

1 A bill to be entitled
2 An act relating to Palm Beach County; amending chapter
3 67-1876, Laws of Florida, as amended; revising
4 requirements for the examinations administered by the
5 Palm Beach County Construction Industry Licensing
6 Board for certificates of competency; revising the
7 Board's applicant review process; providing an
8 effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 **Section 1. Section 5 of chapter 67-1876, Laws of Florida,**
13 **as amended, is amended to read:**

14 Section 5. Certification.—

15 (A) To obtain a certificate of competency an applicant
16 shall submit an application in writing to the Board containing
17 the statement that the applicant desires the issuance of a
18 certificate and the class of certificate desired on a form
19 containing the information prescribed by the Board which shall
20 be accompanied by the fee fixed by the Board. All applicants
21 must be of good moral character and 18 years of age or older.

22 (B) The application shall contain the following:

23 (1) Evidence in the form of affidavits from former
24 employers, building officials, school officials, or other
25 persons to verify the required experience and education.

26 (2) A credit report on the applicant from a nationally
27 recognized credit agency.

28 (3) Any other pertinent information prescribed by the
29 Board by rule or regulation.

30 (C)(1) Examinations shall be administered ~~held~~ at times
31 and locations ~~places~~ within the county as the Board determines,
32 ~~but there shall be offered at least one examination every 3~~
33 ~~months. Each applicant must complete an objective written~~
34 examination that evaluates the applicant's qualifications for
35 certification in the category for which the applicant applies.
36 The examination must be tailored to the scope of work associated
37 with the requested certificate and must assess knowledge of
38 contracting and construction principles relevant to that
39 category. At the Board's discretion, an applicant for a
40 specialty contractor and journeyman certificate may fulfill the
41 examination requirement through an oral examination. An
42 applicant must achieve a passing grade on all required exams
43 prior to being eligible for Board certification ~~A maximum of~~
44 ~~four examinations in a category may be taken in a 12-month~~
45 ~~period, but examinations may not be rescheduled until 60 days~~
46 ~~have elapsed. Each applicant shall take an objective written~~
47 ~~examination about his fitness for a certificate in the category~~
48 ~~for which application is made. There shall be a type of~~
49 ~~examination for each of the categories which shall apply to the~~
50 ~~type of work covered by the certificate applied for. The~~

51 ~~examination shall cover knowledge of basic principles of~~
52 ~~contracting and construction applicable to the category for~~
53 ~~which a certificate is requested. The Board may authorize~~
54 ~~applicants for specialty contractors and journeymen certificates~~
55 ~~to complete the examination requirements by taking and passing~~
56 ~~an oral examination.~~

57 (2) A passing grade on the examination is 75 percent.

58 (D) Upon ~~Following~~ receipt of the required fee and a
59 complete application, the Board shall review ~~investigate~~ the
60 applicant's qualifications, including the applicant's financial
61 responsibility, credit history ~~reputation~~, education,
62 examination, experience, and business reputation, ~~and the~~
63 ~~business reputation of any business agency on behalf of which~~
64 ~~the applicant proposes to engage in contracting. The review must~~
65 also include any business entity that the applicant represents
66 in contracting activities. If the applicant meets the
67 preliminary qualifications, the Board shall notify the applicant
68 to appear for the required examination. If the applicant
69 achieves a passing score on the examination and satisfies all
70 other requirements, the Board shall confirm to the applicant the
71 Board's readiness ~~If the applicant is approved by the Board the~~
72 ~~applicant shall be notified to appear for an examination. Within~~
73 ~~30 days from the date of the examination, the Board shall inform~~
74 ~~the applicant in writing whether or not he has qualified, and,~~
75 ~~if the applicant has qualified, that it is ready to issue the~~

76 appropriate a certificate in the category for which application
77 was made, subject to the applicant's compliance with any
78 additional provisions outlined in the requirements of subsection
79 (F) ~~of this section.~~

80 (E) Applicants who contract in violation of this act
81 before certification by the Board or passing the examination may
82 be disqualified upon a majority vote of the Board. Applicants
83 violating examination and examination review rules such as
84 unauthorized removal of examinations or questions from exam
85 room, or cheating during examinations also may be disqualified
86 by a majority vote of the Board.

87 (F) As a prerequisite to issuance of a certificate, the
88 Board shall require the applicant to submit satisfactory
89 evidence that he has obtained public liability insurance and a
90 license bond in amounts to be determined by the Board. The
91 certificate shall then be issued forthwith, but this subsection
92 does not apply to the issuance or renewal of inactive
93 certificates.

94 (G) If an applicant for an original certificate, after
95 having been notified to do so, does not appear for examination
96 within 60 days from the date of filing his application, the fee
97 paid by him shall be credited to the Board as an earned fee. New
98 application for a certificate shall be accompanied by another
99 application fee fixed by the Board.

100 (H) When a certificate holder desires to engage in

101 contracting in any area of the county, within or without a
102 municipality, as a prerequisite therefore, he shall only be
103 required to exhibit to the local building official, tax
104 collector, or other person in charge of the issuance of licenses
105 and building permits in the area, evidence of holding a current
106 certificate accompanied by the fee for the occupational license
107 and building permit required of other persons.

108 (I) A certified journeyman shall only be required to hold
109 a current certificate of competency in order to engage in his
110 trade as a journeyman in any municipality or unincorporated area
111 within Palm Beach County.

112 (J) The certificate shall not be transferable.

113 (K) The Board may adopt rules prescribing procedures for
114 the certification of contractors and journeymen by reciprocal
115 agreement.

116 (L) Upon the effective date of this act, any person
117 licensed or otherwise permitted to engage in business as a
118 contractor by reciprocal agreements in any municipality or any
119 unincorporated area of Palm Beach County may continue to engage
120 in business as a contractor in the particular municipality or
121 municipalities or unincorporated areas of Palm Beach County in
122 which he is presently engaged in business without taking the
123 examination under this act, but he shall not be permitted to
124 engage in business as a contractor in other areas of Palm Beach
125 County unless he first obtains a certificate from the Board or

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126 | satisfies the requirements of such municipality or
127 | unincorporated area.

128 | **Section 2.** This act shall take effect upon becoming a law.