

By Senator McClain

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A bill to be entitled

An act relating to construction; amending s. 83.43, F.S.; defining terms; amending s. 83.51, F.S.; revising the obligation of landlords to maintain certain premises to include making reasonable provisions for functioning facilities for cooling; providing requirements for such facilities; providing that a landlord is not in violation of certain provisions under certain circumstances; providing an exception to the requirement to provide facilities for cooling; requiring a landlord to provide alternative code-compliant cooling solutions under certain circumstances; providing construction; requiring a landlord to comply with certain provisions by a specified date; amending s. 489.105, F.S.; revising the definitions of the terms "class A air-conditioning contractor" and "mechanical contractor"; amending s. 489.115, F.S.; revising requirements for certain certificateholders or registrants desiring to renew such certificate or registration; authorizing the Construction Industry Licensing Board to award a specified number of hours of general continuing education credit per renewal cycle for certain professional association engagement; specifying that certain credit is general credit only and may not be used to satisfy certain requirements; requiring the board to adopt rules; prohibiting a certificateholder or registrant from receiving credit for certain activities; requiring approved associations to

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maintain certain records for a certain timeframe and submit attendance records to the board in a certain format; amending ss. 83.491 and 553.895, F.S.; conforming cross-references; reenacting ss. 403.868, 489.107(4)(b), 489.113(2), 489.117(1)(a), (2)(a) and (b), and (4)(a), (d), and (e), 489.118(1), 489.126(1), 489.131(10) and (11), 489.1402(1)(d), 489.141(2)(f), and 553.998, F.S., relating to requirements by a utility, the Construction Industry Licensing Board, qualifications and restrictions for practice, registration and specialty contractors, certification of registered contractors and grandfathering provisions, moneys received by contractors, applicability of contracting provisions, the Homeowners' Construction Recovery Fund, conditions for recovery and eligibility, and compliance, respectively, to incorporate the amendment made to s. 489.105, F.S., in references thereto; reenacting ss. 489.517(4)(a) and 553.79(18), F.S., relating to the renewal of certificate or registration and continuing education, and permits, respectively, to incorporate the amendment made to s. 489.115, F.S., in references thereto; providing effective dates.

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

Section 1. Present subsections (4) through (8), (9), (10), and (11) through (18) of section 83.43, Florida Statutes, are redesignated as subsections (5) through (9), (11), (12), and

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(14) through (21), respectively, and new subsections (4), (10) and (13) are added to that section, to read:

83.43 Definitions.—As used in this part, the following words and terms shall have the following meanings unless some other meaning is plainly indicated:

(4) "Cooling equipment" means a permanently installed or securely affixed appliance designed to cool indoor air, including a central air-conditioning system, a packaged terminal air-conditioning unit, a mini-split heat pump, or a window air-conditioning unit, where permitted by applicable code.

(10) "Habitable space" has the same meaning as in the Florida Building Code.

(13) "Outdoor heat index" means the apparent temperature derived from ambient air temperature and relative humidity as reported by the National Weather Service for the nearest reporting station.

Section 2. Present subsections (3) and (4) of section 83.51, Florida Statutes, are redesignated as subsections (4) and (5), respectively, a new subsection (3) is added to that section, and paragraph (a) of subsection (2) of that section is amended, to read:

83.51 Landlord's obligation to maintain premises.—

(2)(a) Unless otherwise agreed in writing, in addition to the requirements of subsection (1), the landlord of a dwelling unit other than a single-family home or duplex shall, at all times during the tenancy, make reasonable provisions for:

1. The extermination of rats, mice, roaches, ants, wood-destroying organisms, and bedbugs. If the tenant must vacate the premises for such extermination, the landlord is not liable for

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damages but must abate the rent. The landlord must provide 7 days' written notice, in person, by mail, or by e-mail in accordance with s. 83.505, to the tenant if the tenant must temporarily vacate the premises for extermination pursuant to this subparagraph. A tenant is only required to vacate the premises for a period of time not to exceed 4 days.

2. Locks and keys.

3. The clean and safe condition of common areas.

4. Garbage removal and outside receptacles therefor.

5. Functioning facilities for heat during winter, running water, and hot water.

6. Functioning facilities for cooling. Such facilities must consist of cooling equipment that is able to maintain indoor air temperature of 82 degrees Fahrenheit or lower in habitable spaces when the outdoor heat index reaches or exceeds 90 degrees Fahrenheit. Compliance may be achieved through central air-conditioning, a packaged terminal air-conditioner, a mini-split heat pump, or a window air-conditioning unit that meets manufacturer installation requirements and that is permitted by applicable code. The landlord shall repair or replace cooling equipment within 3 business days after receiving written notice from the tenant that the cooling equipment is defective or that the indoor air temperature exceeds 82 degrees in habitable spaces, unless the landlord is delayed by supply chain shortages or interruptions.

(3)(a) A landlord is not in violation of subparagraph (2)(a)6. during any period in which:

1. The tenant unreasonably denies the landlord access to the premises for installation, inspection, or repair of cooling

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equipment; or

2. The cooling equipment is temporarily out of service due to a casualty event or a utility outage not caused by the landlord, provided the landlord commences repairs within 48 hours after the end of such event and diligently pursues completion of such repairs.

(b) This act does not require cooling equipment where prohibited by a local historic preservation ordinance or other law; however, alternative code-compliant cooling solutions must be provided where feasible.

(c) This act may not be construed to preempt or limit a local government from adopting or enforcing more stringent standards relating to functional facilities for cooling.

(d) For rental agreements in effect before July 1, 2026, a landlord must comply with subparagraph (2)(a)6. no later than July 1, 2027.

Section 3. Paragraphs (f) and (i) of subsection (3) of section 489.105, Florida Statutes, are amended to read:

489.105 Definitions.—As used in this part:

(3) "Contractor" means the person who is qualified for, and is only responsible for, the project contracted for and means, except as exempted in this part, the person who, for compensation, undertakes to, submits a bid to, or does himself or herself or by others construct, repair, alter, remodel, add to, demolish, subtract from, or improve any building or structure, including related improvements to real estate, for others or for resale to others; and whose job scope is substantially similar to the job scope described in one of the paragraphs of this subsection. For the purposes of regulation

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under this part, the term "demolish" applies only to demolition of steel tanks more than 50 feet in height; towers more than 50 feet in height; other structures more than 50 feet in height; and all buildings or residences. Contractors are subdivided into two divisions, Division I, consisting of those contractors defined in paragraphs (a)-(c), and Division II, consisting of those contractors defined in paragraphs (d)-(q):

(f) "Class A air-conditioning contractor" means a contractor whose services are unlimited in the execution of contracts requiring the experience, knowledge, and skill to do all of the following:

1. Install, maintain, repair, fabricate, alter, extend, or design, if not prohibited by law, central air-conditioning, refrigeration, heating, and ventilating systems, including duct work in connection with a complete system if such duct work is performed by the contractor as necessary to complete an air-distribution system, boiler and unfired pressure vessel systems, and all appurtenances, apparatus, or equipment used in connection therewith, and any duct cleaning and equipment sanitizing that requires at least a partial disassembling of the system.~~;~~ ~~to~~

2. Install, maintain, repair, fabricate, alter, extend, or design, if not prohibited by law, piping, insulation of pipes, vessels and ducts, pressure and process piping, and pneumatic control piping.~~;~~ ~~to~~

3. Replace, disconnect, or reconnect power wiring on the line or load side of the dedicated existing electrical disconnect switch on single phase electrical systems.~~;~~ ~~to~~

4. Repair or replace power wiring, disconnects, breakers,

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or fuses for dedicated HVAC circuits with proper use of a circuit breaker lock.~~;~~ ~~to~~

5. Install, disconnect, and reconnect low voltage heating, ventilating, and air-conditioning control wiring.~~;~~ ~~and to~~

6. Install a condensate drain from an air-conditioning unit to an existing safe waste or other approved disposal other than a direct connection to a sanitary system.

7. Replace and repair existing package pool heaters and connect replacement package pool heaters to existing pool piping. The replacement of an existing package pool heater must use the same make and model as the existing package pool heater, while also maintaining the flow rate, the connection points, and the heater specifications without modifications to existing pool piping or system components. The replacement or repair of an existing package pool heater does not include any alteration to the pool's hydraulic system, the addition of bypass valves, the installation of new plumbing, the rerouting of pipes, any change to the pool's circulation system, or any other modification beyond what is necessary to disconnect and reconnect the unit to the existing piping.

8. Perform ~~The scope of work for such contractor also includes any excavation work incidental to work performed in subparagraphs 1.-7., but not thereto, but does not include any~~ work such as liquefied petroleum or natural gas fuel lines within buildings, except for disconnecting or reconnecting changeouts of liquefied petroleum or natural gas appliances within buildings; potable water lines or connections thereto; sanitary sewer lines; swimming pool piping and filters; or electrical power wiring.

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204       ~~9. A Class A air-conditioning contractor may~~ Test and  
205 evaluate central air-conditioning, refrigeration, heating, and  
206 ventilating systems, including duct work; however, a mandatory  
207 licensing requirement is not established for the performance of  
208 these specific services.

209       (i) "Mechanical contractor" means a contractor whose  
210 services are unlimited in the execution of contracts requiring  
211 the experience, knowledge, and skill to do all of the following:

212       1. Install, maintain, repair, fabricate, alter, extend, or  
213 design, if not prohibited by law, central air-conditioning,  
214 refrigeration, heating, and ventilating systems, including duct  
215 work in connection with a complete system if such duct work is  
216 performed by the contractor as necessary to complete an air-  
217 distribution system, boiler and unfired pressure vessel systems,  
218 lift station equipment and piping, and all appurtenances,  
219 apparatus, or equipment used in connection therewith, and any  
220 duct cleaning and equipment sanitizing that requires at least a  
221 partial disassembling of the system.~~;~~~~to~~

222       2. Install, maintain, repair, fabricate, alter, extend, or  
223 design, if not prohibited by law, piping, insulation of pipes,  
224 vessels and ducts, pressure and process piping, pneumatic  
225 control piping, gasoline tanks and pump installations and piping  
226 for same, standpipes, air piping, vacuum line piping, oxygen  
227 lines, nitrous oxide piping, ink and chemical lines, fuel  
228 transmission lines, liquefied petroleum gas lines within  
229 buildings, and natural gas fuel lines within buildings.~~;~~~~to~~

230       3. Replace, disconnect, or reconnect power wiring on the  
231 line or load side of the dedicated existing electrical  
232 disconnect switch on single phase electrical systems.~~;~~~~to~~

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233       4. Repair or replace power wiring, disconnects, breakers,  
234 or fuses for dedicated HVAC circuits with proper use of a  
235 circuit breaker lock.~~;~~ ~~to~~

236       5. Install, disconnect, and reconnect low voltage heating,  
237 ventilating, and air-conditioning control wiring.~~;~~ ~~and to~~

238       6. Install a condensate drain from an air-conditioning unit  
239 to an existing safe waste or other approved disposal other than  
240 a direct connection to a sanitary system.

241       7. Replace and repair existing package pool heaters and  
242 connect replacement package pool heaters to existing pool  
243 piping. The replacement of an existing package pool heater must  
244 use the same make and model as the existing package pool heater,  
245 while also maintaining the flow rate, the connection points, and  
246 the heater specifications without modifications to existing pool  
247 piping or system components. The replacement or repair of an  
248 existing package pool heater does not include any alteration to  
249 the pool's hydraulic system, the addition of bypass valves, the  
250 installation of new plumbing, the rerouting of pipes, any change  
251 to the pool's circulation system, or any other modification  
252 beyond what is necessary to disconnect and reconnect the unit to  
253 the existing piping.

254       8. ~~Perform~~ ~~The scope of work for such contractor also~~  
255 ~~includes~~ any excavation work incidental to work performed in  
256 subparagraphs 1.-7., but not thereto, but does not include any  
257 work such as potable water lines or connections thereto,  
258 sanitary sewer lines, swimming pool piping and filters, or  
259 electrical power wiring.

260       9. ~~A mechanical contractor may~~ Test and evaluate central  
261 air-conditioning, refrigeration, heating, and ventilating

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systems, including duct work; however, a mandatory licensing requirement is not established for the performance of these specific services.

Section 4. Paragraph (b) of subsection (4) of section 489.115, Florida Statutes, is amended to read:

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

(4)

(b)1. Each certificateholder or registrant shall provide proof, in a form established by rule of the board, that the certificateholder or registrant has completed at least 14 classroom hours of at least 50 minutes each of continuing education courses during each biennium since the issuance or renewal of the certificate or registration. The board shall establish by rule that a portion of the required 14 hours must deal with the subject of workers' compensation, business practices, workplace safety, and, for applicable licensure categories, wind mitigation methodologies, and 1 hour of which must deal with laws and rules. The board shall by rule establish criteria for the approval of continuing education courses and providers, including requirements relating to the content of courses and standards for approval of providers, and may by rule establish criteria for accepting alternative nonclassroom continuing education on an hour-for-hour basis. The board shall prescribe by rule the continuing education, if any, which is required during the first biennium of initial licensure. A person who has been licensed for less than an entire biennium must not be required to complete the full 14 hours of continuing education.

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2. In addition, the board may approve specialized continuing education courses on compliance with the wind resistance provisions for one and two family dwellings contained in the Florida Building Code and any alternate methodologies for providing such wind resistance which have been approved for use by the Florida Building Commission. Division I certificateholders or registrants who demonstrate proficiency upon completion of such specialized courses may certify plans and specifications for one and two family dwellings to be in compliance with the code or alternate methodologies, as appropriate, except for dwellings located in floodways or coastal hazard areas as defined in ss. 60.3D and E of the National Flood Insurance Program.

3. The board shall require, by rule adopted pursuant to ss. 120.536(1) and 120.54, a specified number of hours in specialized or advanced module courses, approved by the Florida Building Commission, on any portion of the Florida Building Code, adopted pursuant to part IV of chapter 553, relating to the contractor's respective discipline.

4.a. In addition to courses offered by board-approved providers, the board may award up to 4 hours of general continuing education credit per renewal cycle for professional association engagement that includes:

(I) Attendance at an educational meeting, seminar, or workshop conducted by a board-approved professional or trade association relevant to the licensee's scope of practice, consisting of at least 60 minutes of noncommercial technical content or code, regulatory, safety, workforce, or business-practice content; or

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320       (II) Documented service during the renewal cycle as a board  
321 or standing-committee member of a board-approved professional or  
322 trade association.

323       b. Credit awarded under this subparagraph is general credit  
324 only and may not be used to satisfy the requisite minimum hours  
325 for specialized or advanced modules relating to the Florida  
326 Building Code, workplace safety, workers' compensation, business  
327 practices, or wind-mitigation methodologies.

328       c. The board shall adopt rules to implement this  
329 subparagraph, including, but not limited to, rules relating to:

330       (I) Definitions;

331       (II) Criteria for professional or trade association  
332 approval that includes all of the following:

333       (A) An identification of an association's nonprofit status.

334       (B) A conflicts-of-interest policy.

335       (C) An evaluation of an association's published agendas  
336 with identified educational content.

337       (D) Accessibility of the trade association's information or  
338 bylaws for nonmembers or guests;

339       (III) Attendance verification for in-person and live-  
340 virtual formats;

341       (IV) Record retention and audit requirements; and

342       (V) Limitations on the award of credits, restricting award  
343 of such credits to not more than 2 hours per calendar day and  
344 not more than 1 hour per meeting credited.

345       d. A certificateholder or registrant may not receive credit  
346 for time primarily devoted to marketing, sales presentations, or  
347 association business unrelated to educational content. Approved  
348 associations shall maintain rosters and supporting records for 4

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349 years and submit attendance reports to the board in the format  
350 prescribed by the department.

351 Section 5. Subsection (6) of section 83.491, Florida  
352 Statutes, is amended to read:

353 83.491 Fee in lieu of security deposit.—

354 (6) A fee collected under this section, or an insurance  
355 product or a surety bond accepted, by a landlord in lieu of a  
356 security deposit is not a security deposit as defined in s.  
357 83.43(16) ~~s. 83.43(13)~~.

358 Section 6. Subsection (1) of section 553.895, Florida  
359 Statutes, is amended to read:

360 553.895 Firesafety.—

361 (1) Any transient public lodging establishment, as defined  
362 in chapter 509 and used primarily for transient occupancy as  
363 defined in s. 83.43(21) ~~s. 83.43(18)~~, or any timeshare unit of a  
364 timeshare plan as defined in chapters 718 and 721, which is of  
365 three stories or more and for which the construction contract  
366 has been let after September 30, 1983, with interior corridors  
367 which do not have direct access from the guest area to exterior  
368 means of egress and on buildings over 75 feet in height that  
369 have direct access from the guest area to exterior means of  
370 egress and for which the construction contract has been let  
371 after September 30, 1983, must ~~shall~~ be equipped with an  
372 automatic sprinkler system installed in compliance with the  
373 provisions prescribed in the National Fire Protection  
374 Association publication NFPA No. 13 (1985), "Standards for the  
375 Installation of Sprinkler Systems." Each guest room and each  
376 timeshare unit shall be equipped with an approved listed single-  
377 station smoke detector meeting the minimum requirements of NFPA

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74 (1984) "Standards for the Installation, Maintenance and Use of Household Fire Warning Equipment," powered from the building electrical service, notwithstanding the number of stories in the structure, if the contract for construction is let after September 30, 1983. Single-station smoke detectors are ~~shall~~ not ~~be~~ required when guest rooms or timeshare units contain smoke detectors connected to a central alarm system which also alarms locally.

Section 7. For the purpose of incorporating the amendment made by this act to section 489.105, Florida Statutes, in a reference thereto, section 403.868, Florida Statutes, is reenacted to read:

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

Section 8. For the purpose of incorporating the amendment made by this act to section 489.105, Florida Statutes, in a reference thereto, paragraph (b) of subsection (4) of section 489.107, Florida Statutes, is reenacted to read:

489.107 Construction Industry Licensing Board.—

(4) The board shall be divided into two divisions, Division I and Division II.

(b) Division II is comprised of the roofing contractor, sheet metal contractor, air-conditioning contractor, mechanical contractor, pool contractor, plumbing contractor, and

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underground utility and excavation contractor members of the board; one of the members appointed pursuant to paragraph (2)(j); and one of the members appointed pursuant to paragraph (2)(k). Division II has jurisdiction over the regulation of contractors defined in s. 489.105(3)(d)-(p).

Section 9. For the purpose of incorporating the amendment made by this act to section 489.105, Florida Statutes, in a reference thereto, subsection (2) of section 489.113, Florida Statutes, is reenacted to read:

489.113 Qualifications for practice; restrictions.—

(2) A person must be certified or registered in order to engage in the business of contracting in this state. However, for purposes of complying with the provisions of this chapter, a subcontractor who is not certified or registered may perform construction work under the supervision of a person who is certified or registered, provided that the work is within the scope of the supervising contractor's license, the supervising contractor is responsible for the work, and the subcontractor being supervised is not engaged in construction work that would require a license as a contractor under any of the categories listed in s. 489.105(3)(d)-(o). This subsection does not affect the application of any local construction licensing ordinances. To enforce this subsection:

(a) The department shall issue a cease and desist order to prohibit any person from engaging in the business of contracting who does not hold the required certification or registration for the work being performed under this part. For the purpose of enforcing a cease and desist order, the department may file a proceeding in the name of the state seeking issuance of an

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injunction or a writ of mandamus against any person who violates any provision of such order.

(b) A county, municipality, or local licensing board created by special act may issue a cease and desist order to prohibit any person from engaging in the business of contracting who does not hold the required certification or registration for the work being performed under this part.

Section 10. For the purpose of incorporating the amendment made by this act to section 489.105, Florida Statutes, in references thereto, paragraph (a) of subsection (1), paragraphs (a) and (b) of subsection (2), and paragraphs (a), (d), and (e) of subsection (4) of section 489.117, Florida Statutes, are reenacted to read:

489.117 Registration; specialty contractors.—

(1)(a) A person engaged in the business of a contractor as defined in s. 489.105(3)(a)–(o) must be registered before engaging in business as a contractor in this state, unless he or she is certified. Except as provided in paragraph (2)(b), to be initially registered, the applicant must submit the required fee and file evidence of successful compliance with the local examination and licensing requirements, if any, in the area for which registration is desired. An examination is not required for registration.

(2)(a) Except as provided in paragraph (b), the board may not issue a new registration after July 1, 1993, based on any certificate of competency or license for a category of contractor defined in s. 489.105(3)(a)–(o) which is issued by a municipal or county government that does not exercise disciplinary control and oversight over such locally licensed

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contractors, including forwarding a recommended order in each action to the board as provided in s. 489.131(7). For purposes of this subsection and s. 489.131(10), the board shall determine the adequacy of such disciplinary control by reviewing the local government's ability to process and investigate complaints and to take disciplinary action against locally licensed contractors.

(b) The board shall issue a registration to an eligible applicant to engage in the business of a contractor in a specified local jurisdiction, provided each of the following conditions are satisfied:

1. The applicant held, in any local jurisdiction in this state during 2021, 2022, or 2023, a certificate of registration issued by the state or a local license issued by a local jurisdiction to perform work in a category of contractor defined in s. 489.105(3)(a)-(o).

2. The applicant submits all of the following to the board:

a. Evidence of the certificate of registration or local license held by the applicant as required by subparagraph 1.

b. Evidence that the specified local jurisdiction does not have a license type available for the category of work for which the applicant was issued a certificate of registration or local license during 2021, 2022, or 2023, such as a notification on the website of the local jurisdiction or an e-mail or letter from the office of the local building official or local building department stating that such license type is not available in that local jurisdiction.

c. Evidence that the applicant has submitted the required fee.

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d. Evidence of compliance with the insurance and financial responsibility requirements of s. 489.115(5).

An examination is not required for an applicant seeking a registration under this paragraph.

(4)(a)1. A person whose job scope does not substantially correspond to either the job scope of one of the contractor categories defined in s. 489.105(3)(a)-(o), or the job scope of one of the certified specialty contractor categories established by board rule, is not required to register with the board. A local government, as defined in s. 163.211, may not require a person to obtain a license, issued by the local government or the state, for a job scope which does not substantially correspond to the job scope of one of the contractor categories defined in s. 489.105(3)(a)-(o) and (q) or authorized in s. 489.1455(1), or the job scope of one of the certified specialty contractor categories established pursuant to s. 489.113(6). A local government may not require a state or local license to obtain a permit for such job scopes. For purposes of this section, job scopes for which a local government may not require a license include, but are not limited to, painting; flooring; cabinetry; interior remodeling when the scope of the project does not include a task for which a state license is required; driveway or tennis court installation; handyman services; decorative stone, tile, marble, granite, or terrazzo installation; plastering; pressure washing; stuccoing; caulking; and canvas awning and ornamental iron installation.

2. A county that includes an area designated as an area of critical state concern under s. 380.05 may offer a license for

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any job scope which requires a contractor license under this part if the county imposed such a licensing requirement before January 1, 2021.

3. A local government may continue to offer a license for veneer, including aluminum or vinyl gutters, siding, soffit, or fascia; rooftop painting, coating, and cleaning above three stories in height; or fence installation and erection if the local government imposed such a licensing requirement before January 1, 2021.

4. A local government may not require a license as a prerequisite to submit a bid for public works projects if the work to be performed does not require a license under general law.

(d) Any person who is not required to obtain registration or certification pursuant to s. 489.105(3)(d)-(o) may perform contracting services for the construction, remodeling, repair, or improvement of single-family residences, including a townhouse as defined in the Florida Building Code, without obtaining a local license if such person is under the supervision of a certified or registered general, building, or residential contractor. As used in this paragraph, supervision shall not be deemed to require the existence of a direct contract between the certified or registered general, building, or residential contractor and the person performing specialty contracting services.

(e) Any person who is not certified or registered may perform the work of a specialty contractor whose scope of practice is limited to the type of work specified under s. 489.105(3)(j), (k), or (l) for the construction, remodeling,

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552 repair, or improvement of commercial or residential swimming  
553 pools, interactive water features as defined in the Florida  
554 Building Code, hot tubs, and spas without obtaining a local  
555 license or certification as a specialty contractor if he or she  
556 is supervised by a contractor who is certified or registered  
557 under s. 489.105(3)(j), (k), or (l); the work is within the  
558 scope of the supervising contractor's license; the supervising  
559 contractor is responsible for the work; and the work does not  
560 require certification or registration under s. 489.105(3)(d)-  
561 (i), (m)-(o), or s. 489.505. Such supervision does not require a  
562 direct contract between the contractor certified or registered  
563 under s. 489.105(3)(j), (k), or (l) and the person performing  
564 the work, or for the person performing the work to be an  
565 employee of the contractor certified or registered under s.  
566 489.105(3)(j), (k), or (l). This paragraph does not limit the  
567 exemptions provided in s. 489.103 and may not be construed to  
568 expand the scope of a contractor certified or registered under  
569 s. 489.105(3)(j), (k), or (l) to provide plumbing or electrical  
570 services for which certification or registration is required by  
571 this part or part II.

572 Section 11. For the purpose of incorporating the amendment  
573 made by this act to section 489.105, Florida Statutes, in a  
574 reference thereto, subsection (1) of section 489.118, Florida  
575 Statutes, is reenacted to read:

576 489.118 Certification of registered contractors;  
577 grandfathering provisions.—The board shall, upon receipt of a  
578 completed application and appropriate fee, issue a certificate  
579 in the appropriate category to any contractor registered under  
580 this part who makes application to the board and can show that

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he or she meets each of the following requirements:

(1) Currently holds a valid registered local license in one of the contractor categories defined in s. 489.105(3)(a)-(p).

Section 12. For the purpose of incorporating the amendment made by this act to section 489.105, Florida Statutes, in a reference thereto, subsection (1) of section 489.126, Florida Statutes, is reenacted to read:

489.126 Moneys received by contractors.—

(1) For purposes of this section, the term "contractor" includes all definitions as set forth in s. 489.105(3), and any person performing or contracting or promising to perform work described therein, without regard to the licensure of the person.

Section 13. For the purpose of incorporating the amendment made by this act to section 489.105, Florida Statutes, in references thereto, subsections (10) and (11) of section 489.131, Florida Statutes, are reenacted to read:

489.131 Applicability.—

(10) No municipal or county government may issue any certificate of competency or license for any contractor defined in s. 489.105(3)(a)-(o) after July 1, 1993, unless such local government exercises disciplinary control and oversight over such locally licensed contractors, including forwarding a recommended order in each action to the board as provided in subsection (7). Each local board that licenses and disciplines contractors must have at least two consumer representatives on that board. If the board has seven or more members, at least three of those members must be consumer representatives. The consumer representative may be any resident of the local

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jurisdiction who is not, and has never been, a member or practitioner of a profession regulated by the board or a member of any closely related profession.

(11) Any municipal or county government which enters or has in place a reciprocal agreement which accepts a certificate of competency or license issued by another municipal or county government in lieu of its own certificate of competency or license allowing contractors defined in s. 489.105(3)(a)-(o), shall file a certified copy of such agreement with the board not later than 60 days after July 1, 1993, or 30 days after the effective date of such agreement.

Section 14. For the purpose of incorporating the amendment made by this act to section 489.105, Florida Statutes, in a reference thereto, paragraph (d) of subsection (1) of section 489.1402, Florida Statutes, is reenacted to read:

489.1402 Homeowners' Construction Recovery Fund; definitions.—

(1) The following definitions apply to ss. 489.140-489.144:

(d) "Contractor" means a Division I or Division II contractor performing his or her respective services described in s. 489.105(3).

Section 15. For the purpose of incorporating the amendment made by this act to section 489.105, Florida Statutes, in a reference thereto, paragraph (f) of subsection (2) of section 489.141, Florida Statutes, is reenacted to read:

489.141 Conditions for recovery; eligibility.—

(2) A claimant is not qualified to make a claim for recovery from the recovery fund if:

(f) The claimant had entered into a contract with a

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licensee to perform a scope of work described in s.  
489.105(3)(d)-(q) before July 1, 2016.

Section 16. For the purpose of incorporating the amendment made by this act to section 489.105, Florida Statutes, in a reference thereto, section 553.998, Florida Statutes, is reenacted to read:

553.998 Compliance.—All ratings must be determined using tools and procedures developed by the systems recognized under this part and must be certified by the rater as accurate and correct and in compliance with procedures of the system under which the rater is certified. The local enforcement agency shall accept duct and air infiltration tests conducted in accordance with the Florida Building Code, 5th Edition (2014) Energy Conservation, by individuals as defined in s. 553.993(5) or (7) or individuals licensed as set forth in s. 489.105(3)(f), (g), or (i). The local enforcement agency may accept inspections in whole or in part by individuals as defined in s. 553.993(5) or (7).

Section 17. For the purpose of incorporating the amendment made by this act to section 489.115, Florida Statutes, in a reference thereto, paragraph (a) of subsection (4) of section 489.517, Florida Statutes, is reenacted to read:

489.517 Renewal of certificate or registration; continuing education.—

(4)(a) If a certificateholder or registrant holds a license under both this part and part I and is required to have continuing education courses under s. 489.115(4)(b)1., the certificateholder or registrant may apply those course hours for workers' compensation, workplace safety, and business practices

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obtained under part I to the requirements under this part.

Section 18. For the purpose of incorporating the amendment made by this act to section 489.115, Florida Statutes, in a reference thereto, subsection (18) of section 553.79, Florida Statutes, is reenacted to read:

553.79 Permits; applications; issuance; inspections.—

(18) Certifications by contractors authorized under the provisions of s. 489.115(4)(b) shall be considered equivalent to sealed plans and specifications by a person licensed under chapter 471 or chapter 481 by local enforcement agencies for plans review for permitting purposes relating to compliance with the wind resistance provisions of the code or alternate methodologies approved by the commission for one and two family dwellings. Local enforcement agencies may rely upon such certification by contractors that the plans and specifications submitted conform to the requirements of the code for wind resistance. Upon good cause shown, local government code enforcement agencies may accept or reject plans sealed by persons licensed under chapter 471, chapter 481, or chapter 489. A truss-placement plan is not required to be signed and sealed by an engineer or architect unless prepared by an engineer or architect or specifically required by the Florida Building Code.

Section 19. This act shall take effect July 1, 2026.