of licensure under this  
12264 section.

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12265           **Section 357. Subsections (1), (2), and (4) of section**  
12266 **481.321, Florida Statutes, are amended to read:**

12267           481.321   Seals; display of certificate number.—

12268           (1)   The department ~~board~~ shall prescribe, by rule, one or  
12269 more forms of seals for use by a registered landscape architect  
12270 who holds a valid certificate of registration. Each registered  
12271 landscape architect shall obtain one seal in a form approved by  
12272 rule of the department ~~board~~ and may, in addition, register her  
12273 or his seal electronically in accordance with ss. 668.001-  
12274 668.006. All final plans, specifications, or reports prepared or  
12275 issued by the registered landscape architect and filed for  
12276 public record shall be signed by the registered landscape  
12277 architect, dated, and stamped or sealed electronically with her  
12278 or his seal. The signature, date, and seal constitute evidence  
12279 of the authenticity of that to which they are affixed. Final  
12280 plans, specifications, or reports prepared or issued by a  
12281 registered landscape architect may be transmitted electronically  
12282 and may be signed by the registered landscape architect, dated,  
12283 and sealed electronically with the seal in accordance with ss.  
12284 668.001-668.006.

12285           (2)   It is unlawful for any person to sign and seal by any  
12286 means any final plan, specification, or report after her or his  
12287 certificate of registration is expired, suspended, or revoked. A  
12288 registered landscape architect whose certificate of registration  
12289 is suspended or revoked shall, within 30 days after the

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12290 effective date of the suspension or revocation, surrender her or  
12291 his seal to the department ~~executive director of the board~~ and  
12292 confirm in writing to the department ~~executive director~~ the  
12293 cancellation of the landscape architect's electronic signature  
12294 in accordance with ss. 668.001-668.006. When a landscape  
12295 architect's certificate of registration is suspended for a  
12296 period of time, her or his seal shall be returned upon  
12297 expiration of the period of suspension.

12298 (4) Nothing in this part shall prohibit a registered  
12299 landscape architect from filing plans of work defined under this  
12300 part. A state agency or local government may not refuse to  
12301 accept the seal of a landscape architect for any of the  
12302 professional services delineated in s. 481.303(4), including,  
12303 but not limited to, grading and drainage.

12304 **Section 358. Section 624.341, Florida Statutes, is created**  
12305 **to read:**

12306 624.341 Authority of Department of Law Enforcement to  
12307 accept fingerprints of, and exchange criminal history records  
12308 with respect to, certain persons applying to the Office of  
12309 Insurance Regulation.—

12310 (1) The Legislature finds that criminal activity of  
12311 insurers poses a particular danger to the residents of this  
12312 state. Floridians rely, in good faith, on the honest conduct of  
12313 those who issue and manage insurance policies and other  
12314 insurance instruments in this state. To safeguard this state's

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12315 residents, the Legislature finds it necessary to ensure that  
12316 incorporators, subscribers, officers, employees, contractors,  
12317 stockholders, directors, owners, members, managers, or  
12318 volunteers involved in the organization, operation, or  
12319 management of any insurer that is authorized to sell insurance  
12320 do not have a criminal background.

12321 (2) The Department of Law Enforcement shall accept and  
12322 process fingerprints of incorporators, subscribers, officers,  
12323 employees, contractors, stockholders, directors, owners,  
12324 members, managers, or volunteers involved in the organization,  
12325 operation, or management of:

12326 (a) Any insurer or proposed insurer transacting or  
12327 proposing to transact insurance in this state.

12328 (b) Any entity that is eligible to be examined or  
12329 investigated under s. 624.316.

12330 (3) Each person required to submit fingerprints to the  
12331 office must provide a full set of fingerprints to the office or  
12332 to a vendor, entity, or agency authorized under s. 943.053(13).  
12333 The office, vendor, entity, or agency shall forward the  
12334 fingerprints to the Department of Law Enforcement for state  
12335 processing, and the Department of Law Enforcement shall forward  
12336 the fingerprints to the Federal Bureau of Investigation for  
12337 national processing as provided in s. 624.34. Fees for state and  
12338 federal fingerprint processing must be borne by the person

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12339 submitting the fingerprints. The state cost for fingerprint  
12340 processing is as provided in s. 943.053(3) (e).

12341 (4) The Department of Law Enforcement may, to the extent  
12342 authorized by federal law, exchange any state or federal  
12343 criminal history records with the office for the purpose of  
12344 issuance or continuation of a certificate of authority,  
12345 certification, or license to operate in this state.

12346 (5) Fingerprints must be submitted in accordance with  
12347 rules adopted by the commission.

12348 (a) Fingerprints may be submitted through a third-party  
12349 vendor authorized by the Department of Law Enforcement.

12350 (b) The Department of Law Enforcement shall conduct the  
12351 state criminal history background check, and a federal criminal  
12352 history background check shall be conducted through the Federal  
12353 Bureau of Investigation.

12354 (c) All fingerprints submitted to the Department of Law  
12355 Enforcement must be submitted and entered into the statewide  
12356 automated biometric identification system established in s.  
12357 943.05(2) (b) and available for use in accordance with s.  
12358 943.05(2) (g) and (h).

12359 (d) The costs of fingerprint processing, including the  
12360 cost of retaining the fingerprints, must be borne by the person  
12361 subject to the background checks.

12362 (e) The office shall review the results of the state and  
12363 federal criminal history background checks and determine whether

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12364 the applicant meets the requirements for the certificate of  
12365 authority, certification, or license to operate in this state.

12366 (6) State criminal history records obtained through the  
12367 Department of Law Enforcement, federal criminal history records  
12368 obtained through the Federal Bureau of Investigation, and local  
12369 criminal history records obtained through local law enforcement  
12370 agencies must be used by the office for the purpose of issuance,  
12371 denial, suspension, or revocation of certificates of authority,  
12372 certifications, or licenses issued to operate in this state.

12373 **Section 359. Section 475.613, Florida Statutes, is amended**  
12374 **to read:**

12375 475.613 Authority of the department ~~Florida Real Estate~~  
12376 ~~Appraisal Board.-~~

12377 ~~(1) There is created the Florida Real Estate Appraisal~~  
12378 ~~Board, which shall consist of nine members appointed by the~~  
12379 ~~Governor, subject to confirmation by the Senate. Four members of~~  
12380 ~~the board must be real estate appraisers who have been engaged~~  
12381 ~~in the general practice of appraising real property in this~~  
12382 ~~state for at least 5 years immediately preceding appointment. In~~  
12383 ~~appointing real estate appraisers to the board, while not~~  
12384 ~~excluding other appraisers, the Governor shall give preference~~  
12385 ~~to real estate appraisers who are not primarily engaged in real~~  
12386 ~~estate brokerage or mortgage lending activities. One member of~~  
12387 ~~the board must represent the appraisal management industry. One~~  
12388 ~~member of the board must represent organizations that use~~

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12389 ~~appraisals for the purpose of eminent domain proceedings,~~  
12390 ~~financial transactions, or mortgage insurance. Three members of~~  
12391 ~~the board must represent the general public and may not be~~  
12392 ~~connected in any way with the practice of real estate appraisal.~~  
12393 ~~The appraiser members shall be as representative of the entire~~  
12394 ~~industry as possible, and membership in a nationally recognized~~  
12395 ~~or state-recognized appraisal organization may not be a~~  
12396 ~~prerequisite to membership on the board. To the extent possible,~~  
12397 ~~no more than two members of the board shall be primarily~~  
12398 ~~affiliated with any one particular national or state appraisal~~  
12399 ~~association. Two of the members must be licensed or certified~~  
12400 ~~residential real estate appraisers and two of the members must~~  
12401 ~~be certified general real estate appraisers at the time of their~~  
12402 ~~appointment.~~

12403 ~~(a) Members of the board shall be appointed for 4-year~~  
12404 ~~terms. Any vacancy occurring in the membership of the board~~  
12405 ~~shall be filled by appointment by the Governor for the unexpired~~  
12406 ~~term. Upon expiration of her or his term, a member of the board~~  
12407 ~~shall continue to hold office until the appointment and~~  
12408 ~~qualification of the member's successor. A member may not be~~  
12409 ~~appointed for more than two consecutive terms. The Governor may~~  
12410 ~~remove any member for cause.~~

12411 ~~(b) The headquarters for the board shall be in Orlando.~~

12412 ~~(c) The board shall meet at least once each calendar~~  
12413 ~~quarter to conduct its business.~~

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12414 ~~(d) The members of the board shall elect a chairperson at~~  
12415 ~~the first meeting each year.~~

12416 ~~(e) Each member of the board is entitled to per diem and~~  
12417 ~~travel expenses as set by legislative appropriation for each day~~  
12418 ~~that the member engages in the business of the board.~~

12419 ~~(2) The department board shall have, through its rules,~~  
12420 full power to regulate the issuance of licenses, certifications,  
12421 registrations, and permits; to discipline appraisers in any  
12422 manner permitted under this section; to establish qualifications  
12423 for licenses, certifications, registrations, and permits  
12424 consistent with this section; to regulate approved courses; to  
12425 establish standards for real estate appraisals; and to establish  
12426 standards for and regulate supervisory appraisers.

12427 ~~(3) Notwithstanding s. 112.313, any member of the board~~  
12428 ~~who is a licensed or certified real estate appraiser and who~~  
12429 ~~holds an active appraiser instructor permit issued by the~~  
12430 ~~department, to the extent authorized pursuant to such permit,~~  
12431 ~~may offer, conduct, or teach any course prescribed or approved~~  
12432 ~~by the board or the department.~~

12433 **Section 360. Paragraph (t) of subsection (1) of section**  
12434 **475.25, Florida Statutes, is amended to read:**

12435 475.25 Discipline.—

12436 (1) The commission may deny an application for licensure,  
12437 registration, or permit, or renewal thereof; may place a  
12438 licensee, registrant, or permittee on probation; may suspend a

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12439 license, registration, or permit for a period not exceeding 10  
12440 years; may revoke a license, registration, or permit; may impose  
12441 an administrative fine not to exceed \$5,000 for each count or  
12442 separate offense; and may issue a reprimand, and any or all of  
12443 the foregoing, if it finds that the licensee, registrant,  
12444 permittee, or applicant:

12445 (t) Has violated any standard of professional practice  
12446 adopted by rule of the department ~~Florida Real Estate Appraisal~~  
12447 ~~Board~~, including standards for the development or communication  
12448 of a real estate appraisal, as approved and adopted by the  
12449 Appraisal Standards Board of the Appraisal Foundation, as  
12450 defined in s. 475.611. This paragraph does not apply to a real  
12451 estate broker or sales associate who, in the ordinary course of  
12452 business, performs a comparative market analysis, gives a broker  
12453 price opinion, or gives an opinion of value of real estate.  
12454 However, in no event may this comparative market analysis,  
12455 broker price opinion, or opinion of value of real estate be  
12456 referred to as an appraisal, as defined in s. 475.611.

12457 **Section 361. Paragraphs (j), (p), (q), (z), and (aa) of**  
12458 **subsection (1) and subsection (2) of section 475.611, Florida**  
12459 **Statutes, are amended to read:**

12460 475.611 Definitions.—

12461 (1) As used in this part, the term:

12462 ~~(j) "Board" means the Florida Real Estate Appraisal Board~~  
12463 ~~established under s. 475.613.~~

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12464 (p) "Direct supervision" means the degree of supervision  
12465 required of a supervisory appraiser overseeing the work of a  
12466 registered trainee appraiser by which the supervisory appraiser  
12467 has control over and detailed professional knowledge of the work  
12468 being done. Direct supervision is achieved when a registered  
12469 trainee appraiser has regular direction, guidance, and support  
12470 from a supervisory appraiser who has the competencies as  
12471 determined by rule of the department board.

12472 (q) "Evaluation" means a valuation permitted by any  
12473 federal financial institutions regulatory agency appraisal  
12474 regulations for transactions that do not require an appraisal,  
12475 as such valuations qualify for an applicable exemption under  
12476 federal law. The department board shall adopt rules, as  
12477 necessary, to define the term "evaluation" and the applicable  
12478 exemptions under federal law.

12479 (z) "Supervisory appraiser" means a certified residential  
12480 appraiser or a certified general appraiser responsible for the  
12481 direct supervision of one or more registered trainee appraisers  
12482 and fully responsible for appraisals and appraisal reports  
12483 prepared by those registered trainee appraisers. The department  
12484 board, by rule, shall determine the responsibilities of a  
12485 supervisory appraiser, the geographic proximity required, the  
12486 minimum qualifications and standards required of a certified  
12487 appraiser before she or he may act in the capacity of a  
12488 supervisory appraiser, and the maximum number of registered

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12489 trainee appraisers to be supervised by an individual supervisory  
12490 appraiser.

12491 (aa) "Training" means the process of providing for and  
12492 making available to a registered trainee appraiser, under direct  
12493 supervision, a planned, prepared, and coordinated program, or  
12494 routine of instruction and education, in appraisal professional  
12495 and technical appraisal skills as determined by rule of the  
12496 department board.

12497 (2) Wherever the word "operate" or "operating" appears in  
12498 this part with respect to a registered trainee appraiser,  
12499 registered appraisal management company, licensed appraiser, or  
12500 certified appraiser; in any order, rule, or regulation of the  
12501 department board; in any pleading, indictment, or information  
12502 under this part; in any court action or proceeding; or in any  
12503 order or judgment of a court, it shall be deemed to mean the  
12504 commission of one or more acts described in this part as  
12505 constituting or defining a registered trainee appraiser,  
12506 registered appraisal management company, licensed appraiser, or  
12507 certified appraiser, not including, however, any of the  
12508 exceptions stated therein. A single act is sufficient to bring a  
12509 person within the meaning of this subsection, and each act, if  
12510 prohibited herein, constitutes a separate offense.

12511 **Section 362. Subsection (7) of section 475.612, Florida**  
12512 **Statutes, is amended to read:**

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12513 475.612 Certification, licensure, or registration  
12514 required.—

12515 (7) Notwithstanding any other provision of law, an  
12516 appraiser may perform an evaluation of real property in  
12517 connection with a real estate-related financial transaction, as  
12518 defined by rule of the department board, which is regulated by a  
12519 federal financial institutions regulatory agency. The appraiser  
12520 shall comply with the standards for evaluations imposed by the  
12521 federal financial institutions regulatory agency and other  
12522 standards as prescribed by the department board. However, an  
12523 evaluation may not be referred to or construed as an appraisal.

12524 **Section 363. Section 475.614, Florida Statutes, is amended**  
12525 **to read:**

12526 475.614 Power of department board to adopt rules and  
12527 decide questions of practice; requirements for protection of  
12528 appraiser's signature.—

12529 (1) The department board has authority to adopt rules  
12530 pursuant to ss. 120.536(1) and 120.54 to implement provisions of  
12531 law conferring duties upon it. The ~~board~~ may decide questions of  
12532 practice arising in the proceedings before it, having regard to  
12533 this section and the rules then in force.

12534 (2) The department board shall adopt rules specifying the  
12535 means by which an appraiser's signature may be affixed to an  
12536 appraisal report or other work performed by the appraiser. The  
12537 rules shall include requirements for protecting the security of

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12538 an appraiser's signature and prohibiting practices that may  
12539 discredit the use of an appraiser's signature to authenticate  
12540 the work performed by the appraiser.

12541 **Section 364. Section 475.6145, Florida Statutes, is**  
12542 **amended to read:**

12543 475.6145 Seal.—The department ~~board~~ shall adopt a seal by  
12544 which it shall authenticate its proceedings, records, and acts.  
12545 Copies of the proceedings, records, and acts of the ~~board~~, and  
12546 certificates purporting to relate the facts concerning such  
12547 proceedings, records, and acts, which are signed by the ~~board~~  
12548 chair, the custodian of such records, or any other person  
12549 authorized to make such certification and which are  
12550 authenticated by such seal, shall be prima facie evidence of  
12551 such proceedings, records, and acts in all courts of this state.

12552 **Section 365. Section 475.6147, Florida Statutes, is**  
12553 **amended to read:**

12554 475.6147 Fees.—

12555 (1) (a) The department ~~board~~ by rule may establish fees to  
12556 be paid for application, licensing and renewal, certification  
12557 and recertification, registration and reregistration,  
12558 reinstatement, and recordmaking and recordkeeping.

12559 (b) The fee for initial application of an appraiser may  
12560 not exceed \$150, and the combined cost of the application and  
12561 examination may not exceed \$300. The initial certification,  
12562 registration, or license fee and the certification,

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12563 registration, or license renewal fee may not exceed \$150 for  
12564 each year of the duration of the certification, registration, or  
12565 license.

12566 (c) The fee for initial application of an appraisal  
12567 management company may not exceed \$150. The initial registration  
12568 and registration renewal fee may not exceed \$150 for each year  
12569 of the duration of the registration.

12570 (d) The department ~~board~~ may also establish by rule a late  
12571 renewal penalty.

12572 (e) The department ~~board~~ shall establish fees which are  
12573 adequate to ensure its continued operation. Fees shall be based  
12574 on estimates made by the department of the revenue required to  
12575 implement this part and other provisions of law relating to the  
12576 regulation of real estate appraisers.

12577 (2) Application and certification, registration, and  
12578 license fees shall be refunded upon a determination by the  
12579 department ~~board~~ that the state is not entitled to the fees or  
12580 that only a portion of the resources have been expended in the  
12581 processing of the application or shall be refunded if for any  
12582 other reason the application is not completely processed. The  
12583 ~~board~~ shall implement this subsection by rule.

12584 **Section 366. Section 475.615, Florida Statutes, is amended**  
12585 **to read:**

12586 475.615 Qualifications for registration or certification.-

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12587 (1) Any person desiring to act as a registered trainee  
12588 appraiser or as a certified appraiser must make application in  
12589 writing to the department in such form and detail as the  
12590 department board shall prescribe. Each applicant must be at  
12591 least 18 years of age and hold a high school diploma or its  
12592 equivalent.

12593 (2) The department board is authorized to waive or modify  
12594 any education, experience, or examination requirements  
12595 established in this part in order to conform with any such  
12596 requirements established by the Appraiser Qualifications Board  
12597 of the Appraisal Foundation or any successor body recognized by  
12598 federal law, including any requirements adopted on December 9,  
12599 2011. The department board shall implement this section by rule.

12600 (3) Appropriate fees, as set forth in the rules of the  
12601 department board pursuant to s. 475.6147, and a set of  
12602 fingerprints must accompany all applications for registration or  
12603 certification. The fingerprints shall be forwarded to the  
12604 Division of Criminal Justice Information Systems within the  
12605 Department of Law Enforcement for processing to determine  
12606 whether the applicant has a criminal history record. The  
12607 fingerprints shall also be forwarded to the Federal Bureau of  
12608 Investigation to determine whether the applicant has a criminal  
12609 history record. The information obtained by the processing of  
12610 the fingerprints by the Department of Law Enforcement and the  
12611 Federal Bureau of Investigation shall be sent to the department

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12612 to determine whether the applicant is statutorily qualified for  
12613 registration or certification.

12614 (4) In the event that the applicant is currently a  
12615 registered trainee appraiser or a licensed or certified  
12616 appraiser and is making application to obtain a different status  
12617 of appraisal credential, should such application be received by  
12618 the department within 180 days prior to through 180 days after  
12619 the applicant's scheduled renewal, the charge for the  
12620 application shall be established by the rules of the department  
12621 ~~board~~ pursuant to s. 475.6147.

12622 (5) At the time of filing an application for registration  
12623 or certification, the applicant must sign a pledge indicating  
12624 that upon becoming registered or certified, she or he will  
12625 comply with the standards of professional practice established  
12626 by rule of the department ~~board~~, including standards for the  
12627 development or communication of a real estate appraisal, and  
12628 must indicate in writing that she or he understands the types of  
12629 misconduct for which disciplinary proceedings may be initiated.  
12630 The application expires 1 year after the date received by the  
12631 department.

12632 (6) All applicants must be competent and qualified to make  
12633 real estate appraisals with safety to those with whom they may  
12634 undertake a relationship of trust and confidence and the general  
12635 public. If any applicant has been denied registration,  
12636 licensure, or certification, or has been disbarred, or the

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12637 applicant's registration, license, or certificate to practice or  
12638 conduct any regulated profession, business, or vocation has been  
12639 revoked or suspended by this or any other state, any nation, or  
12640 any possession or district of the United States, or any court or  
12641 lawful agency thereof, because of any conduct or practices which  
12642 would have warranted a like result under this part, or if the  
12643 applicant has been guilty of conduct or practices in this state  
12644 or elsewhere which would have been grounds for disciplining her  
12645 or his registration, license, or certification under this part  
12646 had the applicant then been a registered trainee appraiser or a  
12647 licensed or certified appraiser, the applicant is deemed not to  
12648 be qualified unless the applicant has met the conditions adopted  
12649 by the Appraiser Qualifications Board of the Appraisal  
12650 Foundation on December 9, 2011, as prescribed by rule of the  
12651 department board and it appears to the department board that the  
12652 interest of the public is not likely to be endangered by the  
12653 granting of registration or certification.

12654 (7) No applicant seeking to become registered or certified  
12655 under this part may be rejected solely by virtue of membership  
12656 or lack of membership in any particular appraisal organization.

12657 **Section 367. Section 475.617, Florida Statutes, is amended**  
12658 **to read:**

12659 475.617 Education and experience requirements.—

12660 (1) To be registered as a trainee appraiser, an applicant  
12661 must present evidence satisfactory to the department board that

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12662 she or he has successfully completed at least 100 hours of  
12663 approved qualifying education courses in subjects related to  
12664 real estate appraisal, which must include coverage of the  
12665 Uniform Standards of Professional Appraisal Practice, or its  
12666 equivalent, as established by rule of the department board, from  
12667 a nationally recognized or state-recognized appraisal  
12668 organization, career center, accredited community college,  
12669 college, or university, state or federal agency or commission,  
12670 or proprietary real estate school that holds a permit pursuant  
12671 to s. 475.451. The department board may increase the required  
12672 number of hours to not more than 125 hours. All qualifying  
12673 education courses may be completed through in-person classroom  
12674 instruction or distance learning. A classroom hour is defined as  
12675 50 minutes out of each 60-minute segment. Past courses may be  
12676 approved on an hour-for-hour basis.

12677 (2) To be certified as a residential appraiser, an  
12678 applicant must present satisfactory evidence to the department  
12679 ~~board~~ that she or he has met the minimum education and  
12680 experience requirements prescribed by rule of the department  
12681 ~~board~~. The department board shall prescribe by rule education  
12682 and experience requirements that meet or exceed the following  
12683 real property appraiser qualification criteria adopted on  
12684 December 9, 2011, by the Appraiser Qualifications Board of the  
12685 Appraisal Foundation:

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12686 (a) Has at least 2,500 hours of experience obtained over a  
12687 24-month period in real property appraisal as defined by rule.

12688 (b) Has successfully completed at least 200 classroom  
12689 hours, inclusive of examination, of approved qualifying  
12690 education courses in subjects related to real estate appraisal,  
12691 which must include a 15-hour National Uniform Standards of  
12692 Professional Appraisal Practice course, or its equivalent, as  
12693 established by rule of the department board, from a nationally  
12694 recognized or state-recognized appraisal organization, career  
12695 center, accredited community college, college, or university,  
12696 state or federal agency or commission, or proprietary real  
12697 estate school that holds a permit pursuant to s. 475.451. All  
12698 qualifying education courses may be completed through in-person  
12699 classroom instruction or distance learning. A classroom hour is  
12700 defined as 50 minutes out of each 60-minute segment. Past  
12701 courses may be approved by the department board and substituted  
12702 on an hour-for-hour basis.

12703 (3) To be certified as a general appraiser, an applicant  
12704 must present evidence satisfactory to the department board that  
12705 she or he has met the minimum education and experience  
12706 requirements prescribed by rule of the department board. The  
12707 department board shall prescribe education and experience  
12708 requirements that meet or exceed the following real property  
12709 appraiser qualification criteria adopted on December 9, 2011, by  
12710 the Appraiser Qualifications Board of the Appraisal Foundation:

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12711 (a) Has at least 3,000 hours of experience obtained over a  
12712 30-month period in real property appraisal as defined by rule.

12713 (b) Has successfully completed at least 300 classroom  
12714 hours, inclusive of examination, of approved qualifying  
12715 education courses in subjects related to real estate appraisal,  
12716 which must include a 15-hour National Uniform Standards of  
12717 Professional Appraisal Practice course, or its equivalent, as  
12718 established by rule of the department board, from a nationally  
12719 recognized or state-recognized appraisal organization, career  
12720 center, accredited community college, college, or university,  
12721 state or federal agency or commission, or proprietary real  
12722 estate school that holds a permit pursuant to s. 475.451. All  
12723 qualifying education courses may be completed through in-person  
12724 classroom instruction or distance learning. A classroom hour is  
12725 defined as 50 minutes out of each 60-minute segment. Past  
12726 courses may be approved by the department board and substituted  
12727 on an hour-for-hour basis.

12728 (4) A distance learning course may be approved by the  
12729 department board as an option to classroom hours for  
12730 satisfactory completion of the academic courses required under  
12731 this section. The schools authorized by this section have the  
12732 option of providing classroom courses, distance learning  
12733 courses, or both.

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12734 (a) A distance learning course must use a delivery method  
12735 that is certified or approved by a department-authorized ~~board-~~  
12736 ~~authorized~~ independent certifying organization.

12737 (b) A distance learning course intended for use as  
12738 academic education must include a written, closed-book final  
12739 examination. As used in this paragraph, the term "written"  
12740 refers to an exam that might be written on paper or administered  
12741 electronically on a computer workstation or other device. Oral  
12742 exams are not acceptable.

12743 (5) Each applicant must furnish, under oath, a detailed  
12744 statement of the experience for each year of experience she or  
12745 he claims. Upon request, the applicant shall furnish to the  
12746 department ~~board~~, for its examination, copies of appraisal  
12747 reports or file memoranda to support the claim for experience.  
12748 Any appraisal report or file memoranda used to support a claim  
12749 for experience must be maintained by the applicant for no less  
12750 than 5 years after the date of certification.

12751 (6) The department ~~board~~ may implement the provisions of  
12752 this section by rule.

12753 **Section 368. Section 475.6171, Florida Statutes, is**  
12754 **amended to read:**

12755 475.6171 Issuance of registration or certification.—The  
12756 registration or certification of an applicant may be issued upon  
12757 receipt by the department ~~board~~ of the following:

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12758 (1) A complete application indicating compliance with  
12759 qualifications as specified in s. 475.615.

12760 (2) Proof of successful course completion as specified in  
12761 s. 475.617.

12762 (3) Proof of experience for certification as specified in  
12763 s. 475.617.

12764 (4) If required, proof of passing a written examination as  
12765 specified in s. 475.616.

12766 (5) The department ~~board~~ shall implement this section by  
12767 rule.

12768 **Section 369. Subsection (1) of section 475.618, Florida**  
12769 **Statutes, is amended to read:**

12770 475.618 Renewal of registration, license, certification,  
12771 or instructor permit; continuing education.—

12772 (1)(a) The department shall renew a registration, license,  
12773 certification, or instructor permit upon receipt of the renewal  
12774 application and proper fee. Such application shall include proof  
12775 satisfactory to the department ~~board~~ that the individual has  
12776 satisfactorily completed any continuing education that has been  
12777 prescribed by the department ~~board~~.

12778 (b) A distance learning course or courses shall be  
12779 approved by the department ~~board~~ as an option to classroom hours  
12780 as satisfactory completion of the course or courses as required  
12781 by this section. The schools authorized by this section have the

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12782 option of providing classroom courses, distance learning  
12783 courses, or both.

12784 (c) The department board may authorize independent  
12785 certification organizations to certify or approve the delivery  
12786 method of distance learning courses. Certification from such  
12787 authorized organizations must be provided at the time a distance  
12788 learning course is submitted to the department board by an  
12789 accredited college, university, community college, career  
12790 center, proprietary real estate school, or department-approved  
12791 ~~board-approved~~ sponsor for content approval.

12792 **Section 370. Section 475.619, Florida Statutes, is amended**  
12793 **to read:**

12794 475.619 Inactive status.—

12795 (1) A registration, license, or certification which has  
12796 become inactive may be renewed upon application to the  
12797 department. The department board shall prescribe by rule  
12798 continuing education requirements for each year the  
12799 registration, license, or certification was inactive, as a  
12800 condition of renewing an inactive registration, license, or  
12801 certification.

12802 (2) Any registration, license, or certification which has  
12803 been inactive for more than 4 years shall automatically expire.  
12804 Once a registration, license, or certification expires, it  
12805 becomes null and void without any further action by the  
12806 department board or department. Two years prior to the

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12807 expiration of the registration, license, or certification, the  
12808 department shall give notice by mail to the registered trainee,  
12809 licensee, or certificateholder at her or his last known address.  
12810 The department board shall prescribe by rule a fee not to exceed  
12811 \$100 for the late renewal of an inactive registration, license,  
12812 or certification. The department shall collect the current  
12813 renewal fee for each renewal period in which the registration,  
12814 license, or certification was inactive, in addition to any  
12815 applicable late renewal fee.

12816 (3) The department board shall adopt rules relating to  
12817 inactive registrations, licenses, and certifications and for the  
12818 renewal of such registrations, licenses, and certifications.

12819 **Section 371. Subsections (2) and (3) of section 475.621,**  
12820 **Florida Statutes, are amended to read:**

12821 475.621 Registry of licensed and certified appraisers;  
12822 registry of appraisal management companies.—

12823 (2) The department shall collect from such individuals who  
12824 perform or seek to perform appraisals in federally related  
12825 transactions an annual fee as set by rule of, and transmitted  
12826 to, the appraisal subcommittee. The department shall collect  
12827 from such appraisal management companies that perform or seek to  
12828 perform appraisal management services in covered transactions an  
12829 annual fee set by rule of the department board and transmitted  
12830 to the appraisal subcommittee.

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12831 (3) Notwithstanding the prohibition against requiring  
12832 registration of a federally regulated appraisal management  
12833 company as provided in s. 475.6235(8)(b), the department board ~~board~~  
12834 shall establish a procedure to collect from a federally  
12835 regulated appraisal management company an annual fee as set by  
12836 rule of the department board ~~board~~ and transmitted to the appraisal  
12837 subcommittee.

12838 **Section 372. Section 475.6222, Florida Statutes, is**  
12839 **amended to read:**

12840 475.6222 Supervision and training of registered trainee  
12841 appraisers.—The primary or secondary supervisory appraiser of a  
12842 registered trainee appraiser shall provide direct supervision  
12843 and training to the registered trainee appraiser. The role and  
12844 responsibility of the supervisory appraiser is determined by  
12845 rule of the department board.

12846 **Section 373. Subsections (3) and (4) of section 475.6235,**  
12847 **Florida Statutes, are amended to read:**

12848 475.6235 Registration of appraisal management companies  
12849 required; exemptions.—

12850 (3) Appropriate fees, as set forth in the rules of the  
12851 department board ~~board~~ pursuant to s. 475.6147, and a complete set of  
12852 fingerprints for each person listed in paragraph (2)(f) must  
12853 accompany all applications for registration. The fingerprints  
12854 shall be forwarded to the Division of Criminal Justice  
12855 Information Systems within the Department of Law Enforcement for

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12856 purposes of processing the fingerprints to determine whether the  
12857 person has a criminal history record. The fingerprints shall  
12858 also be forwarded to the Federal Bureau of Investigation for  
12859 purposes of processing the fingerprints to determine whether the  
12860 person has a criminal history record. The information obtained  
12861 by the processing of fingerprints by the Department of Law  
12862 Enforcement and the Federal Bureau of Investigation shall be  
12863 sent to the department for the purpose of determining whether  
12864 the appraisal management company is statutorily qualified for  
12865 registration.

12866 (4) At the time of filing an application for registration  
12867 of an appraisal management company, each person listed in  
12868 paragraph (2)(f) must sign a pledge to comply with applicable  
12869 standards of professional practice established by rule of the  
12870 department board, including standards for the development or  
12871 communication of a real estate appraisal, and must indicate in  
12872 writing that she or he understands the types of misconduct for  
12873 which disciplinary proceedings may be initiated. The application  
12874 expires 1 year after the date received.

12875 **Section 374. Section 475.624, Florida Statutes, is amended**  
12876 **to read:**

12877 475.624 Discipline of appraisers.—The department board may  
12878 deny an application for registration or certification of an  
12879 appraiser; may investigate the actions of any appraiser  
12880 registered, licensed, or certified under this part; may

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12881 reprimand or impose an administrative fine not to exceed \$5,000  
12882 for each count or separate offense against any such appraiser;  
12883 and may revoke or suspend, for a period not to exceed 10 years,  
12884 the registration, license, or certification of any such  
12885 appraiser, or place any such appraiser on probation, if the  
12886 department board finds that the registered trainee, licensee, or  
12887 certificateholder:

12888 (1) Has violated any provision of this part or s.  
12889 455.227(1); however, any appraiser registered, licensed, or  
12890 certified under this part is exempt from s. 455.227(1)(i).

12891 (2) Has been guilty of fraud, misrepresentation,  
12892 concealment, false promises, false pretenses, dishonest conduct,  
12893 culpable negligence, or breach of trust in any business  
12894 transaction in this state or any other state, nation, or  
12895 territory; has violated a duty imposed upon her or him by law or  
12896 by the terms of a contract, whether written, oral, express, or  
12897 implied, in an appraisal assignment; has aided, assisted, or  
12898 conspired with any other person engaged in any such misconduct  
12899 and in furtherance thereof; or has formed an intent, design, or  
12900 scheme to engage in such misconduct and committed an overt act  
12901 in furtherance of such intent, design, or scheme. It is  
12902 immaterial to the guilt of the registered trainee appraiser or  
12903 licensed or certified appraiser that the victim or intended  
12904 victim of the misconduct has sustained no damage or loss; that  
12905 the damage or loss has been settled and paid after discovery of

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12906 the misconduct; or that such victim or intended victim was a  
12907 customer or a person in confidential relation with the  
12908 registered trainee appraiser or licensed or certified appraiser,  
12909 or was an identified member of the general public.

12910 (3) Has advertised services in a manner that is  
12911 fraudulent, false, deceptive, or misleading in form or content.

12912 (4) Has violated any provision of this part or any lawful  
12913 order or rule issued under this part or chapter 455.

12914 (5) Has been convicted or found guilty of, or entered a  
12915 plea of nolo contendere to, regardless of adjudication, a crime  
12916 in any jurisdiction that directly relates to the activities of a  
12917 registered trainee appraiser or licensed or certified appraiser  
12918 or that involves moral turpitude or fraudulent or dishonest  
12919 conduct. The record of a conviction certified or authenticated  
12920 in such form as admissible in evidence under the laws of the  
12921 state shall be admissible as prima facie evidence of such guilt.

12922 (6) Has had a registration, license, or certification as  
12923 an appraiser revoked, suspended, or otherwise acted against; has  
12924 been disbarred; has had her or his registration, license, or  
12925 certificate to practice or conduct any regulated profession,  
12926 business, or vocation revoked or suspended by this or any other  
12927 state, any nation, or any possession or district of the United  
12928 States; or has had an application for such registration,  
12929 licensure, or certification to practice or conduct any regulated  
12930 profession, business, or vocation denied by this or any other

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12931 state, any nation, or any possession or district of the United  
12932 States.

12933 (7) Has become temporarily incapacitated from acting as an  
12934 appraiser with safety to those in a fiduciary relationship with  
12935 her or him because of drunkenness, use of drugs, or temporary  
12936 mental derangement; however, suspension of a license,  
12937 certification, or registration in such cases shall only be for  
12938 the period of such incapacity.

12939 (8) Is confined in any county jail, postadjudication; is  
12940 confined in any state or federal prison or mental institution;  
12941 or, through mental disease or deterioration, can no longer  
12942 safely be entrusted to deal with the public or in a confidential  
12943 capacity.

12944 (9) Has failed to inform the department board in writing  
12945 within 30 days after pleading guilty or nolo contendere to, or  
12946 being convicted or found guilty of, any felony.

12947 (10) Has been found guilty, for a second time, of any  
12948 misconduct that warrants disciplinary action, or has been found  
12949 guilty of a course of conduct or practice that shows that she or  
12950 he is incompetent, negligent, dishonest, or untruthful to an  
12951 extent that those with whom she or he may sustain a confidential  
12952 relationship may not safely do so.

12953 (11) Has made or filed a report or record, either written  
12954 or oral, that the registered trainee appraiser or licensed or  
12955 certified appraiser knows to be false; has willfully failed to

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12956 file a report or record required by state or federal law; has  
12957 willfully impeded or obstructed such filing; or has induced  
12958 another person to impede or obstruct such filing. However, such  
12959 reports or records shall include only those that are signed or  
12960 presented in the capacity of a registered trainee appraiser or  
12961 licensed or certified appraiser.

12962 (12) Has obtained or attempted to obtain a registration,  
12963 license, or certification by means of knowingly making a false  
12964 statement, submitting false information, refusing to provide  
12965 complete information in response to an application question, or  
12966 engaging in fraud, misrepresentation, or concealment.

12967 (13) Has paid money or other valuable consideration,  
12968 except as required by this section, to any member or employee of  
12969 the department board to obtain a registration, license, or  
12970 certification under this section.

12971 (14) Has violated any standard of professional practice  
12972 established by rule of the department board, including standards  
12973 for the development or communication of a real estate appraisal.

12974 (15) Has failed or refused to exercise reasonable  
12975 diligence in developing an appraisal or preparing an appraisal  
12976 report.

12977 (16) Has failed to communicate an appraisal without good  
12978 cause.

12979 (17) Has accepted an appraisal assignment if the  
12980 employment itself is contingent upon the appraiser reporting a

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12981 predetermined result, analysis, or opinion or if the fee to be  
12982 paid for the performance of the appraisal assignment is  
12983 contingent upon the opinion, conclusion, or valuation reached  
12984 upon the consequences resulting from the appraisal assignment.

12985 (18) Has failed to timely notify the department of any  
12986 change in business location, or has failed to fully disclose all  
12987 business locations from which she or he operates as a registered  
12988 trainee appraiser or licensed or certified appraiser.

12989 **Section 375. Section 475.6245, Florida Statutes, is**  
12990 **amended to read:**

12991 475.6245 Discipline of appraisal management companies.—

12992 (1) The department ~~board~~ may deny an application for  
12993 registration or renewal registration of an appraisal management  
12994 company; may investigate the actions of any appraisal management  
12995 company registered under this part; may reprimand or impose an  
12996 administrative fine not to exceed \$5,000 for each count or  
12997 separate offense against any such appraisal management company;  
12998 and may revoke or suspend, for a period not to exceed 10 years,  
12999 the registration of any such appraisal management company, or  
13000 place any such appraisal management company on probation, if the  
13001 department ~~board~~ finds that the appraisal management company or  
13002 any person listed in s. 475.6235(2)(f):

13003 (a) Has violated any provision of this part or s.  
13004 455.227(1); however, any appraisal management company registered  
13005 under this part is exempt from s. 455.227(1)(i).

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13006 (b) Has been guilty of fraud, misrepresentation,  
13007 concealment, false promises, false pretenses, dishonest conduct,  
13008 culpable negligence, or breach of trust in any business  
13009 transaction in this state or any other state, nation, or  
13010 territory; has violated a duty imposed upon her or him by law or  
13011 by the terms of a contract, whether written, oral, express, or  
13012 implied, in an appraisal assignment; has aided, assisted, or  
13013 conspired with any other person engaged in any such misconduct  
13014 and in furtherance thereof; or has formed an intent, design, or  
13015 scheme to engage in such misconduct and committed an overt act  
13016 in furtherance of such intent, design, or scheme. It is  
13017 immaterial to the guilt of the appraisal management company that  
13018 the victim or intended victim of the misconduct has sustained no  
13019 damage or loss; that the damage or loss has been settled and  
13020 paid after discovery of the misconduct; or that such victim or  
13021 intended victim was a customer or a person in confidential  
13022 relation with the appraisal management company or was an  
13023 identified member of the general public.

13024 (c) Has advertised services in a manner that is  
13025 fraudulent, false, deceptive, or misleading in form or content.

13026 (d) Has violated any provision of this part or any lawful  
13027 order or rule issued under this part or chapter 455.

13028 (e) Has been convicted or found guilty of, or entered a  
13029 plea of nolo contendere to, regardless of adjudication, a crime  
13030 in any jurisdiction that directly relates to the activities of

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13031 an appraisal management company or that involves moral turpitude  
13032 or fraudulent or dishonest conduct. The record of a conviction  
13033 certified or authenticated in such form as admissible in  
13034 evidence under the laws of the state shall be admissible as  
13035 prima facie evidence of such guilt.

13036 (f) Has had a registration, license, or certification as  
13037 an appraiser or a registration as an appraisal management  
13038 company revoked, suspended, or otherwise acted against; has been  
13039 disbarred; has had her or his registration, license, or  
13040 certificate to practice or conduct any regulated profession,  
13041 business, or vocation revoked or suspended by this or any other  
13042 state, any nation, or any possession or district of the United  
13043 States; or has had an application for such registration,  
13044 licensure, or certification to practice or conduct any regulated  
13045 profession, business, or vocation denied by this or any other  
13046 state, any nation, or any possession or district of the United  
13047 States.

13048 (g) Has become temporarily incapacitated from acting as an  
13049 appraisal management company with safety to those in a fiduciary  
13050 relationship with her or him because of drunkenness, use of  
13051 drugs, or temporary mental derangement; however, suspension of a  
13052 registration in such cases shall only be for the period of such  
13053 incapacity.

13054 (h) Is confined in any county jail, postadjudication; is  
13055 confined in any state or federal prison or mental institution;

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13056 or, through mental disease or deterioration, can no longer  
13057 safely be entrusted to deal with the public or in a confidential  
13058 capacity.

13059 (i) Has failed to inform the department board in writing  
13060 within 30 days after pleading guilty or nolo contendere to, or  
13061 being convicted or found guilty of, any felony.

13062 (j) Has been found guilty, for a second time, of any  
13063 misconduct that warrants disciplinary action, or has been found  
13064 guilty of a course of conduct or practice that shows that she or  
13065 he is incompetent, negligent, dishonest, or untruthful to an  
13066 extent that those with whom she or he may sustain a confidential  
13067 relationship may not safely do so.

13068 (k) Has made or filed a report or record, either written  
13069 or oral, that the appraisal management company knows to be  
13070 false; has willfully failed to file a report or record required  
13071 by state or federal law; has willfully impeded or obstructed  
13072 such filing; or has induced another person to impede or obstruct  
13073 such filing. However, such reports or records shall include only  
13074 those that are signed or presented in the capacity of an  
13075 appraisal management company.

13076 (l) Has obtained or attempted to obtain a registration,  
13077 license, or certification by means of knowingly making a false  
13078 statement, submitting false information, refusing to provide  
13079 complete information in response to an application question, or  
13080 engaging in fraud, misrepresentation, or concealment.

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13081 (m) Has paid money or other valuable consideration, except  
13082 as required by this section, to any member or employee of the  
13083 department board to obtain a registration, license, or  
13084 certification under this section.

13085 (n) Has instructed an appraiser to violate any standard of  
13086 professional practice established by rule of the department  
13087 board, including standards for the development or communication  
13088 of a real estate appraisal or other provision of the Uniform  
13089 Standards of Professional Appraisal Practice.

13090 (o) Has engaged in the development of an appraisal or the  
13091 preparation of an appraisal report, unless the appraisal  
13092 management company is owned or controlled by certified  
13093 appraisers.

13094 (p) Has failed to communicate an appraisal without good  
13095 cause.

13096 (q) Has accepted an appraisal assignment if the employment  
13097 itself is contingent upon the appraisal management company  
13098 reporting a predetermined result, analysis, or opinion or if the  
13099 fee to be paid for the performance of the appraisal assignment  
13100 is contingent upon the opinion, conclusion, or valuation reached  
13101 upon the consequences resulting from the appraisal assignment.

13102 (r) Has failed to timely notify the department of any  
13103 change in principal business location as an appraisal management  
13104 company.

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- 13105 (s) Has influenced or attempted to influence the  
13106 development, reporting, or review of an appraisal through  
13107 coercion, extortion, collusion, compensation, inducement,  
13108 intimidation, bribery, or any other means, including, but not  
13109 limited to:
- 13110 1. Withholding or threatening to withhold timely payment  
13111 for an appraisal, unless such nonpayment is based upon specific  
13112 quality or other service issues that constitute noncompliance  
13113 with the appraisal engagement agreement.
  - 13114 2. Withholding or threatening to withhold future business  
13115 from an appraiser.
  - 13116 3. Promising future business, promotions, or increased  
13117 compensation for an appraiser, whether the promise is express or  
13118 implied.
  - 13119 4. Conditioning a request for appraisal services or the  
13120 payment of an appraisal fee, salary, or bonus upon the opinion,  
13121 conclusion, or valuation to be reached or upon a preliminary  
13122 estimate or opinion requested from an appraiser.
  - 13123 5. Requesting that an appraiser provide an estimated,  
13124 predetermined, or desired valuation in an appraisal report or  
13125 provide estimated values or comparable sales at any time before  
13126 the appraiser's completion of appraisal services.
  - 13127 6. Providing to an appraiser an anticipated, estimated,  
13128 encouraged, or desired value for a subject property or a  
13129 proposed or target amount to be loaned to the borrower, except

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13130 that a copy of the sales contract for purchase transactions may  
13131 be provided.

13132 7. Providing to an appraiser, or any person related to the  
13133 appraiser, stock or other financial or nonfinancial benefits.

13134 8. Allowing the removal of an appraiser from an appraiser  
13135 panel without prior written notice to the appraiser.

13136 9. Obtaining, using, or paying for a second or subsequent  
13137 appraisal or ordering an automated valuation model in connection  
13138 with a mortgage financing transaction unless there is a  
13139 reasonable basis to believe that the initial appraisal was  
13140 flawed or tainted and such basis is clearly and appropriately  
13141 noted in the loan file, or unless such appraisal or automated  
13142 valuation model is issued pursuant to a bona fide prefunding or  
13143 postfunding appraisal review or quality control process.

13144 10. Any other act or practice that impairs or attempts to  
13145 impair an appraiser's independence, objectivity, or  
13146 impartiality.

13147 (t) Has altered, modified, or otherwise changed a  
13148 completed appraisal report submitted by an appraiser to an  
13149 appraisal management company.

13150 (u) Has employed, contracted with, or otherwise retained  
13151 an appraiser whose registration, license, or certification is  
13152 suspended or revoked to perform appraisal services or appraisal  
13153 management services.

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13154 (v) Has required or attempted to require an appraiser to  
13155 sign any indemnification agreement that would require the  
13156 appraiser to hold harmless the appraisal management company or  
13157 its owners, agents, employees, or independent contractors from  
13158 any liability, damage, loss, or claim arising from the services  
13159 performed by the appraisal management company or its owners,  
13160 agents, employees, or independent contractors and not the  
13161 services performed by the appraiser.

13162 (w) Has required or attempted to require a client to sign  
13163 any indemnification agreement that would require the client to  
13164 hold harmless the appraisal management company or its owners,  
13165 agents, or employees from any liability, damage, loss, or claim  
13166 arising from the services performed by an appraiser.

13167 (2) The department board may reprimand an appraisal  
13168 management company, conditionally or unconditionally suspend or  
13169 revoke any registration of an appraisal management company  
13170 issued under this part, or impose administrative fines not to  
13171 exceed \$5,000 for each count or separate offense against any  
13172 such appraisal management company if the department board  
13173 determines that the appraisal management company is attempting  
13174 to perform, has performed, or has attempted to perform any of  
13175 the following acts:

13176 (a) Committing any act in violation of this part.

13177 (b) Violating any rule adopted by the department board  
13178 under this part.

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13179 (c) Obtaining a registration of an appraisal management  
13180 company by fraud, misrepresentation, or deceit.

13181 (3) This section does not prohibit an appraisal management  
13182 company from requesting an appraiser to:

13183 (a) Provide additional information about the basis of a  
13184 valuation, including consideration of additional comparable  
13185 data; or

13186 (b) Correct objective factual errors in an appraisal  
13187 report.

13188 **Section 376. Section 475.625, Florida Statutes, is amended**  
13189 **to read:**

13190 475.625 Final orders.—The department ~~board~~ may publish and  
13191 distribute, in such manner and form as it may prescribe, any of  
13192 its final orders or decisions made under this section, after  
13193 they become final by lapse of time or upon affirmance on appeal,  
13194 or opinions of appellate courts for the guidance of appraisers,  
13195 appraiser users, and the public. The department ~~board~~ may also  
13196 publish or withhold from publication the names and addresses of  
13197 any parties concerned. This section shall not be construed to  
13198 affect compliance with chapter 119.

13199 **Section 377. Paragraphs (c), (d), and (e) of subsection**  
13200 **(1) of section 475.626, Florida Statutes, are amended to read:**

13201 475.626 Violations and penalties.—

13202 (1) A person may not:

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13203 (c) Make any false affidavit or affirmation intended for  
13204 use as evidence by or before the department board or any member  
13205 thereof, or by any of its authorized representatives, nor may  
13206 any person give false testimony under oath or affirmation to or  
13207 before the department board or any member thereof in any  
13208 proceeding authorized by this section.

13209 (d) Fail or refuse to appear at the time and place  
13210 designated in a subpoena issued with respect to a violation of  
13211 this section, unless such failure to appear is the result of  
13212 facts or circumstances that are sufficient to excuse appearance  
13213 in response to a subpoena from the circuit court; nor may a  
13214 person who is present before the department board ~~or a member~~  
13215 ~~thereof~~ or one of its authorized representatives acting under  
13216 authority of this section refuse to be sworn or to affirm or  
13217 fail or refuse to answer fully any question propounded by the  
13218 department board, ~~the member~~, or such representative, or by any  
13219 person by the authority of such officer or appointee.

13220 (e) Obstruct or hinder in any manner the enforcement of  
13221 this section or the performance of any lawful duty by any person  
13222 acting under the authority of this section, or interfere with,  
13223 intimidate, or offer any bribe to any employee member of the  
13224 department board ~~or any of its employees~~ or any person who is,  
13225 or is expected to be, a witness in any investigation or  
13226 proceeding relating to a violation of this section.

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13227           **Section 378. Section 475.627, Florida Statutes, is amended**  
13228 **to read:**

13229           475.627 Appraisal course instructors.—

13230           (1) Where the course or courses to be taught are  
13231 prescribed by the department board or approved precedent to  
13232 registration, licensure, certification, or renewal as a  
13233 registered trainee appraiser, licensed appraiser, or certified  
13234 residential appraiser, before commencing to instruct noncredit  
13235 college courses in a college, university, or community college,  
13236 or courses in a career center or proprietary real estate school,  
13237 a person must certify her or his competency by meeting one of  
13238 the following requirements:

13239           (a) Hold a valid certification as a residential real  
13240 estate appraiser in this or any other state.

13241           (b) Pass an appraiser instructor's examination which shall  
13242 test knowledge of residential appraisal topics.

13243           (2) Where the course or courses to be taught are  
13244 prescribed by the department board or approved precedent to  
13245 registration, licensure, certification, or renewal as a  
13246 registered trainee appraiser, licensed appraiser, or certified  
13247 appraiser, before commencing to instruct noncredit college  
13248 courses in a college, university, or community college, or  
13249 courses in a career center or proprietary real estate school, a  
13250 person must certify her or his competency by meeting one of the  
13251 following requirements:

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13252 (a) Hold a valid certification as a general real estate  
13253 appraiser in this or any other state.

13254 (b) Pass an appraiser instructor's examination which shall  
13255 test knowledge of residential and nonresidential appraisal  
13256 topics.

13257 (3) Possession of a permit to teach prescribed or approved  
13258 appraisal courses does not entitle the permitholder to teach any  
13259 courses outside the scope of the permit.

13260 **Section 379. Section 475.628, Florida Statutes, is amended**  
13261 **to read:**

13262 475.628 Professional standards for appraisers registered,  
13263 licensed, or certified under this part.—

13264 (1) The department ~~board~~ shall adopt rules establishing  
13265 standards of professional practice which meet or exceed  
13266 nationally recognized standards of appraisal practice, including  
13267 standards adopted by the Appraisal Standards Board of the  
13268 Appraisal Foundation. Each appraiser registered, licensed, or  
13269 certified under this part must comply with the rules. Statements  
13270 on appraisal standards which may be issued for the purpose of  
13271 clarification, interpretation, explanation, or elaboration  
13272 through the Appraisal Foundation are binding on any appraiser  
13273 registered, licensed, or certified under this part, upon  
13274 adoption by rule of the department ~~board~~.

13275 (2) The department ~~board~~ may adopt rules establishing  
13276 standards of professional practice other than standards adopted

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13277 by the Appraisal Standards Board of the Appraisal Foundation for  
13278 nonfederally related transactions. The department ~~board~~ shall  
13279 require that when performing an appraisal or appraisal service  
13280 for any purpose other than a federally related transaction, an  
13281 appraiser must comply with the Ethics and Competency Rules of  
13282 the standards adopted by the Appraisal Standards Board of the  
13283 Appraisal Foundation, and other requirements as determined by  
13284 rule of the department ~~board~~. An assignment completed using  
13285 alternate standards does not satisfy the experience requirements  
13286 under s. 475.617 unless the assignment complies with the  
13287 standards adopted by the Appraisal Standards Board of the  
13288 Appraisal Foundation.

13289 **Section 380. Section 475.629, Florida Statutes, is amended**  
13290 **to read:**

13291 475.629 Retention of records.—An appraiser registered,  
13292 licensed, or certified under this part shall prepare and retain  
13293 a work file for each appraisal, appraisal review, or appraisal  
13294 consulting assignment. An appraisal management company  
13295 registered under this part shall prepare and retain an order  
13296 file for each appraisal, appraisal review, or appraisal  
13297 consulting assignment. The work file and the order file shall be  
13298 retained for 5 years or the period specified in the Uniform  
13299 Standards of Professional Appraisal Practice, whichever is  
13300 greater. The work file must contain original or true copies of  
13301 any contracts engaging the appraiser's or appraisal management

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13302 company's services, appraisal reports, and supporting data  
13303 assembled and formulated by the appraiser or company in  
13304 preparing appraisal reports or engaging in appraisal management  
13305 services and all other data, information, and documentation  
13306 required by the standards for the development or communication  
13307 of a real estate appraisal as approved and adopted by the  
13308 Appraisal Standards Board of The Appraisal Foundation, as  
13309 established by rule of the department board. The order file must  
13310 contain original or true copies of any contracts engaging the  
13311 appraiser's services, the appraisal reports, any engagement  
13312 materials or instructions from the client, and all other  
13313 documents required by the standards for the development or  
13314 communication of a real estate appraisal as approved and adopted  
13315 by the Appraisal Standards Board of The Appraisal Foundation, as  
13316 established by rule of the department board. Notwithstanding the  
13317 foregoing, while general contracts and materials pertaining to  
13318 impaneling of an appraiser by an appraisal management company  
13319 shall be retained under this section, such contracts and  
13320 materials are not required to be maintained within the order  
13321 file. Except as otherwise specified in the Uniform Standards of  
13322 Professional Appraisal Practice, the period for retention of the  
13323 records applicable to each engagement of the services of the  
13324 appraiser or appraisal management company runs from the date of  
13325 the submission of the appraisal report to the client. Appraisal  
13326 management companies shall also retain the company accounts,

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13327 correspondence, memoranda, papers, books, and other records in  
13328 accordance with administrative rules adopted by the department  
13329 ~~board~~. These records must be made available by the appraiser or  
13330 appraisal management company for inspection and copying by the  
13331 department upon reasonable notice to the appraiser or company.  
13332 If an appraisal has been the subject of or has served as  
13333 evidence for litigation, reports and records must be retained  
13334 for at least 2 years after the trial or the period specified in  
13335 the Uniform Standards of Professional Appraisal Practice,  
13336 whichever is greater.

13337 **Section 381. Section 475.630, Florida Statutes, is amended**  
13338 **to read:**

13339 475.630 Temporary practice.—

13340 (1) The department ~~board~~ shall recognize, on a temporary  
13341 basis, the license or certification of an appraiser issued by  
13342 another state, if:

13343 (a) The property to be appraised is part of a federally  
13344 related transaction.

13345 (b) The appraiser's business is of a temporary nature.

13346 (c) The appraiser registers with the department ~~board~~.

13347 (d) The person requesting recognition of a license or  
13348 certification as an appraiser issued by another state is a  
13349 nonresident of Florida.

13350 (2) In order to register with the department ~~board~~, the  
13351 appraiser must:

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13352 (a) Pay any required fee as established by rule.

13353 (b) Provide, or cause the state where the applicant may be  
13354 licensed or certified to furnish, proof of licensure or  
13355 certification along with the copies of the records of any  
13356 disciplinary actions taken against the applicant's license or  
13357 certification in that or other jurisdictions.

13358 (c) Agree in writing to cooperate with any investigation  
13359 initiated under this part by promptly supplying such documents  
13360 that any authorized representative of the department may  
13361 request. If the department sends a notice by certified mail to  
13362 the last known address of a nonresident appraiser to produce  
13363 documents or to appear in conjunction with an investigation and  
13364 the nonresident appraiser fails to comply with that request, the  
13365 department board may impose on that nonresident appraiser any  
13366 disciplinary action or penalty authorized under this part.

13367 (d) Sign a notarized statement that the applicant has read  
13368 this section and all applicable rules and agrees to abide by  
13369 these provisions in all appraisal activities.

13370 **Section 382. Section 475.631, Florida Statutes, is amended**  
13371 **to read:**

13372 475.631 Nonresident licenses and certifications.—

13373 (1) Any resident state-certified appraiser who becomes a  
13374 nonresident shall, within 60 days, notify the department board  
13375 of the change in residency and comply with nonresident

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13376 requirements. Failure to notify and comply is a violation of the  
13377 license law, subject to the penalties in s. 475.624.

13378 (2) All nonresident applicants, certified appraisers, and  
13379 licensees shall comply with all requirements of department ~~board~~  
13380 rules and this part.

13381 **Section 383.** Except as otherwise expressly provided in  
13382 this act, this act shall take effect July 1, 2025.

13383

13384 -----

13385 **T I T L E A M E N D M E N T**

13386 Remove everything before the enacting clause and insert:

13387

13388 A bill to be entitled

13389 An act relating to community and economic development;

13390 amending s. 163.3755, F.S.; providing for the

13391 termination of community redevelopment agencies on a

13392 specified date; removing an exception; prohibiting

13393 community redevelopment agencies from initiating new

13394 projects or issuing new debt on or after a specified

13395 date unless certain requirements are met; defining the

13396 term "new project"; revising provisions relating to

13397 any outstanding bonds of a community redevelopment

13398 agency; prohibiting the creation of community

13399 redevelopment agencies on or after a specified date;

13400 prohibiting the expansion of community redevelopment

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13401 areas on or after a specified date; providing  
13402 applicability; authorizing existing agencies before a  
13403 specified date to continue to operate; amending s.  
13404 20.165, F.S.; renaming, removing, and redesignating  
13405 specified boards, commissions, and councils  
13406 established within the Department of Business and  
13407 Professional Regulation; changing the office locations  
13408 of certain divisions; requiring the department to  
13409 provide to the Division of Professions a summary of  
13410 changes to statutory law within a specified time  
13411 period after adjournment of session; repealing ss.  
13412 310.011, 310.032, 310.042, 455.2124, 455.2228,  
13413 468.384, 468.399, 468.4315, 468.4337, 468.4338,  
13414 468.521, 468.522, 468.523, 468.605, 468.8316,  
13415 468.8416, 471.007, 471.008, 471.009, 471.019,  
13416 471.0195, 471.038, 472.007, 472.008, 472.009, 472.018,  
13417 472.019, 473.303, 473.312, 474.204, 474.206, 475.02,  
13418 475.03, 475.04, 475.045, 475.05, 475.10, 476.054,  
13419 476.064, 477.015, 481.205, 481.2055, 481.305, 482.243,  
13420 489.107, 489.507, 492.103, 493.6116, 499.01211,  
13421 559.9221, and 570.81, F.S., relating to Board of Pilot  
13422 Commissioners; oath of members of the Board of Pilot  
13423 Commissioners; organization and meetings of the board;  
13424 proration of continuing education; barbers and  
13425 cosmetologists and instruction on HIV and AIDS;

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13426 Florida Board of Auctioneers; expenditure of excess  
13427 funds; Regulatory Council of Community Association  
13428 Managers; continuing education; reactivation and  
13429 continuing education; the Board of Employee Leasing  
13430 Companies, membership, appointments, and terms; rules  
13431 of the board; applicability of s. 20.165 and chapter  
13432 455; Florida Building Code Administrators and  
13433 Inspectors Board; continuing education; Board of  
13434 Professional Engineers; rulemaking authority of the  
13435 board; board headquarters; reactivation; Florida  
13436 Building Code training for engineers; Florida  
13437 Engineers Management Corporation; Board of  
13438 Professional Surveyors and Mappers; rules of the  
13439 board; board headquarters; continuing education;  
13440 continuing education for reactivating a license; Board  
13441 of Veterinary Medicine; renewal of license; Board of  
13442 Accountancy; continuing education; Barbers' Board;  
13443 organization, headquarters, personnel, and meetings of  
13444 the board; Board of Cosmetology; Board of Architecture  
13445 and Interior Design; authority of the board to make  
13446 rules; Florida Real Estate Commission; delegation of  
13447 powers and duties; legal services; duty of commission  
13448 to educate members of profession; Florida Real Estate  
13449 Commission Education and Research Foundation; power of  
13450 commission to enact bylaws and rules and decide

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13451 questions of practice; seal; Board of Landscape  
13452 Architecture; Pest Control Enforcement Advisory  
13453 Council; Construction Industry Licensing Board;  
13454 Electrical Contractors' Licensing Board; Board of  
13455 Professional Geologists; sponsorship of interns; Drug  
13456 Wholesale Distributor Advisory Council; Motor Vehicle  
13457 Repair Advisory Council; and Agricultural Economic  
13458 Development Project Review Committee, respectively;  
13459 requiring the department to conduct a specified study;  
13460 amending ss. 212.08, 215.5586, 215.55871, 309.01,  
13461 310.0015, 310.002, 310.051, 310.061, 310.071, 310.073,  
13462 310.075, 310.081, 310.101, 310.102, 310.111, 310.1115,  
13463 310.121, 310.131, 310.142, 310.151, 310.183, 310.185,  
13464 319.28, 326.002, 326.006, 376.303, 381.0065, 403.868,  
13465 403.9329, 440.02, 448.26, 468.382, 468.385, 468.3852,  
13466 468.3855, 468.387, 468.388, 468.389, 468.392, 468.393,  
13467 468.395, 468.396, 468.397, 468.398, 468.431, 468.433,  
13468 468.4336, 468.435, 468.436, 468.520, 468.522, 468.524,  
13469 468.5245, 468.525, 468.526, 468.527, 468.5275,  
13470 468.529, 468.530, 468.531, 468.532, 468.603, 468.606,  
13471 468.607, 468.613, 468.619, 468.621, 468.627, 468.629,  
13472 468.631, 468.8312, 468.8315, 468.8415, 468.8417,  
13473 468.8419, 469.004, 469.012, 469.013, 471.003,  
13474 471.0035, 471.005, 471.011, 471.013, 471.017, 471.021,  
13475 471.023, 471.025, 471.031, 471.033, 471.045, 471.055,

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13476 472.003, 472.005, 473.302, 473.3035, 473.304, 473.305,  
13477 473.306, 473.309, 473.3101, 473.311, 473.3125,  
13478 473.313, 473.314, 473.315, 473.316, 473.319, 473.3205,  
13479 473.321, 473.322, 473.323, 474.202, 474.2065, 474.207,  
13480 474.211, 474.2125, 474.213, 474.214, 474.215, 474.216,  
13481 474.2165, 474.217, 474.221, 476.034, 476.074, 476.114,  
13482 476.134, 476.144, 476.154, 476.155, 476.192, 476.204,  
13483 476.214, 476.234, 477.013, 477.0135, 477.016, 477.018,  
13484 477.019, 477.0201, 477.0212, 477.022, 477.025,  
13485 477.026, 477.0263, 477.028, 477.029, 481.203, 481.207,  
13486 481.209, 481.211, 481.215, 481.217, 481.219, 481.221,  
13487 481.222, 481.223, 481.225, 481.2251, 481.303, 481.306,  
13488 481.307, 481.309, 481.310, 481.311, 481.313, 481.315,  
13489 481.317, 481.319, 481.321, 481.323, 481.325, 489.103,  
13490 489.105, 489.108, 489.109, 489.111, 489.113, 489.1131,  
13491 489.1136, 489.114, 489.115, 489.116, 489.117, 489.118,  
13492 489.119, 489.1195, 489.121, 489.126, 489.127, 489.129,  
13493 489.131, 489.132, 489.133, 489.1401, 489.1402,  
13494 489.141, 489.142, 489.1425, 489.143, 489.1455,  
13495 489.146, 489.509, 489.510, 489.511, 489.513, 489.514,  
13496 489.515, 489.516, 489.5161, 489.517, 489.518,  
13497 489.5185, 489.519, 489.520, 489.521, 489.522, 489.523,  
13498 489.525, 489.533, 489.5335, 489.537, 489.552, 492.102,  
13499 492.104, 492.105, 492.1051, 492.106, 492.107, 492.108,  
13500 492.1101, 492.111, 492.113, 493.6101, 493.6105,

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13501 493.6106, 493.6111, 493.6113, 493.6118, 493.6120,  
13502 493.6123, 493.6201, 493.6202, 493.6203, 493.6301,  
13503 493.6302, 493.6303, 493.6304, 493.631, 493.6401,  
13504 493.6402, 493.6403, 493.6406, 514.0315, 514.075,  
13505 533.791, 553.998, 569.34, 627.192, 633.216, 713.01,  
13506 and 1006.12, F.S.; providing licensing authority to  
13507 the department rather than licensing boards; removing  
13508 continuing education requirements; conforming  
13509 provisions to changes made by the act; amending s.  
13510 474.2021, F.S.; revising requirements related to  
13511 prescriptions by veterinarians practicing telehealth;  
13512 providing licensing authority to the department rather  
13513 than licensing boards; amending s. 259.1053, F.S.;  
13514 removing the Babcock Ranch Advisory Group; amending s.  
13515 399.035, F.S.; revising the requirements for  
13516 accessibility of elevators for the physically  
13517 handicapped; amending s. 373.219, F.S.; providing an  
13518 exception to the permit requirement for certain  
13519 landscape irrigation water users; amending s. 455.02,  
13520 F.S.; specifying that certain license application  
13521 requirements apply only to certain professions;  
13522 amending s. 455.213, F.S.; providing regulation  
13523 authority to the department to regulate a  
13524 cosmetologist or cosmetology specialist review an  
13525 applicant's criminal record; amending s. 468.386,

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13526 F.S.; requiring the department to reduce fees by a  
13527 specified percentage on a certain date; amending s.  
13528 468.609, F.S.; revising the standards for  
13529 certification as a building code inspector or plans  
13530 examiner; amending s. 471.015, F.S.; revising who the  
13531 department must certify as qualified for a license by  
13532 endorsement for the practice of engineering; amending  
13533 s. 473.308, F.S.; revising the education and work  
13534 experience requirements for a certified public  
13535 accountant license; directing the department to  
13536 prescribe specified coursework for licensure; revising  
13537 requirements for licensure by endorsement; removing  
13538 provisions relating to licensure of applicants with  
13539 work experience in foreign countries; providing  
13540 applicability; creating s. 473.3085, F.S.; requiring  
13541 an international applicant who seeks licensure as a  
13542 certified public accountant in this state to meet  
13543 specified criteria prescribed by the department;  
13544 requiring such applicants to apply to the department;  
13545 requiring such applicants to create and maintain an  
13546 online account with the department; providing that the  
13547 applicant's e-mail address serves as the primary means  
13548 of communication from the department; requiring an  
13549 applicant to submit any change in certain information  
13550 within a specified timeframe through the department's

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Amendment No.

13551 online system; requiring the department to certify an  
13552 applicant who meets certain requirements; requiring  
13553 the department to adopt rules; amending s. 473.3141,  
13554 F.S.; revising requirements for certified public  
13555 accountants licensed in another state or a territory  
13556 of the United States to practice in this state without  
13557 obtaining a license; amending s. 476.184, F.S.;  
13558 requiring the department to adopt rules; requiring a  
13559 mobile barbershop to comply with all licensure and  
13560 operating requirements that apply to a barbershop at a  
13561 fixed location; providing an exception; requiring a  
13562 mobile barbershop to have a permanent business address  
13563 in a specified location; requiring that certain  
13564 records be kept at the permanent business address;  
13565 requiring a mobile barbershop licenseholder to file  
13566 with the department a written monthly itinerary that  
13567 provides certain information; requiring that a  
13568 licenseholder comply with certain laws and ordinances;  
13569 amending s. 476.188, F.S.; providing that a barbershop  
13570 must be licensed with the department, rather than  
13571 registered; authorizing the practice of barbering to  
13572 be performed in a location other than a licensed  
13573 barbershop under certain circumstances; amending s.  
13574 481.213, F.S.; revising who the department shall  
13575 certify as qualified for a license by endorsement in

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Amendment No.

13576 the practice of architecture; amending s. 499.012,  
13577 F.S.; revising permit application requirements for  
13578 sale, transfer, assignment, or lease; removing permit  
13579 application requirements for a prescription drug  
13580 wholesale distributor to include a designated  
13581 representative; amending s. 499.0121, F.S.; removing a  
13582 designated representative as a responsible person who  
13583 must be listed by a wholesale distributor; amending s.  
13584 499.041, F.S.; removing a requirement that the  
13585 department assess each person applying for  
13586 certification as a designated representative a fee,  
13587 plus the cost of processing a criminal history record  
13588 check; amending s. 509.261, F.S.; prohibiting a  
13589 lodging establishment or a public food service  
13590 establishment from selling hemp in violation of the  
13591 state hemp program; reordering and amending s.  
13592 569.002, F.S.; making technical changes; amending s.  
13593 569.006, F.S.; revising the violations for which  
13594 retail tobacco products dealers are penalized;  
13595 amending 569.35, F.S.; revising retail nicotine  
13596 product dealer administrative penalties; amending s.  
13597 581.217, F.S.; defining the term "division";  
13598 authorizing the Division of Alcoholic Beverages and  
13599 Tobacco to assist any agent of the Department of  
13600 Agriculture and Consumer Services in enforcing the

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Amendment No.

13601 state hemp program; authorizing the division to enter  
13602 any public or private premises during a specified  
13603 timeframe in the performance of its duties; reenacting  
13604 and amending s. 20.60, F.S.; revising the list of  
13605 divisions and offices within the Department of  
13606 Commerce to conform to changes made by the act;  
13607 revising the annual program reports that must be  
13608 included in the annual report of the Department of  
13609 Commerce; amending s. 163.3168, F.S.; requiring the  
13610 state land planning agency to give preference for  
13611 technical assistance funding to local governments  
13612 located in a rural area of opportunity; requiring the  
13613 agency to consult with the Office of Rural Prosperity  
13614 when awarding certain funding; amending s. 215.971,  
13615 F.S.; providing construction regarding agreements  
13616 funded with federal or state assistance; requiring the  
13617 agency to expedite payment requests from a county,  
13618 municipality, or rural area of opportunity for a  
13619 specified purpose; requiring each state agency to  
13620 report to the Office of Rural Prosperity by a certain  
13621 date with a summary of certain information; requiring  
13622 the office to summarize the information it receives  
13623 for its annual report; amending s. 218.67, F.S.;

13624 revising the conditions required for a county to be  
13625 considered a fiscally constrained county; authorizing

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Amendment No.

13626 eligible counties to receive a distribution of sales  
13627 and use tax revenue; revising the sources that the  
13628 Department of Revenue must use to determine the amount  
13629 distributed to fiscally constrained counties; revising  
13630 the factors for allocation of the distribution of  
13631 revenue to fiscally constrained counties; requiring  
13632 that the computation and amount distributed be  
13633 calculated based on a specified rounding algorithm;  
13634 authorizing specified uses for the revenue; conforming  
13635 a cross-reference; amending s. 288.0001, F.S.;  
13636 requiring the Office of Economic and Demographic  
13637 Research and the Office of Program Policy Analysis and  
13638 Government Accountability (OPPAGA) to prepare a report  
13639 for a specified purpose; specifying requirements for  
13640 the report; providing that the Office of Economic and  
13641 Demographic Research and OPPAGA must be provided with  
13642 all data necessary to complete the rural communities  
13643 or areas report upon request; authorizing the Office  
13644 of Economic and Demographic Research and OPPAGA to  
13645 collaborate on all data collection and analysis;  
13646 requiring the Office of Economic and Demographic  
13647 Research and OPPAGA to submit the report to the  
13648 Legislature by a specified date; providing additional  
13649 requirements for the report; providing for expiration;  
13650 amending s. 288.001, F.S.; requiring the Florida Small

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Amendment No.

13651 Business Development Center Network to use certain  
13652 funds appropriated for a specified purpose;  
13653 authorizing the network to dedicate funds to  
13654 facilitate certain events; amending s. 288.007, F.S.;  
13655 revising which local governments and economic  
13656 development organizations seeking to recruit  
13657 businesses are required to submit a specified report;  
13658 creating s. 288.013, F.S.; providing legislative  
13659 findings; creating the Office of Rural Prosperity  
13660 within the Department of Commerce; requiring the  
13661 Governor to appoint a director, subject to  
13662 confirmation by the Senate; providing that the  
13663 director reports to and serves at the pleasure of the  
13664 secretary of the department; providing the duties of  
13665 the office; requiring the office to establish by a  
13666 specified date a certain number of regional rural  
13667 community liaison centers across this state for a  
13668 specified purpose; providing the powers, duties, and  
13669 functions of the liaison centers; requiring the  
13670 liaison centers, to the extent possible, to coordinate  
13671 with certain entities; requiring the liaison centers  
13672 to engage with the Rural Economic Development  
13673 Initiative (REDI); requiring at least one staff member  
13674 of a liaison center to attend the monthly meetings in  
13675 person or by means of electronic communication;

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Amendment No.

13676 requiring the director of the office to submit an  
13677 annual report to the Administration Commission in the  
13678 Executive Office of the Governor; specifying  
13679 requirements for the annual report; requiring that the  
13680 annual report also be submitted to the Legislature by  
13681 a specified date and published on the office's  
13682 website; requiring the director of the office to  
13683 attend the next Administration Commission meeting to  
13684 present detailed information from the annual report;  
13685 requiring OPPAGA to review the effectiveness of the  
13686 office by a certain date annually until a specified  
13687 date; requiring OPPAGA to review the office at  
13688 specified intervals; requiring such reviews to include  
13689 certain information to be considered by the  
13690 Legislature; requiring that such reports be submitted  
13691 to the Legislature; requiring OPPAGA to review certain  
13692 strategies from other states; requiring OPPAGA to  
13693 submit to the Legislature its findings at certain  
13694 intervals; creating s. 288.014, F.S.; providing  
13695 legislative findings; requiring the Office of Rural  
13696 Prosperity to administer the Renaissance Grants  
13697 Program to provide block grants to eligible  
13698 communities; requiring the Office of Economic and  
13699 Demographic Research to certify to the Office of Rural  
13700 Prosperity certain information by a specified date;

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Amendment No.

13701 defining the term "growth-impeded"; requiring the  
13702 Office of Economic and Demographic Research to certify  
13703 annually that a county remains growth-impeded until  
13704 such county has positive population growth for a  
13705 specified amount of time; providing that such county,  
13706 after 3 consecutive years of population growth, is  
13707 eligible to participate in the program for 1  
13708 additional year; requiring a county eligible for the  
13709 program to enter into an agreement with the Office of  
13710 Rural Prosperity in order to receive the block grant;  
13711 giving such counties broad authority to design their  
13712 specific plans; prohibiting the Office of Rural  
13713 Prosperity from determining how such counties  
13714 implement the block grant; requiring regional rural  
13715 community liaison center staff to provide assistance,  
13716 upon request; requiring participating counties to  
13717 report annually to the Office of Rural Prosperity with  
13718 certain information; providing that a participating  
13719 county receives a specified amount from funds  
13720 appropriated to the program; requiring participating  
13721 counties to make all attempts to limit the amount  
13722 spent on administrative costs; authorizing  
13723 participating counties to contribute other funds for  
13724 block grant purposes; requiring participating counties  
13725 to hire a renaissance coordinator; providing that

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Amendment No.

13726 funds from the block grant may be used to hire the  
13727 renaissance coordinator; providing the  
13728 responsibilities of the renaissance coordinator;  
13729 requiring the regional rural community liaison center  
13730 staff to provide assistance and training to the  
13731 renaissance coordinator, upon request; requiring  
13732 participating counties to design a plan to make  
13733 targeted investments to achieve population growth and  
13734 increase economic vitality; providing requirements for  
13735 such plans; requiring participating counties to  
13736 develop intergovernmental agreements with certain  
13737 entities in order to implement the plan; requiring the  
13738 Auditor General to conduct an operational audit every  
13739 2 years for a specified purpose; requiring the Office  
13740 of Economic and Demographic Research to provide an  
13741 annual report on a specified date of renaissance block  
13742 grant recipients by county; providing requirements for  
13743 the annual report; requiring that the report be  
13744 submitted to the Legislature; prohibiting funds  
13745 appropriated for the program from being subject to  
13746 reversion; providing for an expiration of the section;  
13747 creating s. 288.0175, F.S.; creating the Public  
13748 Infrastructure Smart Technology Grant Program within  
13749 the Office of Rural Prosperity; defining terms;  
13750 requiring the office to contract with one or more

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Amendment No.

13751 smart technology lead organizations to administer a  
13752 grant program for a specified purpose; providing the  
13753 criteria for such contracts; requiring that projects  
13754 funded by the grant program be included in the  
13755 office's annual report; amending s. 288.018, F.S.;

13756 requiring the office, rather than the Department of  
13757 Commerce, to establish a grant program to provide  
13758 funding for regional economic development  
13759 organizations; revising who may apply for such grants;  
13760 providing that a grant award may not exceed a certain  
13761 amount in a year; providing exceptions to a provision  
13762 that the department may expend a certain amount for a  
13763 certain purpose; amending s. 288.019, F.S.; revising  
13764 the program criteria and procedures that agencies and  
13765 organizations of REDI are required to review; revising  
13766 the list of impacts each REDI agency and organization  
13767 must consider in its review; requiring REDI agencies  
13768 and organizations to develop a proposal for  
13769 modifications which minimizes the financial and  
13770 resource impacts to a rural community; requiring that  
13771 ranking of evaluation criteria and scoring procedures  
13772 be used only when ranking is a component of the  
13773 program; requiring that match requirements be waived  
13774 or reduced for rural communities; providing that  
13775 donations of land may be treated as in-kind matches;

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Amendment No.

13776 requiring each agency and organization that applies  
13777 for or receives federal funding to request federal  
13778 approval to waive or reduce the financial match  
13779 requirements, if any, for projects in rural  
13780 communities; requiring that proposals be submitted to  
13781 the office, rather than the department; requiring each  
13782 REDI agency and organization to modify rules or  
13783 policies as necessary to reflect the finalized  
13784 proposal; requiring that information about authorized  
13785 waivers be included on the office's online rural  
13786 resource directory; conforming a cross-reference;  
13787 amending s. 288.021, F.S.; requiring, when  
13788 practicable, the economic development liaison to serve  
13789 as the agency representative for REDI; amending s.  
13790 288.065, F.S.; defining the term "unit of local  
13791 government"; requiring the office to include in its  
13792 annual report certain information about the Rural  
13793 Community Development Revolving Loan Fund; conforming  
13794 provisions to changes made by the act; amending s.  
13795 288.0655, F.S.; revising the list of grants that may  
13796 be awarded by the office; deleting the authorization  
13797 for local match requirements to be waived for a  
13798 catalyst site; revising the list of departments the  
13799 office must consult with to certify applicants;  
13800 requiring the office to include certain information

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Amendment No.

13801 about the Rural Infrastructure Trust Fund in its  
13802 annual report; conforming provisions to changes made  
13803 by the act; amending s. 288.0656, F.S.; providing  
13804 legislative findings; providing that REDI is created  
13805 within the Office of Rural Prosperity, rather than the  
13806 department; deleting the definitions of the terms  
13807 "catalyst project" and "catalyst site"; requiring that  
13808 an alternate for each designated deputy secretary be a  
13809 deputy secretary or higher-level staff person;  
13810 requiring that the names of such alternates be  
13811 reported to the director of the office; requiring at  
13812 least one rural liaison to participate in REDI  
13813 meetings; requiring REDI to meet at least each month;  
13814 deleting a provision that a rural area of opportunity  
13815 may designate catalyst projects; requiring REDI to  
13816 submit a certain report to the office, rather than to  
13817 the department; specifying requirements for such  
13818 report; conforming provisions to changes made by the  
13819 act; repealing s. 288.06561, F.S., relating to  
13820 reduction or waiver of financial match requirements;  
13821 amending s. 288.0657, F.S.; requiring the office,  
13822 rather than the department, to provide grants to  
13823 assist rural communities; providing that such grants  
13824 may be used for specified purposes; requiring the  
13825 rural liaison to assist those applying for such

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Amendment No.

13826 grants; providing that marketing grants may include  
13827 certain funding; amending s. 288.1226, F.S.; revising  
13828 required components of the 4-year marketing plan of  
13829 the Florida Tourism Industry Marketing Corporation;  
13830 repealing s. 288.12266, F.S., relating to the Targeted  
13831 Marketing Assistance Program; amending s. 288.9961,  
13832 F.S.; revising the definition of the term  
13833 "underserved"; requiring the office to consult with  
13834 regional rural community liaison centers on  
13835 development of a certain strategic plan; requiring  
13836 rural liaisons to assist rural communities with  
13837 providing feedback in applying for federal grants for  
13838 broadband Internet services; requiring the office to  
13839 submit reports with specified information to the  
13840 Governor and the Legislature within certain  
13841 timeframes; repealing s. 290.06561, F.S., relating to  
13842 designation of rural enterprise zones as catalyst  
13843 sites; amending s. 334.044, F.S.; revising the powers  
13844 and duties of the Department of Transportation;  
13845 amending s. 339.0801, F.S.; revising the allocation of  
13846 funds received in the State Transportation Trust Fund;  
13847 amending s. 339.2816, F.S.; requiring, rather than  
13848 authorizing, that certain funds received from the  
13849 State Transportation Trust Fund be used for the Small  
13850 County Road Assistance Program; requiring the

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Amendment No.

13851 department to use other additional revenues for the  
13852 Small County Road Assistance Program; providing an  
13853 exception from the prohibition against funding  
13854 capacity improvements on county roads; amending s.  
13855 339.2817, F.S.; revising the criteria that the  
13856 Department of Transportation must consider for  
13857 evaluating projects for County Incentive Grant Program  
13858 assistance; requiring the department to give priority  
13859 to counties located either wholly or partially within  
13860 the Everglades Agricultural Area and which request a  
13861 specified percentage of project costs for eligible  
13862 projects; specifying a limitation on such requests;  
13863 providing for future expiration; amending s. 339.2818,  
13864 F.S.; deleting a provision that the funds allocated  
13865 under the Small County Outreach Program are in  
13866 addition to the Small County Road Assistance Program;  
13867 deleting a provision that a local government within  
13868 the Everglades Agricultural Area, the Peace River  
13869 Basin, or the Suwannee River Basin may compete for  
13870 additional funding; conforming provisions to changes  
13871 made by the act; making a technical change; amending  
13872 s. 339.68, F.S.; providing legislative findings;  
13873 creating the Florida Arterial Road Modernization  
13874 Program within the Department of Commerce; defining  
13875 the term "rural community"; requiring the department

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Amendment No.

13876 to allocate from the State Transportation Trust Fund a  
13877 minimum sum in each fiscal year to fund the program;  
13878 providing that such funding is in addition to any  
13879 other funding provided to the program; providing  
13880 criteria the department must use to prioritize  
13881 projects for funding under the program; requiring the  
13882 department to submit a report to the Governor and the  
13883 Legislature by a specified date; requiring that such  
13884 report be submitted every 2 years thereafter;  
13885 providing the criteria for such report; requiring the  
13886 Department of Transportation to allocate additional  
13887 funds to implement the Small County Road Assistance  
13888 Program and amend the tentative work program for a  
13889 specified number of fiscal years; requiring the  
13890 department to submit a budget amendment before the  
13891 adoption of the work program; requiring the department  
13892 to allocate sufficient funds to implement the Florida  
13893 Arterial Road Modernization Program; requiring the  
13894 department to amend the current tentative work program  
13895 for a specified number of fiscal years to include the  
13896 program's projects; requiring the department to submit  
13897 a budget amendment before the implementation of the  
13898 program; requiring that the revenue increases in the  
13899 State Transportation Trust Fund which are derived from  
13900 the act be used to fund the work program; amending s.

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Amendment No.

13901 420.9073, F.S.; revising the calculation of guaranteed  
13902 amounts distributed from the Local Government Housing  
13903 Trust Fund; reenacting and amending s. 420.9075, F.S.;  
13904 authorizing a certain percentage of the funds made  
13905 available in each county and eligible municipality  
13906 from the local housing distribution to be used to  
13907 preserve multifamily affordable rental housing;  
13908 specifying what such funds may be used for; providing  
13909 an expiration; amending ss. 163.3187, 212.205,  
13910 257.191, 257.193, 265.283, 288.11621, 288.11631,  
13911 443.191, 571.26, and 571.265, F.S.; conforming cross-  
13912 references and provisions to changes made by the act;  
13913 reenacting s. 288.9935(8), F.S., relating to the  
13914 Microfinance Guarantee Program, to incorporate the  
13915 amendment made to s. 20.60, F.S., in a reference  
13916 thereto; reenacting ss. 125.0104(5)(c), 193.624(3),  
13917 196.182(2), 218.12(1), 218.125(1), 218.135(1),  
13918 218.136(1), 252.35(2)(cc), 288.102(4), 403.064(16)(g),  
13919 589.08(2) and (3), and 1011.62(1)(f), F.S., relating  
13920 to authorized uses of tourist development tax;  
13921 applicability of assessments of renewable energy  
13922 source devices; application of exemptions of renewable  
13923 energy source devices; appropriations to offset  
13924 reductions in ad valorem tax revenue in fiscally  
13925 constrained counties; offset for tax loss associated

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Amendment No.

13926 with certain constitutional amendments affecting  
13927 fiscally constrained counties; offset for tax loss  
13928 associated with reductions in value of certain citrus  
13929 fruit packing and processing equipment; offset for ad  
13930 valorem revenue loss affecting fiscally constrained  
13931 counties; Division of Emergency Management powers;  
13932 one-to-one match requirement under the Supply Chain  
13933 Innovation Grant Program; applicability of provisions  
13934 related to reuse of reclaimed water; land acquisition  
13935 restrictions; and funds for operation of schools,  
13936 respectively, to incorporate the amendment made to s.  
13937 218.67, F.S., in references thereto; reenacting s.  
13938 403.0741(6)(c), F.S., relating to grease waste removal  
13939 and disposal, to incorporate the amendments made to  
13940 ss. 218.67 and 339.2818, F.S., in references thereto;  
13941 reenacting s. 163.3177(7)(e), F.S., relating to  
13942 required and optional elements of comprehensive plans  
13943 and studies and surveys, to incorporate the amendment  
13944 made to s. 288.0656, F.S., in a reference thereto;  
13945 reenacting s. 288.9962(7)(a), F.S., relating to the  
13946 Broadband Opportunity Program, to incorporate the  
13947 amendment made to s. 288.9961, F.S., in a reference  
13948 thereto; reenacting s. 339.66(5) and (6), F.S.,  
13949 relating to upgrades of arterial highways with  
13950 controlled access facilities, to incorporate the

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Amendment No.

13951 amendment made to s. 339.68, F.S., in references  
13952 thereto; reenacting ss. 420.9072(4) and (6),  
13953 420.9076(7)(b), and 420.9079(2), F.S., relating to the  
13954 State Housing Initiatives Partnership Program,  
13955 adoption of affordable housing incentive strategies  
13956 and committees, and the Local Government Housing Trust  
13957 Fund, respectively, to incorporate the amendment made  
13958 to s. 420.9073, F.S., in references thereto; amending  
13959 s. 553.79, F.S.; prohibiting a local enforcement  
13960 agency from denying the issuance of a certificate of  
13961 occupancy to an owner of residential or commercial  
13962 property based on noncompliance with Florida-friendly  
13963 landscaping ordinances in certain circumstances;  
13964 prohibiting a local enforcement agency from denying  
13965 the issuance of a building permit for the alteration,  
13966 modification, or repair of a single-family residential  
13967 structure in certain circumstances; prohibiting a  
13968 local enforcement agency from requiring a building  
13969 permit for the construction of playground equipment or  
13970 a fence on certain property; amending s. 475.17, F.S.;  
13971 removing postlicensure education requirements for  
13972 brokers, broker associates, and sales associates;  
13973 amending ss. 475.175 and 475.180, F.S.; conforming  
13974 provisions to changes made by the act; amending s.  
13975 475.182, F.S.; removing continuing education

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Amendment No.

13976 requirements for licensure renewal as a broker, a  
13977 broker associate, and a sales associate; amending s.  
13978 475.183, F.S.; removing continuing education  
13979 requirements for licensure renewal due to inactive  
13980 status; amending s. 481.321, F.S.; revising provisions  
13981 relating to seals and display of certificate number of  
13982 registered landscape architects; amending s. 624.341,  
13983 F.S.; providing legislative findings; requiring the  
13984 Department of Law Enforcement to accept and process  
13985 certain fingerprints; specifying procedures for  
13986 submitting and processing fingerprinting; providing  
13987 fees for fingerprinting; authorizing the department to  
13988 exchange certain records with the Office of Insurance  
13989 Regulation for certain purposes; specifying that  
13990 fingerprints must be submitted in accordance with  
13991 certain rules; authorizing fingerprints to be  
13992 submitted through a third-party vendor authorized by  
13993 the department; requiring the department to conduct  
13994 certain background checks; requiring certain  
13995 background checks to be conducted through the Federal  
13996 Bureau of Investigation; requiring that fingerprints  
13997 be submitted and entered into a specified system;  
13998 specifying who bears the costs of fingerprint  
13999 processing; requiring the office to review certain  
14000 background checks results and to make certain

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Amendment No.

14001 determination; requiring that certain criminal history  
14002 records be used by the office for certain purposes;  
14003 amending s. 475.613, F.S.; granting certain authority  
14004 to the department, rather than the Florida Real Estate  
14005 Appraisal Board; amending ss. 475.25, 475.611,  
14006 475.612, 475.614, 475.6145, 475.6147, 475.615,  
14007 475.617, 475.6171, 475.618, 475.619, 475.621,  
14008 475.6222, 475.6235, 475.624, 475.6245, 475.625,  
14009 475.626, 475.627, 475.628, 475.629, 475.630, and  
14010 475.631, F.S.; revising provisions pertaining to the  
14011 board to transfer powers, duties, and responsibilities  
14012 of the board to the Department of Business and  
14013 Professional Regulation; providing effective dates.

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