

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 Regulated Industries

BILL: SB 800

INTRODUCER: Senator Mayfield

SUBJECT: Engineering

DATE: January 16, 2026

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Baird	Imhof	RI	Pre-meeting
2.		AEG	
3.		FP	

**I. Summary:**

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 also creates the Engineering Student Loan Assistance Program within ch. 471 of the Florida Statutes, providing eligible graduates from engineering programs with up to \$16,000, over four years, in student loan principal repayment from the Professional Regulation Trust Fund if they are employed by a state agency or a water management district.

The bill has an effective date of July 1, 2026.

**II. Present Situation:**

**Professional Engineers**

Under ch. 471 of the Florida Statutes, 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.

### **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.<sup>1</sup> The FEMC is a public-private nonprofit association that has contracted with the DBPR to handle administrative, investigative, and prosecutorial services for the board.<sup>2</sup>

The FEMC may hire staff as necessary to carry out its functions, although such staff are not considered public employees.<sup>3</sup> Funds for FEMC are allocated through appropriations from the Professional Regulation Trust Fund.<sup>4</sup> The FEMC must submit an annual report on the status of the FEMC to the secretary of the DBPR, the board, and the Legislature.<sup>5</sup>

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<sup>1</sup> See s. 471.038, F.S., the Florida Engineers Management Corporation Act, for the duties and authority of the FEMC.

<sup>2</sup> 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.

<sup>3</sup> Section 471.038(3), F.S.

<sup>4</sup> Section 471.038(3)(j)3, F.S.

<sup>5</sup> Section 471.038(3)(m), F.S.

## 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.<sup>6</sup> Persons who are not licensed are prohibited from the practice of engineering.<sup>7</sup> Any person who practices engineering without a license commits a misdemeanor of the first degree.<sup>8</sup> 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).<sup>9</sup>

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:<sup>10</sup>

- Violating any provision of s. 455.227(1), s. 471.025, or s. 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 chapter 455, F.S.
- Practicing on a revoked, suspended, inactive, or delinquent license.
- 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 department 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.

<sup>6</sup> Section 471.015(1), F.S.

<sup>7</sup> Section 471.031, F.S.

<sup>8</sup> Section 471.031(2), F.S.

<sup>9</sup> 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).

<sup>10</sup> See Section 471.033, F.S.

- Additionally, Rule 61G15-19.004 of the Florida Administrative Code, provides the following penalties for the unlicensed practice of engineering:<sup>11</sup>

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** of the bill 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** of the bill creates s. 471.056, F.S., the Engineer Student Loan Assistance Program to increase employment and retention of licensed engineers who work for a state agency or water management district by making payments toward loans received by students from federal or state programs or commercial lending institutions for the support of postsecondary study in accredited or approved engineering programs.

To be eligible for the program a candidate must have graduated from an accredited or approved engineering program and have received a Florida license as a professional engineer or a professional engineer-in-training.

Program funds are derived from the Professional Regulation Trust Fund. Such funds may be used only to pay the costs of tuition, books, and living expenses, at an amount not to exceed \$4,000 for each year of study toward the degree obtained.

From the funds available, the management corporation may make loan principal repayments of up to \$4,000 a year for up to 4 years on behalf of selected graduates who meet the requirements, beginning after the selected graduate's first year of employment. All repayments are contingent

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<sup>11</sup> See Department of Business and Professional Regulation, *2026 Agency Legislative Bill Analysis for SB 800* (January 12, 2026) (on file with the Senate Regulated Industries Committee).

upon continued proof of employment in a designated state agency or water management district and must be made directly to the holder of the loan.

The board must adopt rules necessary to administer the program.

The bill provides that this Engineering Student Loan Assistance Program should only be implemented as specifically funded.

**Section 3** of the bill provides an effective date of July 1, 2026.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

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:

The bill provides that the Engineering Management Corporation may make loan principal repayments of up to \$4,000 a year (only for costs of tuition, books, and living expenses) for up to 4 years for selected graduates subject to specific funding under subsection (6).

The funds are to be paid from the Professional Regulation Trust Fund. It is not clear how these costs will be determined.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

The bill indicates that the primary purpose of the program is to increase employment and retention of licensed engineers who work for a state agency or water management district by making payments toward loans received by students for support of post-secondary study in accredited or approved engineering programs.

However, the eligibility for the program does not require employment by a state agency or water management district and only requires that a candidate graduated from an accredited or approved engineering program and has received a Florida license as a professional engineer or a professional engineer-in-training.

The provision for disbursement of the funds requires continued proof of employment in a designated state agency or water management district, but that is not required for eligibility for the program.

**VIII. Statutes Affected:**

This bill substantially amends section 471.033 of the Florida Statutes.

This bill creates section 471.056 of the Florida Statutes.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

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

None.

**B. Amendments:**

None.