

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/SB 800

INTRODUCER: Fiscal Policy Committee; Regulated Industries Committee; and Senator Mayfield

SUBJECT: Engineering

DATE: February 24, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Baird</u>	<u>Imhof</u>	<u>RI</u>	<u>Fav/CS</u>
2.	<u>Davis</u>	<u>Betta</u>	<u>AEG</u>	<u>Favorable</u>
3.	<u>Baird</u>	<u>Siples</u>	<u>FP</u>	<u>Fav/CS</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 800 amends s. 471.033, F.S., to provide an escalating fine schedule for subsequent violations of engaging in the unlicensed practice of engineering. The escalating fees are as follows: for a second violation, a fine of \$10,000, for a third violation, a fine of \$15,000, for a fourth violation, a fine of \$20,000 and for a fifth and any subsequent violation, a fine of \$25,000.

The bill has an indeterminate fiscal impact on state government revenues and expenditures. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2026.

II. Present Situation:

Professional Engineers

Under ch. 471, F.S., the Board of Professional Engineers (the board) is the primary state entity responsible for protecting the public health, safety, and welfare by regulating the engineering profession. The board was created and is maintained within the Department of Business and Professional Regulation (DBPR). Section 471.005(7), F.S., defines the term “engineering” to include:

the term “professional engineering” and means any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning, and design of engineering works and systems, planning the use of land and water, teaching of the principles and methods of engineering design, engineering surveys, and the inspection of construction for the purpose of determining in general if the work is proceeding in compliance with drawings and specifications, any of which embraces such services or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects, and industrial or consumer products or equipment of a mechanical, electrical, hydraulic, pneumatic, or thermal nature, insofar as they involve safeguarding life, health, or property; and includes such other professional services as may be necessary to the planning, progress, and completion of any engineering services. A person who practices any branch of engineering; who, by verbal claim, sign, advertisement, letterhead, or card, or in any other way, represents himself or herself to be an engineer or, through the use of some other title, implies that he or she is an engineer or that he or she is licensed under this chapter; or who holds himself or herself out as able to perform, or does perform, any engineering service or work or any other service designated by the practitioner which is recognized as engineering shall be construed to practice or offer to practice engineering within the meaning and intent of this chapter [ch. 471, F.S.].

Section 471.005(5), F.S., defines the term “engineer” to include the terms “professional engineer” and “licensed engineer” and means a person who is licensed to engage in the practice of engineering.

According to the DBPR, there are 71,567 actively licensed engineers in the state of Florida.¹

The Florida Engineers Management Corporation

Unlike most DBPR professions, the administrative, investigative, and prosecutorial services for the board are not provided by the DBPR. The DBPR contracts with the Florida Engineers Management Corporation (FEMC), a nonprofit corporation, to provide such services.² The FEMC is a public-private nonprofit association that has contracted with the DBPR to handle administrative, investigative, and prosecutorial services for the board.³

¹ Department of Business and Professional Regulation, *Division of Professions Annual Report Fiscal Year 2023-2024*, <https://www2.myfloridalicense.com/os/documents/Division%20Annual%20Report%20FY%2023-24.pdf>, (last visited January 20, 2026).

² See s. 471.038, F.S., the Florida Engineers Management Corporation Act, for the duties and authority of the FEMC.

³ See the Annual Report of the FEMC for FY 2024-2025, available at <https://fbpe.org/wp-content/uploads/2025/09/2024-25-FEMC-Annual-Report.pdf> (last visited January 16, 2026), the contract between the DBPR and FEMC is for the period between July 1, 2021 and June 30, 2025.

The FEMC may hire staff as necessary to carry out its functions, although such staff are not considered public employees.⁴ Funds for FEMC are allocated through appropriations from the Professional Regulation Trust Fund within the DBPR.⁵ The FEMC must submit an annual report on the status of the FEMC to the Secretary of the DBPR, the board, and the Legislature.⁶

Unlicensed Practice and Enforcement

The FEMC must issue a license to any applicant who the board certifies is qualified to practice engineering and who has passed the fundamentals examination and the principles and practice examination.⁷ Persons who are not licensed are prohibited from the practice of engineering.⁸ Any person who practices engineering without a license commits a misdemeanor of the first degree.⁹ If there are any violations regarding unlicensed activity, the board can issue a Notice to Cease & Desist, can issue a citation (fine), or an administrative complaint (which can come with a recommended penalty of up to \$5,000, injunctive proceedings if the action continues, and criminal prosecutions).¹⁰

The board is allowed to administer a fine not to exceed \$5,000 for each count or separate offense if the board finds any person guilty of the following:

- Violating any provision of ss. 455.227(1), 471.025, or 471.031, F.S., or any other provision of this chapter or rule of the board or the DBPR.
- Attempting to procure a license to practice engineering by bribery or fraudulent misrepresentations.
- Having a license to practice engineering revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country, for any act that would constitute a violation of this chapter 471, F.S., or chapter 455, F.S.
- Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of engineering or the ability to practice engineering.
- Making or filing a report or record that the licensee knows to be false, willfully failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing, or inducing another person to impede or obstruct such filing. Such reports or records include only those that are signed in the capacity of a licensed engineer.
- Advertising goods or services in a manner that is fraudulent, false, deceptive, or misleading in form or content.
- Engaging in fraud or deceit, negligence, incompetence, or misconduct, in the practice of engineering.
- Violating ch. 455, F.S.
- Practicing on a revoked, suspended, inactive, or delinquent license.

⁴ Section 471.038(3), F.S.

⁵ Section 471.038(3)(j)3, F.S.

⁶ Section 471.038(3)(m), F.S.

⁷ Section 471.015(1), F.S.

⁸ Section 471.031, F.S.

⁹ Section 471.031(2), F.S.

¹⁰ Florida Board of Professional Engineers, *Unlicensed Activity Affects Everyone*, January, 2018, available at <https://fbpe.org/unlicensed-activity-affects-everyone/> (last visited January 15, 2026).

- Affixing or permitting to be affixed his or her seal, name, or digital signature to any final drawings, specifications, plans, reports, or documents that were not prepared by him or her or under his or her responsible supervision, direction, or control.
- Violating any order of the board or the DBPR previously entered in a disciplinary hearing.
- Performing building code inspection services under s. 553.791, F.S., without satisfying the insurance requirements of that section.¹¹

Additionally, Rule 61G15-19.004 of the F.A.C., provides the following penalties for the unlicensed practice of engineering:¹²

VIOLATION	PENALTY RANGE		
	FIRST VIOLATION	SECOND VIOLATION	THIRD OR SUBSEQUENT VIOLATIONS
5. Practicing engineering without a license or using a name or title tending to indicate that such person holds an active license as an engineer. (Sections 471.031(1)(a), (b), F.S.)	In addition to referral to State Attorney’s Office and denial of future application for licensure, from a \$1,000 fine to a \$2,500 fine.	In addition to referral to State Attorney’s Office from a \$2,500 fine to a \$5,000 fine.	In addition to referral to State Attorney’s Office, a \$5,000 fine.

III. Effect of Proposed Changes:

Section 1 amends s. 471.033, F.S., to provide an escalating fine schedule for subsequent violations of engaging in the unlicensed practice of engineering. The escalating fees are as follows:

- For a second violation, a fine of \$10,000.
- For a third violation, a fine of \$15,000.
- For a fourth violation, a fine of \$20,000.
- For a fifth and any subsequent violation, a fine of \$25,000.

Section 2 provides the bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

¹¹ See Section 471.033, F.S.

¹² See Department of Business and Professional Regulation, *2026 Agency Legislative Bill Analysis for SB 800* at 2 (January 12, 2026) (on file with the Senate Regulated Industries Committee).

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Persons who are fined for engaging in the unlicensed practice of engineering as repeat offenders would be subject to increased fines under the bill.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 471.033 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Fiscal Policy on February 24, 2026:

The committee substitute amended CS/SB 800 by removing the Engineering Student Loan Assistance Program.

CS by Regulated Industries on January 20, 2026:

The committee substitute amended SB 800 in the following ways:

- Clarifies that the program is for graduates of accredited or approved engineering programs.
- Lists out the requirements of the student loan assistance program.
- Makes clarifying changes to what funds can be spent on.
- Removes contradictory language regarding employment restrictions.
- Clarifies that eligibility is not affected by a change in employment, provided that the participant remains employed with a state agency or water management district.

- B. **Amendments:**

None.