

1 A bill to be entitled
2 An act relating to community and economic development;
3 amending s. 163.3755, F.S.; providing for the
4 termination of community redevelopment agencies on a
5 specified date; removing an exception; prohibiting
6 community redevelopment agencies from initiating new
7 projects or issuing new debt on or after a specified
8 date unless certain requirements are met; defining the
9 term "new project"; revising provisions relating to
10 any outstanding bonds of a community redevelopment
11 agency; prohibiting the creation of community
12 redevelopment agencies on or after a specified date;
13 prohibiting the expansion of community redevelopment
14 areas on or after a specified date; providing
15 applicability; authorizing existing agencies before a
16 specified date to continue to operate; amending s.
17 20.165, F.S.; renaming, removing, and redesignating
18 specified boards, commissions, and councils
19 established within the Department of Business and
20 Professional Regulation; changing the office locations
21 of certain divisions; requiring the department to
22 provide to the Division of Professions a summary of
23 changes to statutory law within a specified time
24 period after adjournment of session; repealing ss.
25 310.011, 310.032, 310.042, 455.2124, 455.2228,

26 | 468.384, 468.399, 468.4315, 468.4337, 468.4338,
 27 | 468.521, 468.522, 468.523, 468.605, 468.8316,
 28 | 468.8416, 471.007, 471.008, 471.009, 471.019,
 29 | 471.0195, 471.038, 472.007, 472.008, 472.009, 472.018,
 30 | 472.019, 473.303, 473.312, 474.204, 474.206, 475.02,
 31 | 475.03, 475.04, 475.045, 475.05, 475.10, 476.054,
 32 | 476.064, 477.015, 481.205, 481.2055, 481.305, 482.243,
 33 | 489.107, 489.507, 492.103, 493.6116, 499.01211,
 34 | 559.9221, and 570.81, F.S., relating to Board of Pilot
 35 | Commissioners; oath of members of the Board of Pilot
 36 | Commissioners; organization and meetings of the board;
 37 | proration of continuing education; barbers and
 38 | cosmetologists and instruction on HIV and AIDS;
 39 | Florida Board of Auctioneers; expenditure of excess
 40 | funds; Regulatory Council of Community Association
 41 | Managers; continuing education; reactivation and
 42 | continuing education; the Board of Employee Leasing
 43 | Companies, membership, appointments, and terms; rules
 44 | of the board; applicability of s. 20.165 and chapter
 45 | 455; Florida Building Code Administrators and
 46 | Inspectors Board; continuing education; Board of
 47 | Professional Engineers; rulemaking authority of the
 48 | board; board headquarters; reactivation; Florida
 49 | Building Code training for engineers; Florida
 50 | Engineers Management Corporation; Board of

51 Professional Surveyors and Mappers; rules of the
 52 board; board headquarters; continuing education;
 53 continuing education for reactivating a license; Board
 54 of Veterinary Medicine; renewal of license; Board of
 55 Accountancy; continuing education; Barbers' Board;
 56 organization, headquarters, personnel, and meetings of
 57 the board; Board of Cosmetology; Board of Architecture
 58 and Interior Design; authority of the board to make
 59 rules; Florida Real Estate Commission; delegation of
 60 powers and duties; legal services; duty of commission
 61 to educate members of profession; Florida Real Estate
 62 Commission Education and Research Foundation; power of
 63 commission to enact bylaws and rules and decide
 64 questions of practice; seal; Board of Landscape
 65 Architecture; Pest Control Enforcement Advisory
 66 Council; Construction Industry Licensing Board;
 67 Electrical Contractors' Licensing Board; Board of
 68 Professional Geologists; sponsorship of interns; Drug
 69 Wholesale Distributor Advisory Council; Motor Vehicle
 70 Repair Advisory Council; and Agricultural Economic
 71 Development Project Review Committee, respectively;
 72 requiring the department to conduct a specified study;
 73 amending ss. 212.08, 215.5586, 215.55871, 309.01,
 74 310.0015, 310.002, 310.051, 310.061, 310.071, 310.073,
 75 310.075, 310.081, 310.101, 310.102, 310.111, 310.1115,

76 | 310.121, 310.131, 310.142, 310.151, 310.183, 310.185,
 77 | 319.28, 326.002, 326.006, 376.303, 381.0065, 403.868,
 78 | 403.9329, 440.02, 448.26, 468.382, 468.385, 468.3852,
 79 | 468.3855, 468.387, 468.388, 468.389, 468.392, 468.393,
 80 | 468.395, 468.396, 468.397, 468.398, 468.431, 468.433,
 81 | 468.4336, 468.435, 468.436, 468.520, 468.522, 468.524,
 82 | 468.5245, 468.525, 468.526, 468.527, 468.5275,
 83 | 468.529, 468.530, 468.531, 468.532, 468.603, 468.606,
 84 | 468.607, 468.613, 468.619, 468.621, 468.627, 468.629,
 85 | 468.631, 468.8312, 468.8315, 468.8415, 468.8417,
 86 | 468.8419, 469.004, 469.012, 469.013, 471.003,
 87 | 471.0035, 471.005, 471.011, 471.013, 471.017, 471.021,
 88 | 471.023, 471.025, 471.031, 471.033, 471.045, 471.055,
 89 | 472.003, 472.005, 473.302, 473.3035, 473.304, 473.305,
 90 | 473.306, 473.309, 473.3101, 473.311, 473.3125,
 91 | 473.313, 473.314, 473.315, 473.316, 473.319, 473.3205,
 92 | 473.321, 473.322, 473.323, 474.202, 474.2065, 474.207,
 93 | 474.211, 474.2125, 474.213, 474.214, 474.215, 474.216,
 94 | 474.2165, 474.217, 474.221, 476.034, 476.074, 476.114,
 95 | 476.134, 476.144, 476.154, 476.155, 476.192, 476.204,
 96 | 476.214, 476.234, 477.013, 477.0135, 477.016, 477.018,
 97 | 477.019, 477.0201, 477.0212, 477.022, 477.025,
 98 | 477.026, 477.0263, 477.028, 477.029, 481.203, 481.207,
 99 | 481.209, 481.211, 481.215, 481.217, 481.219, 481.221,
 100 | 481.222, 481.223, 481.225, 481.2251, 481.303, 481.306,

101 481.307, 481.309, 481.310, 481.311, 481.313, 481.315,
 102 481.317, 481.319, 481.321, 481.323, 481.325, 489.103,
 103 489.105, 489.108, 489.109, 489.111, 489.113, 489.1131,
 104 489.1136, 489.114, 489.115, 489.116, 489.117, 489.118,
 105 489.119, 489.1195, 489.121, 489.126, 489.127, 489.129,
 106 489.131, 489.132, 489.133, 489.1401, 489.1402,
 107 489.141, 489.142, 489.1425, 489.143, 489.1455,
 108 489.146, 489.509, 489.510, 489.511, 489.513, 489.514,
 109 489.515, 489.516, 489.5161, 489.517, 489.518,
 110 489.5185, 489.519, 489.520, 489.521, 489.522, 489.523,
 111 489.525, 489.533, 489.5335, 489.537, 489.552, 492.102,
 112 492.104, 492.105, 492.1051, 492.106, 492.107, 492.108,
 113 492.1101, 492.111, 492.113, 493.6101, 493.6105,
 114 493.6106, 493.6111, 493.6113, 493.6118, 493.6120,
 115 493.6123, 493.6201, 493.6202, 493.6203, 493.6301,
 116 493.6302, 493.6303, 493.6304, 493.631, 493.6401,
 117 493.6402, 493.6403, 493.6406, 514.0315, 514.075,
 118 533.791, 553.998, 569.34, 627.192, 633.216, 713.01,
 119 and 1006.12, F.S.; providing licensing authority to
 120 the department rather than licensing boards; removing
 121 continuing education requirements; conforming
 122 provisions to changes made by the act; amending s.
 123 474.2021, F.S.; revising requirements related to
 124 prescriptions by veterinarians practicing telehealth;
 125 providing licensing authority to the department rather

126 than licensing boards; amending s. 259.1053, F.S.;
127 removing the Babcock Ranch Advisory Group; amending s.
128 399.035, F.S.; revising the requirements for
129 accessibility of elevators for the physically
130 handicapped; amending s. 373.219, F.S.; providing an
131 exception to the permit requirement for certain
132 landscape irrigation water users; amending s. 455.02,
133 F.S.; specifying that certain license application
134 requirements apply only to certain professions;
135 amending s. 455.213, F.S.; providing regulation
136 authority to the department to regulate a
137 cosmetologist or cosmetology specialist review an
138 applicant's criminal record; amending s. 468.386,
139 F.S.; requiring the department to reduce fees by a
140 specified percentage on a certain date; amending s.
141 468.609, F.S.; revising the standards for
142 certification as a building code inspector or plans
143 examiner; amending s. 471.015, F.S.; revising who the
144 department must certify as qualified for a license by
145 endorsement for the practice of engineering; amending
146 s. 473.308, F.S.; revising the education and work
147 experience requirements for a certified public
148 accountant license; directing the department to
149 prescribe specified coursework for licensure; revising
150 requirements for licensure by endorsement; removing

151 provisions relating to licensure of applicants with
152 work experience in foreign countries; providing
153 applicability; creating s. 473.3085, F.S.; requiring
154 an international applicant who seeks licensure as a
155 certified public accountant in this state to meet
156 specified criteria prescribed by the department;
157 requiring such applicants to apply to the department;
158 requiring such applicants to create and maintain an
159 online account with the department; providing that the
160 applicant's e-mail address serves as the primary means
161 of communication from the department; requiring an
162 applicant to submit any change in certain information
163 within a specified timeframe through the department's
164 online system; requiring the department to certify an
165 applicant who meets certain requirements; requiring
166 the department to adopt rules; amending s. 473.3141,
167 F.S.; revising requirements for certified public
168 accountants licensed in another state or a territory
169 of the United States to practice in this state without
170 obtaining a license; amending s. 476.184, F.S.;
171 requiring the department to adopt rules; requiring a
172 mobile barbershop to comply with all licensure and
173 operating requirements that apply to a barbershop at a
174 fixed location; providing an exception; requiring a
175 mobile barbershop to have a permanent business address

176 in a specified location; requiring that certain
177 records be kept at the permanent business address;
178 requiring a mobile barbershop licenseholder to file
179 with the department a written monthly itinerary that
180 provides certain information; requiring that a
181 licenseholder comply with certain laws and ordinances;
182 amending s. 476.188, F.S.; providing that a barbershop
183 must be licensed with the department, rather than
184 registered; authorizing the practice of barbering to
185 be performed in a location other than a licensed
186 barbershop under certain circumstances; amending s.
187 481.213, F.S.; revising who the department shall
188 certify as qualified for a license by endorsement in
189 the practice of architecture; amending s. 499.012,
190 F.S.; revising permit application requirements for
191 sale, transfer, assignment, or lease; removing permit
192 application requirements for a prescription drug
193 wholesale distributor to include a designated
194 representative; amending s. 499.0121, F.S.; removing a
195 designated representative as a responsible person who
196 must be listed by a wholesale distributor; amending s.
197 499.041, F.S.; removing a requirement that the
198 department assess each person applying for
199 certification as a designated representative a fee,
200 plus the cost of processing a criminal history record

201 check; amending s. 509.261, F.S.; prohibiting a
202 lodging establishment or a public food service
203 establishment from selling hemp in violation of the
204 state hemp program; reordering and amending s.
205 569.002, F.S.; making technical changes; amending s.
206 569.006, F.S.; revising the violations for which
207 retail tobacco products dealers are penalized;
208 amending 569.35, F.S.; revising retail nicotine
209 product dealer administrative penalties; amending s.
210 581.217, F.S.; defining the term "division";
211 authorizing the Division of Alcoholic Beverages and
212 Tobacco to assist any agent of the Department of
213 Agriculture and Consumer Services in enforcing the
214 state hemp program; authorizing the division to enter
215 any public or private premises during a specified
216 timeframe in the performance of its duties; reenacting
217 and amending s. 20.60, F.S.; revising the list of
218 divisions and offices within the Department of
219 Commerce to conform to changes made by the act;
220 revising the annual program reports that must be
221 included in the annual report of the Department of
222 Commerce; amending s. 163.3168, F.S.; requiring the
223 state land planning agency to give preference for
224 technical assistance funding to local governments
225 located in a rural area of opportunity; requiring the

226 agency to consult with the Office of Rural Prosperity
227 when awarding certain funding; amending s. 215.971,
228 F.S.; providing construction regarding agreements
229 funded with federal or state assistance; requiring the
230 agency to expedite payment requests from a county,
231 municipality, or rural area of opportunity for a
232 specified purpose; requiring each state agency to
233 report to the Office of Rural Prosperity by a certain
234 date with a summary of certain information; requiring
235 the office to summarize the information it receives
236 for its annual report; amending s. 218.67, F.S.;

237 revising the conditions required for a county to be
238 considered a fiscally constrained county; authorizing
239 eligible counties to receive a distribution of sales
240 and use tax revenue; revising the sources that the
241 Department of Revenue must use to determine the amount
242 distributed to fiscally constrained counties; revising
243 the factors for allocation of the distribution of
244 revenue to fiscally constrained counties; requiring
245 that the computation and amount distributed be
246 calculated based on a specified rounding algorithm;
247 authorizing specified uses for the revenue; conforming
248 a cross-reference; amending s. 288.0001, F.S.;

249 requiring the Office of Economic and Demographic
250 Research and the Office of Program Policy Analysis and

251 Government Accountability (OPPAGA) to prepare a report
252 for a specified purpose; specifying requirements for
253 the report; providing that the Office of Economic and
254 Demographic Research and OPPAGA must be provided with
255 all data necessary to complete the rural communities
256 or areas report upon request; authorizing the Office
257 of Economic and Demographic Research and OPPAGA to
258 collaborate on all data collection and analysis;
259 requiring the Office of Economic and Demographic
260 Research and OPPAGA to submit the report to the
261 Legislature by a specified date; providing additional
262 requirements for the report; providing for expiration;
263 amending s. 288.001, F.S.; requiring the Florida Small
264 Business Development Center Network to use certain
265 funds appropriated for a specified purpose;
266 authorizing the network to dedicate funds to
267 facilitate certain events; amending s. 288.007, F.S.;
268 revising which local governments and economic
269 development organizations seeking to recruit
270 businesses are required to submit a specified report;
271 creating s. 288.013, F.S.; providing legislative
272 findings; creating the Office of Rural Prosperity
273 within the Department of Commerce; requiring the
274 Governor to appoint a director, subject to
275 confirmation by the Senate; providing that the

276 director reports to and serves at the pleasure of the
277 secretary of the department; providing the duties of
278 the office; requiring the office to establish by a
279 specified date a certain number of regional rural
280 community liaison centers across this state for a
281 specified purpose; providing the powers, duties, and
282 functions of the liaison centers; requiring the
283 liaison centers, to the extent possible, to coordinate
284 with certain entities; requiring the liaison centers
285 to engage with the Rural Economic Development
286 Initiative (REDI); requiring at least one staff member
287 of a liaison center to attend the monthly meetings in
288 person or by means of electronic communication;
289 requiring the director of the office to submit an
290 annual report to the Administration Commission in the
291 Executive Office of the Governor; specifying
292 requirements for the annual report; requiring that the
293 annual report also be submitted to the Legislature by
294 a specified date and published on the office's
295 website; requiring the director of the office to
296 attend the next Administration Commission meeting to
297 present detailed information from the annual report;
298 requiring OPPAGA to review the effectiveness of the
299 office by a certain date annually until a specified
300 date; requiring OPPAGA to review the office at

301 specified intervals; requiring such reviews to include
302 certain information to be considered by the
303 Legislature; requiring that such reports be submitted
304 to the Legislature; requiring OPPAGA to review certain
305 strategies from other states; requiring OPPAGA to
306 submit to the Legislature its findings at certain
307 intervals; creating s. 288.014, F.S.; providing
308 legislative findings; requiring the Office of Rural
309 Prosperity to administer the Renaissance Grants
310 Program to provide block grants to eligible
311 communities; requiring the Office of Economic and
312 Demographic Research to certify to the Office of Rural
313 Prosperity certain information by a specified date;
314 defining the term "growth-impeded"; requiring the
315 Office of Economic and Demographic Research to certify
316 annually that a county remains growth-impeded until
317 such county has positive population growth for a
318 specified amount of time; providing that such county,
319 after 3 consecutive years of population growth, is
320 eligible to participate in the program for 1
321 additional year; requiring a county eligible for the
322 program to enter into an agreement with the Office of
323 Rural Prosperity in order to receive the block grant;
324 giving such counties broad authority to design their
325 specific plans; prohibiting the Office of Rural

326 Prosperity from determining how such counties
327 implement the block grant; requiring regional rural
328 community liaison center staff to provide assistance,
329 upon request; requiring participating counties to
330 report annually to the Office of Rural Prosperity with
331 certain information; providing that a participating
332 county receives a specified amount from funds
333 appropriated to the program; requiring participating
334 counties to make all attempts to limit the amount
335 spent on administrative costs; authorizing
336 participating counties to contribute other funds for
337 block grant purposes; requiring participating counties
338 to hire a renaissance coordinator; providing that
339 funds from the block grant may be used to hire the
340 renaissance coordinator; providing the
341 responsibilities of the renaissance coordinator;
342 requiring the regional rural community liaison center
343 staff to provide assistance and training to the
344 renaissance coordinator, upon request; requiring
345 participating counties to design a plan to make
346 targeted investments to achieve population growth and
347 increase economic vitality; providing requirements for
348 such plans; requiring participating counties to
349 develop intergovernmental agreements with certain
350 entities in order to implement the plan; requiring the

351 Auditor General to conduct an operational audit every
352 2 years for a specified purpose; requiring the Office
353 of Economic and Demographic Research to provide an
354 annual report on a specified date of renaissance block
355 grant recipients by county; providing requirements for
356 the annual report; requiring that the report be
357 submitted to the Legislature; prohibiting funds
358 appropriated for the program from being subject to
359 reversion; providing for an expiration of the section;
360 creating s. 288.0175, F.S.; creating the Public
361 Infrastructure Smart Technology Grant Program within
362 the Office of Rural Prosperity; defining terms;
363 requiring the office to contract with one or more
364 smart technology lead organizations to administer a
365 grant program for a specified purpose; providing the
366 criteria for such contracts; requiring that projects
367 funded by the grant program be included in the
368 office's annual report; amending s. 288.018, F.S.;
369 requiring the office, rather than the Department of
370 Commerce, to establish a grant program to provide
371 funding for regional economic development
372 organizations; revising who may apply for such grants;
373 providing that a grant award may not exceed a certain
374 amount in a year; providing exceptions to a provision
375 that the department may expend a certain amount for a

376 certain purpose; amending s. 288.019, F.S.; revising
377 the program criteria and procedures that agencies and
378 organizations of REDI are required to review; revising
379 the list of impacts each REDI agency and organization
380 must consider in its review; requiring REDI agencies
381 and organizations to develop a proposal for
382 modifications which minimizes the financial and
383 resource impacts to a rural community; requiring that
384 ranking of evaluation criteria and scoring procedures
385 be used only when ranking is a component of the
386 program; requiring that match requirements be waived
387 or reduced for rural communities; providing that
388 donations of land may be treated as in-kind matches;
389 requiring each agency and organization that applies
390 for or receives federal funding to request federal
391 approval to waive or reduce the financial match
392 requirements, if any, for projects in rural
393 communities; requiring that proposals be submitted to
394 the office, rather than the department; requiring each
395 REDI agency and organization to modify rules or
396 policies as necessary to reflect the finalized
397 proposal; requiring that information about authorized
398 waivers be included on the office's online rural
399 resource directory; conforming a cross-reference;
400 amending s. 288.021, F.S.; requiring, when

401 practicable, the economic development liaison to serve
402 as the agency representative for REDI; amending s.
403 288.065, F.S.; defining the term "unit of local
404 government"; requiring the office to include in its
405 annual report certain information about the Rural
406 Community Development Revolving Loan Fund; conforming
407 provisions to changes made by the act; amending s.
408 288.0655, F.S.; revising the list of grants that may
409 be awarded by the office; deleting the authorization
410 for local match requirements to be waived for a
411 catalyst site; revising the list of departments the
412 office must consult with to certify applicants;
413 requiring the office to include certain information
414 about the Rural Infrastructure Trust Fund in its
415 annual report; conforming provisions to changes made
416 by the act; amending s. 288.0656, F.S.; providing
417 legislative findings; providing that REDI is created
418 within the Office of Rural Prosperity, rather than the
419 department; deleting the definitions of the terms
420 "catalyst project" and "catalyst site"; requiring that
421 an alternate for each designated deputy secretary be a
422 deputy secretary or higher-level staff person;
423 requiring that the names of such alternates be
424 reported to the director of the office; requiring at
425 least one rural liaison to participate in REDI

426 meetings; requiring REDI to meet at least each month;
427 deleting a provision that a rural area of opportunity
428 may designate catalyst projects; requiring REDI to
429 submit a certain report to the office, rather than to
430 the department; specifying requirements for such
431 report; conforming provisions to changes made by the
432 act; repealing s. 288.06561, F.S., relating to
433 reduction or waiver of financial match requirements;
434 amending s. 288.0657, F.S.; requiring the office,
435 rather than the department, to provide grants to
436 assist rural communities; providing that such grants
437 may be used for specified purposes; requiring the
438 rural liaison to assist those applying for such
439 grants; providing that marketing grants may include
440 certain funding; amending s. 288.1226, F.S.; revising
441 required components of the 4-year marketing plan of
442 the Florida Tourism Industry Marketing Corporation;
443 repealing s. 288.12266, F.S., relating to the Targeted
444 Marketing Assistance Program; amending s. 288.9961,
445 F.S.; revising the definition of the term
446 "underserved"; requiring the office to consult with
447 regional rural community liaison centers on
448 development of a certain strategic plan; requiring
449 rural liaisons to assist rural communities with
450 providing feedback in applying for federal grants for

451 broadband Internet services; requiring the office to
452 submit reports with specified information to the
453 Governor and the Legislature within certain
454 timeframes; repealing s. 290.06561, F.S., relating to
455 designation of rural enterprise zones as catalyst
456 sites; amending s. 334.044, F.S.; revising the powers
457 and duties of the Department of Transportation;
458 amending s. 339.0801, F.S.; revising the allocation of
459 funds received in the State Transportation Trust Fund;
460 amending s. 339.2816, F.S.; requiring, rather than
461 authorizing, that certain funds received from the
462 State Transportation Trust Fund be used for the Small
463 County Road Assistance Program; requiring the
464 department to use other additional revenues for the
465 Small County Road Assistance Program; providing an
466 exception from the prohibition against funding
467 capacity improvements on county roads; amending s.
468 339.2817, F.S.; revising the criteria that the
469 Department of Transportation must consider for
470 evaluating projects for County Incentive Grant Program
471 assistance; requiring the department to give priority
472 to counties located either wholly or partially within
473 the Everglades Agricultural Area and which request a
474 specified percentage of project costs for eligible
475 projects; specifying a limitation on such requests;

476 providing for future expiration; amending s. 339.2818,
477 F.S.; deleting a provision that the funds allocated
478 under the Small County Outreach Program are in
479 addition to the Small County Road Assistance Program;
480 deleting a provision that a local government within
481 the Everglades Agricultural Area, the Peace River
482 Basin, or the Suwannee River Basin may compete for
483 additional funding; conforming provisions to changes
484 made by the act; making a technical change; amending
485 s. 339.68, F.S.; providing legislative findings;
486 creating the Florida Arterial Road Modernization
487 Program within the Department of Commerce; defining
488 the term "rural community"; requiring the department
489 to allocate from the State Transportation Trust Fund a
490 minimum sum in each fiscal year to fund the program;
491 providing that such funding is in addition to any
492 other funding provided to the program; providing
493 criteria the department must use to prioritize
494 projects for funding under the program; requiring the
495 department to submit a report to the Governor and the
496 Legislature by a specified date; requiring that such
497 report be submitted every 2 years thereafter;
498 providing the criteria for such report; requiring the
499 Department of Transportation to allocate additional
500 funds to implement the Small County Road Assistance

501 Program and amend the tentative work program for a
502 specified number of fiscal years; requiring the
503 department to submit a budget amendment before the
504 adoption of the work program; requiring the department
505 to allocate sufficient funds to implement the Florida
506 Arterial Road Modernization Program; requiring the
507 department to amend the current tentative work program
508 for a specified number of fiscal years to include the
509 program's projects; requiring the department to submit
510 a budget amendment before the implementation of the
511 program; requiring that the revenue increases in the
512 State Transportation Trust Fund which are derived from
513 the act be used to fund the work program; amending s.
514 420.9073, F.S.; revising the calculation of guaranteed
515 amounts distributed from the Local Government Housing
516 Trust Fund; reenacting and amending s. 420.9075, F.S.;
517 authorizing a certain percentage of the funds made
518 available in each county and eligible municipality
519 from the local housing distribution to be used to
520 preserve multifamily affordable rental housing;
521 specifying what such funds may be used for; providing
522 an expiration; amending ss. 163.3187, 212.205,
523 257.191, 257.193, 265.283, 288.11621, 288.11631,
524 443.191, 571.26, and 571.265, F.S.; conforming cross-
525 references and provisions to changes made by the act;

526 | reenacting s. 288.9935(8), F.S., relating to the
527 | Microfinance Guarantee Program, to incorporate the
528 | amendment made to s. 20.60, F.S., in a reference
529 | thereto; reenacting ss. 125.0104(5)(c), 193.624(3),
530 | 196.182(2), 218.12(1), 218.125(1), 218.135(1),
531 | 218.136(1), 252.35(2)(cc), 288.102(4), 403.064(16)(g),
532 | 589.08(2) and (3), and 1011.62(1)(f), F.S., relating
533 | to authorized uses of tourist development tax;
534 | applicability of assessments of renewable energy
535 | source devices; application of exemptions of renewable
536 | energy source devices; appropriations to offset
537 | reductions in ad valorem tax revenue in fiscally
538 | constrained counties; offset for tax loss associated
539 | with certain constitutional amendments affecting
540 | fiscally constrained counties; offset for tax loss
541 | associated with reductions in value of certain citrus
542 | fruit packing and processing equipment; offset for ad
543 | valorem revenue loss affecting fiscally constrained
544 | counties; Division of Emergency Management powers;
545 | one-to-one match requirement under the Supply Chain
546 | Innovation Grant Program; applicability of provisions
547 | related to reuse of reclaimed water; land acquisition
548 | restrictions; and funds for operation of schools,
549 | respectively, to incorporate the amendment made to s.
550 | 218.67, F.S., in references thereto; reenacting s.

551 403.0741(6)(c), F.S., relating to grease waste removal
552 and disposal, to incorporate the amendments made to
553 ss. 218.67 and 339.2818, F.S., in references thereto;
554 reenacting s. 163.3177(7)(e), F.S., relating to
555 required and optional elements of comprehensive plans
556 and studies and surveys, to incorporate the amendment
557 made to s. 288.0656, F.S., in a reference thereto;
558 reenacting s. 288.9962(7)(a), F.S., relating to the
559 Broadband Opportunity Program, to incorporate the
560 amendment made to s. 288.9961, F.S., in a reference
561 thereto; reenacting s. 339.66(5) and (6), F.S.,
562 relating to upgrades of arterial highways with
563 controlled access facilities, to incorporate the
564 amendment made to s. 339.68, F.S., in references
565 thereto; reenacting ss. 420.9072(4) and (6),
566 420.9076(7)(b), and 420.9079(2), F.S., relating to the
567 State Housing Initiatives Partnership Program,
568 adoption of affordable housing incentive strategies
569 and committees, and the Local Government Housing Trust
570 Fund, respectively, to incorporate the amendment made
571 to s. 420.9073, F.S., in references thereto; amending
572 s. 553.79, F.S.; prohibiting a local enforcement
573 agency from denying the issuance of a certificate of
574 occupancy to an owner of residential or commercial
575 property based on noncompliance with Florida-friendly

576 landscaping ordinances in certain circumstances;
577 prohibiting a local enforcement agency from denying
578 the issuance of a building permit for the alteration,
579 modification, or repair of a single-family residential
580 structure in certain circumstances; prohibiting a
581 local enforcement agency from requiring a building
582 permit for the construction of playground equipment or
583 a fence on certain property; amending s. 475.17, F.S.;
584 removing postlicensure education requirements for
585 brokers, broker associates, and sales associates;
586 amending ss. 475.175 and 475.180, F.S.; conforming
587 provisions to changes made by the act; amending s.
588 475.182, F.S.; removing continuing education
589 requirements for licensure renewal as a broker, a
590 broker associate, and a sales associate; amending s.
591 475.183, F.S.; removing continuing education
592 requirements for licensure renewal due to inactive
593 status; amending s. 481.321, F.S.; revising provisions
594 relating to seals and display of certificate number of
595 registered landscape architects; amending s. 624.341,
596 F.S.; providing legislative findings; requiring the
597 Department of Law Enforcement to accept and process
598 certain fingerprints; specifying procedures for
599 submitting and processing fingerprinting; providing
600 fees for fingerprinting; authorizing the department to

601 exchange certain records with the Office of Insurance
 602 Regulation for certain purposes; specifying that
 603 fingerprints must be submitted in accordance with
 604 certain rules; authorizing fingerprints to be
 605 submitted through a third-party vendor authorized by
 606 the department; requiring the department to conduct
 607 certain background checks; requiring certain
 608 background checks to be conducted through the Federal
 609 Bureau of Investigation; requiring that fingerprints
 610 be submitted and entered into a specified system;
 611 specifying who bears the costs of fingerprint
 612 processing; requiring the office to review certain
 613 background checks results and to make certain
 614 determination; requiring that certain criminal history
 615 records be used by the office for certain purposes;
 616 amending s. 475.613, F.S.; granting certain authority
 617 to the department, rather than the Florida Real Estate
 618 Appraisal Board; amending ss. 475.25, 475.611,
 619 475.612, 475.614, 475.6145, 475.6147, 475.615,
 620 475.617, 475.6171, 475.618, 475.619, 475.621,
 621 475.6222, 475.6235, 475.624, 475.6245, 475.625,
 622 475.626, 475.627, 475.628, 475.629, 475.630, and
 623 475.631, F.S.; revising provisions pertaining to the
 624 board to transfer powers, duties, and responsibilities
 625 of the board to the Department of Business and

626 Professional Regulation; providing effective dates.

627
628 Be It Enacted by the Legislature of the State of Florida:

629
630 **Section 1. Section 163.3755, Florida Statutes, is amended**
631 **to read:**

632 163.3755 Termination of community redevelopment agencies;
633 prohibition on future creation and expansion.—

634 (1) A community redevelopment agency in existence on July
635 1, 2025 ~~October 1, 2019~~, shall terminate on the expiration date
636 provided in the agency's charter on July 1, 2025 ~~October 1,~~
637 ~~2019~~, or on September 30, 2045 ~~September 30, 2039~~, whichever is
638 earlier, ~~unless the governing body of the county or municipality~~
639 ~~that created the community redevelopment agency approves its~~
640 ~~continued existence by a majority vote of the members of the~~
641 ~~governing body.~~

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

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

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

649
650 For purposes of this subsection, the term "new project" means

651 any project for which there is no appropriation in the community
652 redevelopment agency's budget for the fiscal year ending on
653 September 30, 2025, or for which the community redevelopment
654 agency has not retained appropriated funds pursuant to s.
655 163.387(7) (d) for the fiscal year ending on September 30, 2025.

656 (3)~~(2)~~ (a) Notwithstanding subsection (1) If the governing
657 body of the county or municipality that created the community
658 redevelopment agency does not approve its continued existence by
659 a majority vote of the governing body members, a community
660 redevelopment agency with outstanding bonds as of July 1, 2025
661 ~~October 1, 2019,~~ that do not mature until after the termination
662 date of the agency or September 30, 2045 ~~September 30, 2039,~~
663 whichever is earlier, remains in existence until the date the
664 bonds mature.

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

668 (c) The county or municipality that created the community
669 redevelopment agency must issue an amended community
670 redevelopment plan ~~a new finding of necessity~~ limited to timely
671 meeting the remaining bond obligations of the community
672 redevelopment agency.

673 (4) Subsections (1), (2), and (3) do not apply to a
674 community redevelopment agency created by a county if the county
675 that created such agency is the only taxing authority that

676 contributes to the community redevelopment agency's
677 redevelopment trust fund pursuant to s. 163.387 and the county
678 charter establishes a limitation on the amount of revenue the
679 county may collect. However, such community redevelopment agency
680 may not issue any new bond debt on or after October 1, 2025.

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

683 (b) A community redevelopment agency, or the governing
684 body of the county or municipality that created the community
685 redevelopment agency, may not expand the boundaries of its
686 community redevelopment area on or after July 1, 2025.

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

690 **Section 2. Section 20.165, Florida Statutes, is amended to**
691 **read:**

692 20.165 Department of Business and Professional
693 Regulation.—There is created a Department of Business and
694 Professional Regulation.

695 (1) The head of the Department of Business and
696 Professional Regulation is the Secretary of Business and
697 Professional Regulation. The secretary shall be appointed by the
698 Governor, subject to confirmation by the Senate. The secretary
699 shall serve at the pleasure of the Governor.

700 (2) The following divisions of the Department of Business

701 and Professional Regulation are established:

702 (a) Division of Administration.

703 (b) Division of Alcoholic Beverages and Tobacco.

704 (c) Division of Certified Public Accounting.

705 1. The director of the division shall be appointed by the

706 secretary of the department, ~~subject to approval by a majority~~

707 ~~of the Board of Accountancy.~~

708 2. The offices of the division shall be located in

709 Tallahassee ~~Gainesville~~.

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

711 (e) Division of Florida Condominiums, Timeshares, and

712 Mobile Homes.

713 (f) Division of Hotels and Restaurants.

714 (g) Division of Professions.

715 (h) Division of Real Estate.

716 1. The director of the division shall be appointed by the

717 secretary of the department, ~~subject to approval by a majority~~

718 ~~of the Florida Real Estate Commission.~~

719 2. The offices of the division shall be located in

720 Tallahassee ~~Orlando~~.

721 (i) Division of Regulation.

722 (j) Division of Technology.

723 (k) Division of Service Operations.

724 (3) The secretary shall appoint a director for each

725 division established within this section. Each division director

726 shall directly administer the division and shall be responsible
727 to the secretary. The secretary may appoint deputy and assistant
728 secretaries as necessary to aid the secretary in fulfilling the
729 secretary's statutory obligations.

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

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

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

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

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

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

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

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

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

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

750 (j)10. ~~Board of~~ Pilot Commissioners licensing program,

751 created under chapter 310.

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

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

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

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

760 (o)15. Mold-related services licensing program, created
761 under part XVI of chapter 468.

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

764 (q) The Florida Building Commission, created under chapter
765 553.

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

768 (s) Yacht and ship brokers licensing program, created
769 under chapter 326.

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

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

774 ~~2. Florida Real Estate Commission, created under part I of~~
775 ~~chapter 475.~~

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

779 ~~(5) The members of each board established pursuant to~~
780 ~~subsection (4) shall be appointed by the Governor, subject to~~
781 ~~confirmation by the Senate. Consumer members on the board shall~~
782 ~~be appointed pursuant to subsection (6). Members shall be~~
783 ~~appointed for 4-year terms, and such terms shall expire on~~
784 ~~October 31. However, a term of less than 4 years may be utilized~~
785 ~~to ensure that:~~

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

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

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

792

793 ~~A member whose term has expired shall continue to serve on the~~
794 ~~board until such time as a replacement is appointed. A vacancy~~
795 ~~on the board shall be filled for the unexpired portion of the~~
796 ~~term in the same manner as the original appointment. No member~~
797 ~~may serve for more than the remaining portion of a previous~~
798 ~~member's unexpired term, plus two consecutive 4-year terms of~~
799 ~~the member's own appointment thereafter.~~

800 ~~(6) Each board with five or more members shall have at~~

801 ~~least two consumer members who are not, and have never been,~~
802 ~~members or practitioners of the profession regulated by such~~
803 ~~board or of any closely related profession. Each board with~~
804 ~~fewer than five members shall have at least one consumer member~~
805 ~~who is not, and has never been, a member or practitioner of the~~
806 ~~profession regulated by such board or of any closely related~~
807 ~~profession.~~

808 ~~(7) No board, with the exception of joint~~
809 ~~coordinatorships, shall be transferred from its present location~~
810 ~~unless authorized by the Legislature in the General~~
811 ~~Appropriations Act.~~

812 ~~(5)(8)~~ (5) Notwithstanding any other provision of law, the
813 department shall ~~is authorized to~~ establish uniform application
814 forms and certificates of licensure for use by the divisions
815 within the department. However, ~~Nothing in~~ this subsection does
816 not authorize ~~authorizes~~ the department to vary any substantive
817 requirements, duties, or eligibilities for licensure or
818 certification as provided by law.

819 ~~(6)(9)~~

820 (a) All employees authorized by the Division of Alcoholic
821 Beverages and Tobacco shall have access to, and shall have the
822 right to inspect, premises licensed by the division, to collect
823 taxes and remit them to the officers entitled to them, and to
824 examine the books and records of all licensees. The authorized
825 employees shall require of each licensee strict compliance with

826 the laws of this state relating to the transaction of such
827 business.

828 (b) Each employee serving as a law enforcement officer for
829 the division must meet the qualifications for employment or
830 appointment as a law enforcement officer set forth under s.
831 943.13 and must be certified as a law enforcement officer by the
832 Department of Law Enforcement under chapter 943. Upon
833 certification, each law enforcement officer is subject to and
834 has the same authority as provided for law enforcement officers
835 generally in chapter 901 and has statewide jurisdiction. Each
836 officer also has arrest authority as provided for state law
837 enforcement officers in s. 901.15. Each officer possesses the
838 full law enforcement powers granted to other peace officers of
839 this state, including the authority to make arrests, carry
840 firearms, serve court process, and seize contraband and the
841 proceeds of illegal activities.

842 1. The primary responsibility of each officer appointed
843 under this section is to investigate, enforce, and prosecute,
844 throughout this ~~the~~ state, violations and violators of parts I
845 and II of chapter 210; chapter 310; chapter 326; parts I and III
846 of chapter 450; chapter 455; parts VI-IX, XI, XII, XV, and XVI
847 of chapter 468; chapter 469; chapter 471; chapters 473-477;
848 chapter 481; parts I and II of chapter 489; chapter 499; chapter
849 509; chapter 548; chapter 553; ~~7~~ part VII of chapter 559; ~~and~~
850 chapters 561-569; chapters 718-719; chapter 721; and chapter

851 ~~723;~~ and the rules adopted thereunder, as well as other state
 852 laws that the division, all state law enforcement officers, or
 853 beverage enforcement agents are specifically authorized to
 854 enforce.

855 2. The secondary responsibility of each officer appointed
 856 under this section is to enforce all other state laws, provided
 857 that the enforcement is incidental to exercising the officer's
 858 primary responsibility as provided in subparagraph 1., and the
 859 officer exercises the powers of a deputy sheriff, only after
 860 consultation or coordination with the appropriate local
 861 sheriff's office or municipal police department or when the
 862 division participates in the Florida Mutual Aid Plan during a
 863 declared state emergency.

864 (7) The Department of Business and Professional Regulation
 865 shall provide, via email, to each person licensed by the
 866 department, as promptly after the adjournment of the legislative
 867 session as possible, a summary of changes to existing law
 868 relating to each business and profession, and the effective date
 869 of each change.

870 **Section 3.** Sections 310.011, 310.032, 310.042, 455.2124,
 871 455.2228, 468.384, 468.399, 468.4315, 468.4337, 468.4338,
 872 468.521, 468.522, 468.523, 468.605, 468.8316, 468.8416, 471.007,
 873 471.008, 471.009, 471.019, 471.0195, 471.038, 472.007, 472.008,
 874 472.009, 472.018, 472.019, 473.303, 473.312, 474.204, 474.206,
 875 475.02, 475.03, 475.04, 475.045, 475.05, 475.10, 476.054,

876 476.064, 477.015, 481.205, 481.2055, 481.305, 482.243, 489.107,
877 489.507, 492.103, 493.6116, 499.01211, 559.9221, and 570.81,
878 Florida Statutes, are repealed.

879 **Section 4.** (1) The Department of Business and
880 Professional Regulation created under s. 20.165, Florida
881 Statutes, shall conduct a study to evaluate and make
882 recommendations regarding:

883 (a) The department's recommendations for creating a
884 uniform process for permit inspections, including a uniform
885 process for virtual inspections. The department's
886 recommendations shall include how building officials can most
887 efficiently perform the most common building inspections and how
888 to reduce the number of inspections performed by such officials.

889 (b) The creation of a uniform permitting process in this
890 state for common building permits issued pursuant to chapter
891 553, Florida Statutes.

892 (2) The department, created under s. 20.165, Florida
893 Statutes, and the Department of Agriculture and Consumer
894 Services, created under s. 20.14, Florida Statutes, shall
895 conduct a study to evaluate and make recommendations regarding
896 the inclusion of a pathway to licensure for all professions,
897 regulated and licensed by the respective departments, that
898 includes work experience only or work experience plus an
899 examination and submit a report to the Legislature on or before
900 January 1, 2026.

901 **Section 5. Paragraph (uuu) of subsection (7) of section**
902 **212.08, Florida Statutes, is amended to read:**

903 212.08 Sales, rental, use, consumption, distribution, and
904 storage tax; specified exemptions.—The sale at retail, the
905 rental, the use, the consumption, the distribution, and the
906 storage to be used or consumed in this state of the following
907 are hereby specifically exempt from the tax imposed by this
908 chapter.

909 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any
910 entity by this chapter do not inure to any transaction that is
911 otherwise taxable under this chapter when payment is made by a
912 representative or employee of the entity by any means,
913 including, but not limited to, cash, check, or credit card, even
914 when that representative or employee is subsequently reimbursed
915 by the entity. In addition, exemptions provided to any entity by
916 this subsection do not inure to any transaction that is
917 otherwise taxable under this chapter unless the entity has
918 obtained a sales tax exemption certificate from the department
919 or the entity obtains or provides other documentation as
920 required by the department. Eligible purchases or leases made
921 with such a certificate must be in strict compliance with this
922 subsection and departmental rules, and any person who makes an
923 exempt purchase with a certificate that is not in strict
924 compliance with this subsection and the rules is liable for and
925 shall pay the tax. The department may adopt rules to administer

926 | this subsection.

927 | (uuu) *Small private investigative agencies.*—

928 | 1. As used in this paragraph, the term:

929 | a. "Private investigation services" has the same meaning
930 | as "private investigation," as defined in s. 493.6101(14) ~~s.~~
931 | ~~493.6101(17)~~.

932 | b. "Small private investigative agency" means a private
933 | investigator licensed under s. 493.6201 which:

934 | (I) Employs three or fewer full-time or part-time
935 | employees, including those performing services pursuant to an
936 | employee leasing arrangement as defined in s. 468.520 ~~s.~~
937 | ~~468.520(4)~~, in total; and

938 | (II) During the previous calendar year, performed private
939 | investigation services otherwise taxable under this chapter in
940 | which the charges for the services performed were less than
941 | \$150,000 for all its businesses related through common
942 | ownership.

943 | 2. The sale of private investigation services by a small
944 | private investigative agency to a client is exempt from the tax
945 | imposed by this chapter.

946 | 3. The exemption provided by this paragraph may not apply
947 | in the first calendar year a small private investigative agency
948 | conducts sales of private investigation services taxable under
949 | this chapter.

950 | **Section 6. Paragraph (f) of subsection (1) of section**

951 **215.5586, Florida Statutes, is amended to read:**

952 215.5586 My Safe Florida Home Program.—There is
953 established within the Department of Financial Services the My
954 Safe Florida Home Program. The department shall provide fiscal
955 accountability, contract management, and strategic leadership
956 for the program, consistent with this section. This section does
957 not create an entitlement for property owners or obligate the
958 state in any way to fund the inspection or retrofitting of
959 residential property in this state. Implementation of this
960 program is subject to annual legislative appropriations. It is
961 the intent of the Legislature that, subject to the availability
962 of funds, the My Safe Florida Home Program provide licensed
963 inspectors to perform hurricane mitigation inspections of
964 eligible homes and grants to fund hurricane mitigation projects
965 on those homes. The department shall implement the program in
966 such a manner that the total amount of funding requested by
967 accepted applications, whether for inspections, grants, or other
968 services or assistance, does not exceed the total amount of
969 available funds. If, after applications are processed and
970 approved, funds remain available, the department may accept
971 applications up to the available amount. The program shall
972 develop and implement a comprehensive and coordinated approach
973 for hurricane damage mitigation pursuant to the requirements
974 provided in this section.

975 (1) HURRICANE MITIGATION INSPECTIONS.—

976 (f) To qualify for selection by the department as a wind
977 certification entity to provide hurricane mitigation
978 inspections, the entity must, at a minimum, meet the following
979 requirements:

980 1. Use hurricane mitigation inspectors who are licensed or
981 certified as:

982 a. A building inspector under s. 468.607;

983 b. A general, building, or residential contractor under s.
984 489.111;

985 c. A professional engineer under s. 471.015;

986 d. A professional architect under s. 481.213; or

987 e. A home inspector under s. 468.8314 and who have
988 completed at least 3 hours of hurricane mitigation training
989 approved by the department ~~Construction Industry Licensing~~
990 ~~Board~~, which training must include hurricane mitigation
991 techniques, compliance with the uniform mitigation verification
992 form, and completion of a proficiency exam.

993 2. Use hurricane mitigation inspectors who also have
994 undergone drug testing and a background screening. The
995 department may conduct criminal record checks of inspectors used
996 by wind certification entities. Inspectors must submit a set of
997 fingerprints to the department for state and national criminal
998 history checks and must pay the fingerprint processing fee set
999 forth in s. 624.501. The fingerprints must be sent by the
1000 department to the Department of Law Enforcement and forwarded to

1001 the Federal Bureau of Investigation for processing. The results
 1002 must be returned to the department for screening. The
 1003 fingerprints must be taken by a law enforcement agency,
 1004 designated examination center, or other department-approved
 1005 entity.

1006 3. Provide a quality assurance program including a
 1007 reinspection component.

1008 **Section 7. Paragraph (b) of subsection (3) of section**
 1009 **215.55871, Florida Statutes, is amended to read:**

1010 215.55871 My Safe Florida Condominium Pilot Program.—There
 1011 is established within the Department of Financial Services the
 1012 My Safe Florida Condominium Pilot Program to be implemented
 1013 pursuant to appropriations. The department shall provide fiscal
 1014 accountability, contract management, and strategic leadership
 1015 for the pilot program, consistent with this section. This
 1016 section does not create an entitlement for associations or unit
 1017 owners or obligate the state in any way to fund the inspection
 1018 or retrofitting of condominiums in the state. Implementation of
 1019 this pilot program is subject to annual legislative
 1020 appropriations. It is the intent of the Legislature that the My
 1021 Safe Florida Condominium Pilot Program provide licensed
 1022 inspectors to perform inspections for and grants to eligible
 1023 associations as funding allows.

1024 (3) HURRICANE MITIGATION INSPECTORS.—

1025 (b) The department shall contract with wind certification

1026 entities to provide hurricane mitigation inspections. To qualify
1027 for selection by the department as a wind certification entity
1028 to provide hurricane mitigation inspections, the entity must, at
1029 a minimum, meet all of the following requirements:

1030 1. Use hurricane mitigation inspectors who are licensed or
1031 certified as:

1032 a. A building inspector under s. 468.607;

1033 b. A general, building, or residential contractor under s.
1034 489.111;

1035 c. A professional engineer under s. 471.015;

1036 d. A professional architect under s. 481.213; or

1037 e. A home inspector under s. 468.8314 who has completed at
1038 least 3 hours of hurricane mitigation training approved by the
1039 department ~~Construction Industry Licensing Board~~, which must
1040 include hurricane mitigation techniques, compliance with the
1041 uniform mitigation verification form, and completion of a
1042 proficiency exam.

1043 2. Use hurricane mitigation inspectors who have undergone
1044 drug testing and a background screening. The department may
1045 conduct criminal record checks of inspectors used by wind
1046 certification entities. Inspectors must submit a full set of
1047 fingerprints to the department or to a vendor, an entity, or an
1048 agency authorized under s. 943.053(13). The department, vendor,
1049 entity, or agency shall forward the fingerprints to the
1050 Department of Law Enforcement for state processing, and the

1051 Department of Law Enforcement shall forward the fingerprints to
1052 the Federal Bureau of Investigation for national processing.
1053 Fees for state and federal fingerprint processing shall be borne
1054 by the inspector. The state cost for fingerprint processing
1055 shall be as provided in s. 943.053(3)(e). The results must be
1056 returned to the department for screening. The fingerprints must
1057 be taken by a law enforcement agency, designated examination
1058 center, or other department-approved entity.

1059 3. Provide a quality assurance program including a
1060 reinspection component.

1061 **Section 8. Subsection (1) of section 309.01, Florida**
1062 **Statutes, is amended to read:**

1063 309.01 Deposit of material in tidewater regulated.—

1064 (1) It is not lawful for any person to discharge or cause
1065 to be discharged or deposit or cause to be deposited, in the
1066 tide or salt waters of any bay, port, harbor, or river of this
1067 state, any ballast or material of any kind other than clear
1068 stone or rock, free from gravel or pebbles, which said clear
1069 stone or rock shall be deposited or discharged only in the
1070 construction of enclosures in connection with wharves, piers,
1071 quays, jetties, or in the construction of permanent bulkheads
1072 connecting the solid and permanent portion of wharves. It is
1073 lawful to construct three characters of bulkheads for retention
1074 of material in solid wharves. First, clear stone or rock
1075 enclosures, or bulkheads, may be built upon all sides to a

1076 height not less than 2 1/2 feet above high watermark; and after
1077 the enclosures have been made so solid, tight, and permanent as
1078 to prevent any sand, mud, gravel, or other material that may be
1079 discharged or deposited in them from drifting or escaping
1080 through such enclosures, any kind of ballast may be discharged
1081 or deposited within the enclosures. The enclosures may be
1082 constructed of wood, stone, and rock combined, the stone and
1083 rocks to be placed on the outside of the wood to a height not
1084 less at any point than 2 1/2 feet above high watermark. Second,
1085 a bulkhead may be built by a permanent wharf consisting of
1086 thoroughly creosoted piles not less than 12 inches in diameter
1087 at the butt end, to be driven close together and to be capped
1088 with timber not less than 10 or 14 inches drift, bolted to each
1089 pile, and one or more longitudinal stringers to be placed on the
1090 outside of the bulkhead and securely anchored by means of iron
1091 rods to piles driven within the bulkheads, clear rock to be on
1092 the inside of the bulkhead, to a height of not less than 2 1/2
1093 feet above high water; and after this is done, ballast or other
1094 material may be deposited within the permanent enclosure so
1095 constructed. Third, a bulkhead may be constructed to consist of
1096 creosoted piles, as described herein, driven not exceeding 4
1097 feet apart from center to center, inside of which two or more
1098 longitudinal stringers may be placed and securely bolted to the
1099 piles. Inside of these longitudinal pieces, two thicknesses of
1100 creosoted sheet piling are to be driven, each course of the

1101 sheet piling to make a joint with the other so as to form an
1102 impenetrable wharf; and within this permanent bulkhead so
1103 constructed, any ballast or other material may be deposited. No
1104 such enclosure, pier, quay, or jetty may not begin ~~shall be~~
1105 ~~begun~~ until the point at which ~~whereat~~ it is to be built shall
1106 have been connected by a substantial wharf with a shore or with
1107 a permanent wharf; except that the owners of wharves may at any
1108 time, with the consent of the ~~Board of Pilot Commissioners of~~
1109 ~~the Division of Professions of the~~ Department of Business and
1110 Professional Regulation, build wharves of clear stone or rock,
1111 or creosoted walls as hereinafter provided, on each side of
1112 their wharves from the shore to a point at which the water is
1113 not more than 15 feet deep, and when such walls have attained a
1114 height of 2 1/2 feet above high watermark and have been securely
1115 closed at the deepwater end by stone or creosoted walls of the
1116 same height, any kind of ballast may be deposited in them.
1117 Nothing contained in this section shall interfere with any
1118 rights or privileges now enjoyed by riparian owners. While this
1119 section empowers those who desire to construct the several
1120 characters of wharves, piers, quays, jetties, and bulkheads
1121 provided for and described herein, nothing in this section shall
1122 be so construed as to require any person not desiring to
1123 construct a permanent wharf by filling up with ballast, stone,
1124 or other material to construct under the specifications
1125 contained herein; and nothing in this chapter shall be so

1126 construed as to prevent any person from constructing any wharf
 1127 or placing any pilings, logs, or lumber in any waters where the
 1128 person would have heretofore had the right so to do.

1129 **Section 9. Subsection (3) of section 310.0015, Florida**
 1130 **Statutes, is amended to read:**

1131 310.0015 Piloting regulation; general provisions.—

1132 (3) The rate-setting process, the issuance of licenses
 1133 only in numbers deemed necessary or prudent by the department
 1134 ~~board~~, and other aspects of the economic regulation of piloting
 1135 established in this chapter are intended to protect the public
 1136 from the adverse effects of unrestricted competition which would
 1137 result from an unlimited number of licensed pilots being allowed
 1138 to market their services on the basis of lower prices rather
 1139 than safety concerns. This system of regulation benefits and
 1140 protects the public interest by maximizing safety, avoiding
 1141 uneconomic duplication of capital expenses and facilities, and
 1142 enhancing state regulatory oversight. The system seeks to
 1143 provide pilots with reasonable revenues, taking into
 1144 consideration the normal uncertainties of vessel traffic and
 1145 port usage, sufficient to maintain reliable, stable piloting
 1146 operations. Pilots have certain restrictions and obligations
 1147 under this system, including, but not limited to, the following:

1148 (a) Pilots may not refuse to provide piloting services to
 1149 any person or entity that may lawfully request such services,
 1150 except for justifiable concerns relating to safety, or, in the

1151 case of a vessel planning a departure, for nonpayment of
1152 pilotage.

1153 (b) Pilots may not unilaterally determine the pilotage
1154 rates they charge. Such pilotage rates shall instead be
1155 determined by the Pilotage Rate Review Committee, in the public
1156 interest, as set forth in s. 310.151.

1157 (c) Pilots shall maintain or secure adequate pilot boats,
1158 office facilities and equipment, dispatch systems, communication
1159 equipment and other facilities, and equipment and support
1160 services necessary for a modern, dependable piloting operation.

1161 (d) The pilot or pilots in a port shall train and
1162 compensate all member deputy pilots in that port. Failure to
1163 train or compensate such deputy pilots constitutes a ground for
1164 disciplinary action under s. 310.101. Nothing in this subsection
1165 may be deemed to create an agency or employment relationship
1166 between a pilot or deputy pilot and the pilot or pilots in a
1167 port.

1168 (e) In any instance of a payment or transfer of funds, a
1169 request for the payment or transfer of funds, or a contractual
1170 obligation assumed in respect to the payment or transfer of
1171 funds from a licensee payor to a pilot or group of pilots, or to
1172 any legal entity or fund administered or controlled by or under
1173 common control with such pilot or group of pilots, the pilot or
1174 group of pilots shall provide to the licensee payor, at the time
1175 the payment or transfer or request for the payment or transfer

1176 is made or the obligation is assumed in respect to the payment
1177 or transfer, a detailed accounting of the specific assets,
1178 tangible or intangible, in which an interest is being directly
1179 or indirectly purchased or for which the licensee payor is being
1180 granted an interest in return for such payment or transfer of
1181 funds or such contractual obligation. This paragraph does not
1182 apply to either payments or transfers of funds if their
1183 aggregate amounts are less than \$1,000. As used in this
1184 paragraph, "licensee payor" means any current or prospective
1185 state pilot or deputy pilot.

1186 **Section 10. Subsection (3) of section 310.002, Florida**
1187 **Statutes, is amended to read:**

1188 310.002 Definitions.—As used in this chapter, except where
1189 the context clearly indicates otherwise:

1190 ~~(3) "Board" means the Board of Pilot Commissioners.~~

1191 **Section 11. Section 310.051, Florida Statutes, is amended**
1192 **to read:**

1193 310.051 Personnel; employment.—

1194 (1) The department may appoint or employ such personnel as
1195 may be necessary to assist the department and the department
1196 ~~board~~ in doing and performing any and all of the powers, duties,
1197 and obligations set forth in this chapter. Such personnel need
1198 not be licensed state pilots or members of the department ~~board~~.
1199 Such personnel shall be authorized to do and perform such duties
1200 and work as may be assigned by the department. Except as

1201 otherwise provided in this chapter, the department shall provide
 1202 all legal services necessary in carrying out the provisions of
 1203 this chapter.

1204 (2) The department shall hire a person knowledgeable and
 1205 experienced in matters related to piloting. Such person shall
 1206 act for the department on matters of examination and
 1207 investigation and, when he or she deems it necessary, in the
 1208 selection of legal counsel qualified in admiralty law. ~~On an~~
 1209 ~~annual basis, the board shall recommend to the department a~~
 1210 ~~person knowledgeable and experienced in matters related to~~
 1211 ~~piloting to fill this post, and the department may accept or~~
 1212 ~~reject the recommendation. If the department rejects the board's~~
 1213 ~~recommendation, the board shall continue to submit~~
 1214 ~~recommendations until one is accepted by the department. Unless~~
 1215 ~~there is affirmative action by both the board and the~~
 1216 ~~department, at the end of each year, the position shall be~~
 1217 ~~declared vacant and the board shall submit a new recommendation~~
 1218 ~~for a person to fill such position.~~

1219 **Section 12. Section 310.061, Florida Statutes, is amended**
 1220 **to read:**

1221 310.061 State pilots; number; cross licensing.—The
 1222 department ~~board~~ shall determine the number of pilots based on
 1223 the supply and demand for piloting services and the public
 1224 interest in maintaining efficient and safe piloting services.
 1225 Based on the economic conditions of the port, the department

1226 ~~board~~ may adopt rules authorizing cross licensing between ports,
 1227 if this will best serve the public interest.

1228 **Section 13. Paragraphs (b), (c), and (d) of subsection (1)**
 1229 **and subsections (2) and (3) of section 310.071, Florida**

1230 **Statutes, are amended to read:**

1231 310.071 Deputy pilot certification.—

1232 (1) In addition to meeting other requirements specified in
 1233 this chapter, each applicant for certification as a deputy pilot
 1234 must:

1235 (b) Have successfully completed 12 years of formal
 1236 education, as evidenced by a high school diploma or by
 1237 equivalent evidence thereof that is satisfactory to the
 1238 department ~~board~~.

1239 (c) Be in good physical and mental health, as evidenced by
 1240 documentary proof of having satisfactorily passed a complete
 1241 physical examination administered by a licensed physician within
 1242 the preceding 6 months. The department ~~board~~ shall adopt rules
 1243 to establish requirements for passing the physical examination,
 1244 which rules shall establish minimum standards for the physical
 1245 or mental capabilities necessary to carry out the professional
 1246 duties of a certificated deputy pilot. Such standards shall
 1247 include zero tolerance for any controlled substance regulated
 1248 under chapter 893 unless that individual is under the care of a
 1249 physician, an advanced practice registered nurse, or a physician
 1250 assistant and that controlled substance was prescribed by that

1251 physician, advanced practice registered nurse, or physician
1252 assistant. To maintain eligibility as a certificated deputy
1253 pilot, each certificated deputy pilot must annually provide
1254 documentary proof of having satisfactorily passed a complete
1255 physical examination administered by a licensed physician. The
1256 physician must know the minimum standards and certify that the
1257 certificateholder satisfactorily meets the standards. The
1258 standards for certificateholders shall include a drug test.

1259 (d) Have had maritime experience satisfactory to the
1260 department ~~board~~ prior to taking the examination required under
1261 s. 310.081(2), as evidenced by documentation of the following
1262 service while holding a United States Coast Guard license:

1263 1. At least 2 years of service at sea during the 5-year
1264 period immediately preceding the examination, 1 year of which
1265 must have been in at least the capacity of an unlimited second
1266 mate;

1267 2. At least 2 years of service during the 5-year period
1268 immediately preceding the examination in a deepwater United
1269 States port as an active first-class unlimited pilot serving on
1270 at least an unlimited second mate's license or a license as
1271 master of freight and towing vessel of at least 1,600 gross
1272 registered tons upon oceans, and acting under authority of a
1273 duly constituted governmental regulatory entity;

1274 3. At least 2 years of service during the 5-year period
1275 immediately preceding the examination as an active first-class

1276 unlimited pilot serving on a Great Lakes unlimited master's
1277 license;

1278 4. At least 2 years of towing experience during the 5-year
1279 period immediately preceding the examination, 1 year of which
1280 must have been in the capacity of master of a tugboat/barge
1281 combination of at least 5,000 gross registered tons, combined
1282 tonnage, while holding a license as master of freight and towing
1283 vessel of at least 1,600 gross registered tons upon oceans; or

1284 5. At least 3 years of experience as a deck watch officer
1285 during the 10-year period immediately preceding the examination,
1286 1 year of which in the 5-year period immediately preceding the
1287 exam must have been as the commanding officer, executive
1288 officer, or operations officer of a United States Navy vessel or
1289 a United States Coast Guard vessel of at least 1,600 gross tons,
1290 and must currently hold a United States Coast Guard license of
1291 at least an unlimited second mate.

1292 (2) The department ~~board~~ may adopt rules authorizing
1293 equivalent combinations of service from two or more of the areas
1294 specified in subparagraphs (1)(d)1., 2., 3., 4., and 5. However,
1295 the department ~~board~~ may waive the maritime experience
1296 requirements prescribed in paragraph (1)(d) when necessary to
1297 fill an opening, provided an applicant meeting such requirements
1298 has not applied for the opening and the opening has been
1299 advertised more than once.

1300 (3) The initial certificate issued to a deputy pilot shall

1301 be valid for a period of 12 months, and at the end of this
1302 period, the certificate shall automatically expire and may ~~shall~~
1303 not be renewed. During this period, the department ~~board~~ shall
1304 thoroughly evaluate the deputy pilot's performance for
1305 suitability to continue training and ~~shall make appropriate~~
1306 ~~recommendations to the department~~. Upon the finding ~~receipt~~ of a
1307 favorable evaluation ~~recommendation by the board~~, the department
1308 shall issue a certificate to the deputy pilot, which shall be
1309 valid for a period of 2 years. The certificate may be renewed
1310 only two times, except in the case of a fully licensed pilot who
1311 is cross-licensed as a deputy pilot in another port, and
1312 provided the deputy pilot meets the requirements specified for
1313 pilots in paragraph (1) (c).

1314 **Section 14. Section 310.073, Florida Statutes, is amended**
1315 **to read:**

1316 310.073 State pilot licensing.—In addition to meeting
1317 other requirements specified in this chapter, each applicant for
1318 license as a state pilot must:

1319 (1) Be at least 21 years of age, as evidenced by a copy of
1320 a birth certificate or other legal proof of age.

1321 (2) Have successfully completed 12 years of formal
1322 education, as evidenced by a high school diploma or by
1323 equivalent evidence thereof that is satisfactory to the
1324 department ~~board~~.

1325 (3) Be in good physical and mental health, as evidenced by

1326 documentary proof of having satisfactorily passed a complete
1327 physical examination administered by a licensed physician within
1328 the preceding 6 months. The department ~~board~~ shall adopt rules
1329 to establish requirements for passing the physical examination,
1330 which rules shall establish minimum standards for the physical
1331 or mental capabilities necessary to carry out the professional
1332 duties of a licensed state pilot. Such standards shall include
1333 zero tolerance for any controlled substance regulated under
1334 chapter 893 unless that individual is under the care of a
1335 physician, an advanced practice registered nurse, or a physician
1336 assistant and that controlled substance was prescribed by that
1337 physician, advanced practice registered nurse, or physician
1338 assistant. To maintain eligibility as a licensed state pilot,
1339 each licensed state pilot must annually provide documentary
1340 proof of having satisfactorily passed a complete physical
1341 examination administered by a licensed physician. The physician
1342 must know the minimum standards and certify that the licensee
1343 satisfactorily meets the standards. The standards for licensees
1344 shall include a drug test.

1345 (4) Have had at least 2 years of service as a deputy pilot
1346 in the port in which license as a licensed state pilot is
1347 desired, which service must have been attained during the period
1348 immediately preceding the examination required under s.
1349 310.081(1). Further, at the time of application, each applicant
1350 must have a valid United States Coast Guard first-class

1351 unlimited pilot's license covering all of the waters of the port
1352 in which license as a state pilot is desired and must have
1353 successfully completed the department-approved ~~board-approved~~
1354 deputy pilot training program in the port in which license as a
1355 state pilot is desired.

1356 **Section 15. Section 310.075, Florida Statutes, is amended**
1357 **to read:**

1358 310.075 Deputy pilot training program.—The licensed state
1359 pilots in each port shall submit to the department ~~board~~ for its
1360 approval a deputy pilot training program of not less than 2
1361 years' duration, applicable to all deputy pilots appointed to
1362 serve at such port. The following requirements constitute the
1363 parameters within which deputy pilot training programs are to be
1364 established and carried out by the licensed state pilots at all
1365 ports in this state:

1366 (1) Upon receiving his or her appointment, a deputy pilot
1367 must report to the licensed state pilots at the port he or she
1368 is appointed to serve and must serve a period of not less than
1369 90 days as an observer trainee. During such period:

1370 (a) The observer trainee must accompany licensed state
1371 pilots, becoming thoroughly familiar with all of the waters, the
1372 channels, the harbor, and the port under varied conditions.

1373 (b) The observer trainee must obtain a valid United States
1374 Coast Guard first-class unlimited pilot's license covering all
1375 of the waters of the port before the department ~~board~~ may

1376 authorize him or her to pilot vessels within the limits and
1377 specifications established by the licensed state pilots of the
1378 port.

1379 (2) Upon completion of the observer-trainee period, the
1380 deputy pilot must submit to the department ~~board~~ a deputy pilot
1381 vessel handling form for each vessel upon which he or she has
1382 accompanied a licensed state pilot. Each such form must be
1383 signed by the pilot in charge who accompanied the deputy pilot
1384 and must accurately recite:

1385 (a) The vessel's registry, length, gross tonnage, and
1386 draft;

1387 (b) The name of the berth from which or to which the
1388 vessel was piloted;

1389 (c) The weather and sea conditions encountered;

1390 (d) The time of day;

1391 (e) Any marine incidents required to be reported under s.
1392 310.111; and

1393 (f) The comments of the pilot in charge, including
1394 whether, under his or her supervision, the pilot in charge
1395 turned the navigation of the vessel over to the deputy pilot.

1396 (3) Each request to increase the limits and specifications
1397 under which a deputy pilot is authorized to pilot must be
1398 submitted to the department ~~board~~ and must be accompanied by a
1399 deputy pilot vessel handling form as provided in subsection (2)
1400 for each vessel the deputy pilot has piloted since his or her

1401 limits and specifications were last increased by the department
 1402 ~~board~~.

1403 (4) For successful completion of the deputy pilot training
 1404 program, a deputy pilot must have gradually been increased in
 1405 his or her authorized limits and specifications until the deputy
 1406 pilot has been authorized by the department ~~board~~ to pilot
 1407 vessels with a maximum draft of not more than 3 feet less than
 1408 the normal maximum draft allowable in the port in which the
 1409 deputy pilot is authorized to pilot, as proposed by the licensed
 1410 state pilots in that port and approved by the department ~~board~~.

1411 **Section 16. Section 310.081, Florida Statutes, is amended**
 1412 **to read:**

1413 310.081 Department to examine and license state pilots and
 1414 certificate deputy pilots; vacancies.—

1415 (1) The department shall examine persons who file
 1416 application as state pilot in all matters pertaining to the
 1417 management of vessels and in regard to their knowledge of the
 1418 channels, waters, harbors, and port where they wish to serve,
 1419 and, if upon examination to determine proficiency the department
 1420 finds them qualified to pilot all classes of vessels liable to
 1421 enter that port and thoroughly familiar with the waters, the
 1422 channels, the harbor, and the port, the department shall appoint
 1423 and license as state pilots such number of pilots as in the
 1424 discretion of the department ~~board~~ are required to act in the
 1425 ports of the state. However, the number of pilots appointed and

1426 licensed by the department may ~~shall~~ not exceed the number
1427 provided for in s. 310.061.

1428 (2) The department shall similarly examine persons who
1429 file applications for certificate as deputy pilot, and, if upon
1430 examination to determine proficiency the department finds them
1431 qualified, the department must certify as qualified all
1432 applicants who pass the examination, provided that not more than
1433 five persons who passed the examination are certified for each
1434 declared opening. If more than five applicants per opening pass
1435 the examination, the persons having the highest scores must be
1436 certified as qualified up to the number of openings times five.
1437 The department shall appoint and certificate such number of
1438 deputy pilots from those applicants deemed qualified as in the
1439 discretion of the department ~~board~~ are required in the
1440 respective ports of the state. A deputy pilot shall be
1441 authorized by the department to pilot vessels within the limits
1442 and specifications established by the licensed state pilots at
1443 the port where the deputy is appointed to serve.

1444 (3) Pilots shall hold their licenses or certificates
1445 pursuant to the requirements of this chapter so long as they:

1446 (a) Possess the qualifications set out in this chapter.

1447 (b) Are in good physical and mental health as evidenced by
1448 documentary proof of having satisfactorily passed a physical
1449 examination administered by a licensed physician or physician
1450 assistant within each calendar year. The department ~~board~~ shall

1451 adopt rules to establish requirements for passing the physical
1452 examination, which rules shall establish minimum standards for
1453 the physical or mental capabilities necessary to carry out the
1454 professional duties of a licensed state pilot or a certificated
1455 deputy pilot. Such standards shall include zero tolerance for
1456 any controlled substance regulated under chapter 893 unless that
1457 individual is under the care of a physician, an advanced
1458 practice registered nurse, or a physician assistant and that
1459 controlled substance was prescribed by that physician, advanced
1460 practice registered nurse, or physician assistant. To maintain
1461 eligibility as a certificated deputy pilot or licensed state
1462 pilot, each certificated deputy pilot or licensed state pilot
1463 must annually provide documentary proof of having satisfactorily
1464 passed a complete physical examination administered by a
1465 licensed physician. The physician must know the minimum
1466 standards and certify that the certificateholder or licensee
1467 satisfactorily meets the standards. The standards for
1468 certificateholders and for licensees shall include a drug test.

1469 (c) Are subject to a substance abuse program that has been
1470 approved by the department ~~board~~, which includes provisions for
1471 drug testing.

1472 ~~(d) Attend a board-approved seminar for continuing~~
1473 ~~education which includes radar certification.~~

1474 (d) ~~(e)~~ Remain in active service in the ports for which
1475 they are appointed.

1476
1477 Upon resignation or in the case of disability permanently
1478 affecting a pilot's ability to serve, the state license or
1479 certificate issued under this chapter shall be revoked by the
1480 department.

1481 **Section 17. Paragraphs (d), (g), and (h) of subsection (1)**
1482 **and subsections (2), (3), and (4) of section 310.101, Florida**
1483 **Statutes, are amended to read:**

1484 310.101 Grounds for disciplinary action by the department
1485 ~~board~~.

1486 (1) Any act of misconduct, inattention to duty,
1487 negligence, or incompetence; any willful violation of any law or
1488 rule, including the rules of the road, applicable to a licensed
1489 state pilot or certificated deputy pilot; or any failure to
1490 exercise that care which a reasonable and prudent licensed state
1491 pilot or certificated deputy pilot would exercise under the same
1492 or similar circumstances may result in disciplinary action.
1493 Examples of acts by a licensed state pilot or certificated
1494 deputy pilot which constitute grounds for disciplinary action
1495 include, but are not limited to:

1496 (d) Navigating in channels where the depth of water under
1497 the keel is less than the prescribed bottom clearance as
1498 recommended by the licensed state pilots of that port and
1499 approved by the department ~~board~~.

1500 (g) Making or filing, or inducing another person to make

1501 or file, a report which the pilot knows to be false or
1502 intentionally or negligently failing to file, or willfully
1503 impeding or obstructing the filing of, a report or record
1504 required by state law or by rule of the ~~board or the~~ department.
1505 Such reports or records include only those which are signed by
1506 the pilot in his or her capacity as a licensed state pilot or
1507 certificated deputy pilot.

1508 (h) Being unable to perform the duties of a pilot with
1509 reasonable skill and safety by reason of illness or use of
1510 alcohol, drugs, narcotics, chemicals, or any other type of
1511 material or as a result of any mental or physical condition such
1512 as, but not limited to, poor eyesight or hearing, heart disease,
1513 or diabetes. In enforcing this paragraph, the department shall
1514 have authority, upon recommendation of the probable cause panel
1515 of the department ~~board~~, to compel a licensed state pilot or
1516 certificated deputy pilot to submit to a mental or physical
1517 examination by physicians designated by the department. The
1518 failure of a pilot to submit to such an examination when so
1519 directed constitutes an admission of the allegations against the
1520 pilot, unless the failure is due to circumstances beyond his or
1521 her control, consequent upon which an emergency suspension order
1522 may be entered by the department suspending the pilot's license
1523 until he or she complies with the order for a compulsory mental
1524 or physical examination. A licensed state pilot or certificated
1525 deputy pilot affected under this paragraph must be afforded, at

1526 reasonable intervals, an opportunity to demonstrate that he or
1527 she can resume the competent practice of piloting with
1528 reasonable skill and safety.

1529 (2) When the department ~~board~~ finds any person has
1530 committed any act set forth in subsection (1), it may enter an
1531 order imposing one or more of the following penalties:

1532 (a) Refusing to certify to the department an application
1533 for license or certification.

1534 (b) Revoking or suspending the license or certificate.

1535 (c) Restricting the practice of the violator.

1536 (d) Imposing an administrative fine not to exceed \$5,000
1537 for each count or separate offense.

1538 (e) Issuing a reprimand.

1539 (f) Placing the licensed state pilot or certificated
1540 deputy pilot on probation for such period of time and subject to
1541 such conditions as the department ~~board~~ may specify, including,
1542 but not limited to, requiring the pilot to submit to treatment,
1543 submit to additional or remedial training, submit to
1544 reexamination, or undergo a complete physical examination.

1545 (3) The department ~~board~~ shall not reinstate the license
1546 or certificate of a state pilot or deputy pilot or cause a
1547 license or certificate to be issued to a person whom it has
1548 determined to be unqualified until the department ~~board~~ is
1549 satisfied that such person has complied with all the terms and
1550 conditions set forth in the final order and that such person is

1551 capable of safely engaging in the practice of piloting.

1552 (4) In any foreign vessel or foreign trading vessel
1553 movement that an individual holding a state pilot license or
1554 deputy pilot certificate is engaged in directing, whether
1555 movement of the vessel in or out of the port or movement in
1556 close proximity to a dock or any other movement undertaken in
1557 furtherance of his or her piloting duties, such individual is
1558 operating under the authority of his or her state license or
1559 certificate and is accountable to the department ~~board~~ for his
1560 or her actions.

1561 **Section 18. Subsections (4) and (6) of section 310.102,**
1562 **Florida Statutes, are amended to read:**

1563 310.102 Treatment programs for impaired pilots and deputy
1564 pilots.—

1565 (4) In any disciplinary action for a violation other than
1566 impairment, if a pilot or deputy pilot establishes that the
1567 violation for which the pilot or deputy pilot is being
1568 prosecuted was due to or connected with impairment and further
1569 establishes that the pilot or deputy pilot is satisfactorily
1570 progressing through or has successfully completed an approved
1571 treatment program pursuant to this section, such information may
1572 be considered by the department ~~board~~ as a mitigating factor in
1573 determining the appropriate penalty. This subsection does not
1574 limit mitigating factors the department ~~board~~ may consider.

1575 (6) A consultant, licensee, or approved treatment provider

1576 who makes a disclosure pursuant to this section is not subject
1577 to civil liability for such disclosure or its consequences. The
1578 provisions of s. 766.101 apply to any officer, employee, or
1579 agent of the department or the department ~~board~~ and to any
1580 officer, employee, or agent of any entity with which the
1581 department has contracted pursuant to this section.

1582 **Section 19. Section 310.111, Florida Statutes, is amended**
1583 **to read:**

1584 310.111 Marine incident reports.—Each collision,
1585 grounding, stranding, or other marine peril sustained or caused
1586 by a vessel on which there was employed a licensed state pilot
1587 or certificated deputy pilot shall be reported to the office of
1588 the department ~~board~~ or the piloting consultant within 48 hours
1589 of the occurrence. In addition, a written report shall be
1590 submitted to the department on forms and in the manner
1591 prescribed by the department within 7 days of the occurrence.
1592 However, any marine incident involving oil spillage, pollution,
1593 physical injury, or death shall be reported to the department
1594 ~~board~~ or the piloting consultant by telephone or telegram within
1595 24 hours of the occurrence in addition to submission of the
1596 required written report.

1597 **Section 20. Subsection (1) of section 310.1115, Florida**
1598 **Statutes, is amended to read:**

1599 310.1115 Bridge electronic navigation protection
1600 equipment; duty of pilot.—

1601 (1) When a piloted vessel passes under a bridge located in
1602 a harbor, in the approaches to a harbor, or in a river, and when
1603 electronic navigation protection equipment is available, it is
1604 the duty of the pilot or certificated deputy pilot on department
1605 ~~board~~ to use the electronic navigation protection equipment. If
1606 the electronic navigation protection equipment can be utilized
1607 only in conjunction with a portable device or devices located on
1608 department ~~board~~ the piloted vessel, it is the responsibility of
1609 the pilot to bring such device or devices on department ~~board~~
1610 the piloted vessel and to remove such device or devices upon
1611 completion of the pilot's duties aboard the piloted vessel.

1612 **Section 21. Section 310.121, Florida Statutes, is amended**
1613 **to read:**

1614 310.121 Application, examination, and biennial fees.—

1615 (1) The department shall, in accordance with rules set by
1616 the department ~~board~~, assess and collect the following fees:

1617 (a) A fee not to exceed \$300 for each application for
1618 licensure as a state pilot or certification as a deputy pilot.
1619 This fee shall be nonrefundable.

1620 (b) A fee not to exceed \$300 for each examination for
1621 licensure as a state pilot or certification as a deputy pilot.

1622 (c) A fee not to exceed \$300 for each examination review.

1623 (2) The department shall assess and collect biennially
1624 from each licensed state pilot and each certificated deputy
1625 pilot a fee, not to exceed \$200 in the case of a licensed state

1626 pilot or \$100 in the case of a certificated deputy pilot, such
 1627 fees to be set by the department ~~board~~.

1628 **Section 22. Section 310.131, Florida Statutes, is amended**
 1629 **to read:**

1630 310.131 Assessment of percentage of gross pilotage.—The
 1631 department shall assess the licensed state pilots in the
 1632 respective ports of the state a percentage of the gross amount
 1633 of pilotage earned by such pilots during each year, which
 1634 percentage will be established by the department ~~board~~ not to
 1635 exceed 2 percent, to be paid into the Professional Regulation
 1636 Trust Fund by such pilots at such time and in such manner as the
 1637 department ~~board~~ prescribes or as is set forth in the General
 1638 Appropriations Act. The financial records of all pilots and
 1639 deputy pilots relating to pilotage are subject to audit by the
 1640 department and the Auditor General. The department shall by rule
 1641 set a procedure for verifying the amount of pilotage at each
 1642 port and may charge costs to the appropriate port if the port
 1643 does not comply with such procedure.

1644 **Section 23. Section 310.142, Florida Statutes, is amended**
 1645 **to read:**

1646 310.142 Pilotage at St. Marys Entrance.—The department may
 1647 ~~exercise board is authorized to enter into an agreement with the~~
 1648 ~~Board of Pilotage Commissioners for the~~ corporate authority of
 1649 St. Marys, Georgia, for reciprocal pilotage of vessels in the
 1650 boundary waters and tributaries of St. Marys Entrance.

1651 **Section 24. Subsections (1) and (7) of section 310.151,**
 1652 **Florida Statutes, are amended to read:**

1653 310.151 Rates of pilotage; Pilotage Rate Review
 1654 Committee.—

1655 (1) (a) As used in this section, the term:

1656 1. "Committee" means the Pilotage Rate Review Committee
 1657 established under this section ~~as part of the Board of Pilot~~
 1658 ~~Commissioners.~~

1659 2. "Department" means the Department of Business and
 1660 Professional Regulation.

1661 ~~2. "Board" means the Board of Pilot Commissioners.~~

1662 (b) To carry out ~~the provisions of~~ this section, the
 1663 Pilotage Rate Review Committee is established as part of the
 1664 ~~Board of Pilot Commissioners within the department of Business~~
 1665 ~~and Professional Regulation.~~ The committee shall consist of the
 1666 following seven members ~~of the board~~: two ~~board~~ members who are
 1667 licensed state pilots actively practicing their profession, ~~who~~
 1668 ~~shall be appointed by majority vote of the licensed state pilots~~
 1669 ~~serving on the board~~; two ~~board~~ members who are actively
 1670 involved in a professional or business capacity in the maritime
 1671 industry, marine shipping industry, or commercial passenger
 1672 cruise industry; one ~~board~~ member who is a certified public
 1673 accountant with at least 5 years of experience in financial
 1674 management; and two ~~board~~ members who are citizens of the state.

1675 (c) Committee members shall comply with the disclosure

1676 requirements of s. 112.3143(4) if participating in any matter
 1677 that would result in special private gain or loss as described
 1678 in that subsection.

1679 (d) The committee may ~~has authority to~~ adopt rules
 1680 pursuant to ss. 120.536(1) and 120.54 to implement ~~provisions of~~
 1681 this section conferring duties upon it. The department shall
 1682 provide the staff required by the committee to carry out its
 1683 duties under this section.

1684 (e) All funds received pursuant to this section shall be
 1685 placed in the account of the department ~~Board of Pilot~~
 1686 ~~Commissioners~~, and the department ~~Board of Pilot Commissioners~~
 1687 shall pay for all expenses incurred pursuant to this section.

1688 (7) The decisions of the committee regarding rates are not
 1689 appealable to the department ~~board~~.

1690 **Section 25. Section 310.183, Florida Statutes, is amended**
 1691 **to read:**

1692 310.183 Immediate inactivation of license or certificate
 1693 for certain violations.—The department shall issue an emergency
 1694 order placing on inactive status, for a period not to exceed 15
 1695 days, the license of any pilot or certificate of any deputy
 1696 pilot who, while providing piloting services, is involved in a
 1697 marine incident that results in the death of a human or, as
 1698 determined by rule ~~of the board~~, substantial physical injury to
 1699 a human or significant property or environmental damage, unless
 1700 the department determines that the incident is clearly not the

1701 result of the actions of the pilot or deputy pilot.

1702 **Section 26. Subsection (1) of section 310.185, Florida**
 1703 **Statutes, is amended to read:**

1704 310.185 Rulemaking.—

1705 (1) The department ~~board~~ has authority to adopt rules
 1706 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~
 1707 ~~provisions of~~ this chapter.

1708 **Section 27. Subsection (3) of section 319.28, Florida**
 1709 **Statutes, is amended to read:**

1710 319.28 Transfer of ownership by operation of law.—

1711 (3) A dealer of industrial equipment who conducts a
 1712 repossession, as defined in s. 493.6101(19) ~~s. 493.6101(22)~~, of
 1713 such equipment is not subject to licensure as a recovery agent
 1714 or recovery agency if the dealer is regularly engaged in the
 1715 sale of the equipment for a particular manufacturer, the lender
 1716 is affiliated with that manufacturer, and the dealer uses his or
 1717 her own employees to make such repossessions.

1718 **Section 28. Subsections (2) of section 326.002, Florida**
 1719 **Statutes, is amended to read:**

1720 326.002 Definitions.—As used in ss. 326.001-326.006, the
 1721 term:

1722 (2) "Division" means the Division of Professions Florida
 1723 ~~Condominiums, Timeshares, and Mobile Homes~~ of the Department of
 1724 Business and Professional Regulation.

1725 **Section 29. Subsection (3) of section 326.006, Florida**

1726 **Statutes, is amended to read:**

1727 326.006 Powers and duties ~~of division.~~

1728 (3) All fees must be deposited in the Professional
 1729 Regulation Division of Florida Condominiums, Timeshares, and
 1730 Mobile Homes Trust Fund as provided by law.

1731 **Section 30. Paragraph (a) of subsection (3) of section**
 1732 **376.303, Florida Statutes, is amended to read:**

1733 376.303 Powers and duties of the Department of
 1734 Environmental Protection.—

1735 (3)(a) The department may inspect the installation of any
 1736 pollutant storage tank. Any person installing a pollutant
 1737 storage tank, as defined in s. 489.105(16) ~~s. 489.105(17)~~, shall
 1738 certify that such installation is in accordance with the
 1739 standards adopted pursuant to this section. The department shall
 1740 promulgate a form for such certification which shall at a
 1741 minimum include:

1742 1. A signed statement by the certified pollutant storage
 1743 systems contractor, as defined in s. 489.105(2)(p) ~~s.~~
 1744 ~~489.105(3)(p)~~, that such installation is in accordance with
 1745 standards adopted pursuant to this section; and

1746 2. Signed statements by the onsite persons performing or
 1747 supervising the installation of a pollutant storage tank, which
 1748 statements shall be required of tasks that are necessary for the
 1749 proper installation of such tank.

1750 **Section 31. Paragraph (n) of subsection (3) of section**

1751 **381.0065, Florida Statutes, is amended to read:**

1752 381.0065 Onsite sewage treatment and disposal systems;
1753 regulation.—

1754 (3) DUTIES AND POWERS OF THE DEPARTMENT OF ENVIRONMENTAL
1755 PROTECTION.—The department shall:

1756 (n) Regulate and permit maintenance entities for
1757 performance-based treatment systems and aerobic treatment unit
1758 systems. To ensure systems are maintained and operated according
1759 to manufacturer's specifications and designs, the department
1760 shall establish by rule minimum qualifying criteria for
1761 maintenance entities. The criteria shall include training,
1762 access to approved spare parts and components, access to
1763 manufacturer's maintenance and operation manuals, and service
1764 response time. The maintenance entity shall employ a contractor
1765 licensed under s. 489.105(2)(m) ~~s. 489.105(3)(m)~~, or part III of
1766 chapter 489, or a state-licensed wastewater plant operator, who
1767 is responsible for maintenance and repair of all systems under
1768 contract.

1769 **Section 32. Section 403.868, Florida Statutes, is amended**
1770 **to read:**

1771 403.868 Requirements by a utility.—A utility may have more
1772 stringent requirements than set by law, including certification
1773 requirements for water distribution systems and domestic
1774 wastewater collection systems operations, except that a utility
1775 may not require a licensed contractor, as defined in s.

1776 489.105(2) ~~s. 489.105(3)~~ to have any additional license for work
1777 in water distribution systems or domestic wastewater collection
1778 systems.

1779 **Section 33. Paragraph (e) of subsection (1) of section**
1780 **403.9329, Florida Statutes, is amended to read:**

1781 403.9329 Professional mangrove trimmers.—

1782 (1) For purposes of ss. 403.9321-403.9333, the following
1783 persons are considered professional mangrove trimmers:

1784 (e) Persons licensed under part II of chapter 481. The
1785 Department of Business and Professional Regulation ~~Board of~~
1786 ~~Landscape Architecture~~ shall establish appropriate standards ~~and~~
1787 ~~continuing legal education requirements~~ to assure the competence
1788 of licensees to conduct the activities authorized under ss.
1789 403.9321-403.9333. Trimming by landscape architects as
1790 professional mangrove trimmers is not allowed until the
1791 establishment of standards by the department ~~board~~. The
1792 department ~~board~~ shall also establish penalties for violating
1793 ss. 403.9321-403.9333. Only those landscape architects who are
1794 certified in the state may qualify as professional mangrove
1795 trimmers under ss. 403.9321-403.9333, notwithstanding any
1796 reciprocity agreements that may exist between this state and
1797 other states;

1798 **Section 34. Paragraph (a) of subsection (19) of section**
1799 **440.02, Florida Statutes, is amended to read:**

1800 440.02 Definitions.—When used in this chapter, unless the

1801 context clearly requires otherwise, the following terms shall
1802 have the following meanings:

1803 (19) (a) "Employer" means the state and all political
1804 subdivisions thereof, all public and quasi-public corporations
1805 therein, every person carrying on any employment, and the legal
1806 representative of a deceased person or the receiver or trustees
1807 of any person. The term also includes employee leasing
1808 companies, as defined in s. 468.520(4) ~~s. 468.520(5)~~, and
1809 employment agencies that provide their own employees to other
1810 persons. If the employer is a corporation, parties in actual
1811 control of the corporation, including, but not limited to, the
1812 president, officers who exercise broad corporate powers,
1813 directors, and all shareholders who directly or indirectly own a
1814 controlling interest in the corporation, are considered the
1815 employer for the purposes of ss. 440.105, 440.106, and 440.107.

1816 **Section 35. Section 448.26, Florida Statutes, is amended**
1817 **to read:**

1818 448.26 Application.—Nothing in this part shall exempt any
1819 client of any labor pool or temporary help arrangement entity as
1820 defined in s. 468.520(3)(a) ~~s. 468.520(4)(a)~~ or any assigned
1821 employee from any other license requirements of state, local, or
1822 federal law. Any employee assigned to a client who is licensed,
1823 registered, or certified pursuant to law shall be deemed an
1824 employee of the client for such licensure purposes but shall
1825 remain an employee of the labor pool or temporary help

1826 arrangement entity for purposes of chapters 440 and 443.

1827 **Section 36. Subsection (4) of section 468.382, Florida**
 1828 **Statutes, is amended to read:**

1829 468.382 Definitions.—As used in this act, the term:

1830 ~~(4) "Board" means the Florida Board of Auctioneers.~~

1831 **Section 37. Subsections (1), (4), (5), (6) and (7) of**
 1832 **section 468.385, Florida Statutes, are amended, and subsection**
 1833 **(3) of that section is republished, to read:**

1834 468.385 Licenses required; qualifications; examination.—

1835 (1) The department shall license any applicant who ~~the~~
 1836 ~~board certifies~~ is certified and qualified to practice
 1837 auctioneering.

1838 (3) A ~~No~~ person may not ~~shall~~ be licensed as an auctioneer
 1839 or apprentice if he or she:

1840 (a) Is under 18 years of age; or

1841 (b) Has committed any act or offense in this state or any
 1842 other jurisdiction which would constitute a basis for
 1843 disciplinary action under s. 468.389.

1844 (4) Any person seeking a license as an auctioneer must
 1845 pass a written examination approved by the department ~~board~~
 1846 which tests his or her general knowledge of the laws of this
 1847 state relating to provisions of the Uniform Commercial Code that
 1848 are relevant to auctions, the laws of agency, and ~~the provisions~~
 1849 ~~of~~ this act.

1850 (5) Each apprentice application and license shall name a

1851 licensed auctioneer who has agreed to serve as the supervisor of
1852 the apprentice. An ~~No~~ apprentice may not conduct, or contract to
1853 conduct, an auction without the express approval of his or her
1854 supervisor. The supervisor shall regularly review the
1855 apprentice's records, which are required by the department ~~board~~
1856 to be maintained, to determine whether ~~if~~ such records are
1857 accurate and current.

1858 (6) A ~~No~~ person may not ~~shall~~ be licensed as an auctioneer
1859 unless he or she:

1860 (a) Has held an apprentice license and has served as an
1861 apprentice for 1 year or more, or has completed a course of
1862 study, consisting of not less than 80 classroom hours of
1863 instruction, that meets standards adopted by the department
1864 ~~board~~;

1865 (b) Has passed the required examination; and

1866 (c) Is approved by the department ~~board~~.

1867 (7) (a) Any auction that is subject to ~~the provisions of~~
1868 this part must be conducted by an auctioneer who has an active
1869 license or an apprentice who has an active apprentice auctioneer
1870 license and who has received prior written sponsor consent.

1871 (b) A ~~No~~ business may not ~~shall~~ auction or offer to
1872 auction any property in this state unless it is licensed as an
1873 auction business by the department ~~board~~ or is exempt from
1874 licensure under this act. An ~~Each~~ application for licensure must
1875 ~~shall~~ include the names of the owner and the business, the

1876 business mailing address and location, and any other information
1877 which the department ~~board~~ may require. The owner of an auction
1878 business shall report to the department ~~board~~ within 30 days
1879 after ~~of~~ any change in this required information.

1880 **Section 38. Section 468.3852, Florida Statutes, is amended**
1881 **to read:**

1882 468.3852 Reactivation of license; fee.—The department
1883 ~~board~~ shall prescribe a fee not to exceed \$250 for the
1884 reactivation of an inactive license. The fee shall be in
1885 addition to the current biennial renewal fee.

1886 **Section 39. Subsections (2), (3), (4), (5), and (8) of**
1887 **section 468.3855, Florida Statutes, are amended to read:**

1888 468.3855 Apprenticeship training requirements.—

1889 (2) Any auctioneer who undertakes the sponsorship of an
1890 apprentice shall ensure that the apprentice receives training as
1891 required by department ~~board~~ rule.

1892 (3) An apprentice must actively participate in auction
1893 sales as required by department ~~board~~ rule, and a record of each
1894 auction for which participation credit is claimed must be made
1895 as required by department ~~board~~ rule.

1896 (4) Apprentices are prohibited from conducting any auction
1897 without the prior express written consent of the sponsor. The
1898 apprentice's sponsor must be present at the auction site at any
1899 time the apprentice is actively participating in the conduct of
1900 the auction. If the apprentice's sponsor cannot attend a

1901 particular auction, the sponsor may appoint a qualified
 1902 auctioneer who meets the requirements of department ~~board~~ rule
 1903 to attend the auction in his or her place. Prior written consent
 1904 must be given by the apprentice's sponsor for each substitution.

1905 (5) Each apprentice and sponsor shall file reports as
 1906 required by department ~~board~~ rule.

1907 (8) All apprentice applications shall be valid for a
 1908 period of 6 months after department ~~board~~ approval. Any
 1909 applicant who fails to complete the licensure process within
 1910 that time shall be required to make application as a new
 1911 applicant.

1912 **Section 40. Section 468.387, Florida Statutes, is amended**
 1913 **to read:**

1914 468.387 Licensing of nonresidents; endorsement;
 1915 reciprocity.—The department shall issue a license by endorsement
 1916 to practice auctioneering to an applicant who, upon applying to
 1917 the department and remitting the required fee, set by the
 1918 department ~~board~~, demonstrates to the department ~~board~~ that he
 1919 or she satisfies the requirements of s. 468.385(3) and holds a
 1920 valid license to practice auctioneering in another state,
 1921 provided that the requirements for licensure in that state are
 1922 substantially equivalent to or more stringent than those
 1923 existing in this state. The endorsement and reciprocity
 1924 provisions of this section shall apply to auctioneers only and
 1925 not to professions or occupations regulated by other statutes.

1926 **Section 41. Subsections (3) and (9) and paragraph (b) of**
 1927 **subsection (10) of section 468.388, Florida Statutes, are**
 1928 **amended to read:**

1929 468.388 Conduct of an auction.—

1930 (3) Each auctioneer or auction business shall maintain a
 1931 record book of all sales. The record book shall be open to
 1932 inspection by the department ~~board~~ at reasonable times.

1933 (9) The auction business under which the auction is
 1934 conducted is responsible for all other aspects of the auction as
 1935 required by department ~~board~~ rule. The auction business may
 1936 delegate in whole, or in part, different aspects of the auction
 1937 only to the extent that such delegation is permitted by law and
 1938 that such delegation will not impede the principal auctioneer's
 1939 ability to ensure the proper conduct of his or her independent
 1940 responsibility for the auction. The auction business under whose
 1941 auspices the auction is conducted is responsible for ensuring
 1942 compliance as required by department ~~board~~ rule.

1943 (10)

1944 (b) Each auction business shall maintain, for not less
 1945 than 2 years, a separate ledger showing the funds held for
 1946 another person deposited and disbursed by the auction business
 1947 for each auction. The escrow or trust account must be reconciled
 1948 monthly with the bank statement. A signed and dated record shall
 1949 be maintained for a 2-year period and be available for
 1950 inspection by the department or at the request of the department

1951 ~~board.~~

1952 **Section 42. Paragraph (j) of subsection (1), subsection**
 1953 **(2), and paragraph (a) of subsection (3) of section 468.389,**
 1954 **Florida Statutes, are amended to read:**

1955 468.389 Prohibited acts; penalties.—

1956 (1) The following acts shall be grounds for the
 1957 disciplinary activities provided in subsections (2) and (3):

1958 (j) Violating a statute or administrative rule regulating
 1959 practice under this part or a lawful disciplinary order of the
 1960 ~~board or the~~ department.

1961 (2) When the department ~~board~~ finds any person guilty of
 1962 any of the prohibited acts set forth in subsection (1), it may
 1963 enter an order imposing one or more of the following penalties:

1964 (a) Refusal to certify to the department an application
 1965 for licensure.

1966 (b) Revocation or suspension of a license.

1967 (c) Imposition of an administrative fine not to exceed
 1968 \$1,000 for each count or separate offense.

1969 (d) Issuance of a reprimand.

1970 (e) Placement of the auctioneer on probation for a period
 1971 of time and subject to conditions as the department ~~board~~ may
 1972 specify, including requiring the auctioneer to successfully
 1973 complete the licensure examination.

1974 (f) Requirement that the person in violation make
 1975 restitution to each consumer affected by that violation. Proof

1976 of such restitution shall be a signed and notarized release
 1977 executed by the consumer or the consumer's estate.

1978 (3) (a) Failure to pay a fine within a reasonable time, as
 1979 prescribed by department ~~board~~ rule, may be grounds for
 1980 disciplinary action.

1981 **Section 43. Section 468.392, Florida Statutes, is amended**
 1982 **to read:**

1983 468.392 Auctioneer Recovery Fund.—There is created the
 1984 Auctioneer Recovery Fund as a separate account in the
 1985 Professional Regulation Trust Fund. The fund shall be
 1986 administered by the department ~~Florida Board of Auctioneers~~.

1987 (1) The Chief Financial Officer shall invest the money not
 1988 currently needed to meet the obligations of the fund in the same
 1989 manner as other public funds may be invested. Interest that
 1990 accrues from these investments shall be deposited to the credit
 1991 of the Auctioneer Recovery Fund and shall be available for the
 1992 same purposes as other moneys deposited in the Auctioneer
 1993 Recovery Fund.

1994 (2) All payments and disbursements from the Auctioneer
 1995 Recovery Fund shall be made by the Chief Financial Officer upon
 1996 a voucher signed by the Secretary of Business and Professional
 1997 Regulation or the secretary's designee.

1998 (3) If at any time the moneys in the Auctioneer Recovery
 1999 Fund are insufficient to satisfy any valid claim or portion
 2000 thereof, the department ~~board~~ shall satisfy such unpaid claim or

2001 | portion thereof as soon as a sufficient amount has been
 2002 | deposited in or transferred to the fund. When there is more than
 2003 | one unsatisfied claim outstanding, such claims shall be paid in
 2004 | the order in which the claims were made.

2005 | (4) Upon the payment of any amount from the Auctioneer
 2006 | Recovery Fund in settlement of a claim in satisfaction of a
 2007 | judgment against an auctioneer or auction business as described
 2008 | in s. 468.395, the license of such auctioneer or auction
 2009 | business shall be automatically suspended until the licensee has
 2010 | complied with s. 468.398. A discharge of bankruptcy does ~~shall~~
 2011 | not relieve a person from the penalties and disabilities
 2012 | provided in this section.

2013 | (5) Moneys in the fund at the end of a fiscal year shall
 2014 | be retained in the fund and shall accrue for the benefit of
 2015 | auctioneers and auction businesses. When the fund exceeds the
 2016 | amount as set forth in s. 468.393(2), all surcharges shall be
 2017 | suspended until such time as the fund is reduced below the
 2018 | amount as set forth in s. 468.393(3).

2019 | **Section 44. Subsections (1), (3), and (4) of section**
 2020 | **468.393, Florida Statutes, are amended to read:**

2021 | 468.393 Surcharge to license fee; assessments.—

2022 | (1) At the time of licensure under s. 468.385, s.
 2023 | 468.3851, or s. 468.3852, each licensee shall pay, in addition
 2024 | to an application and license fee, a surcharge in an amount to
 2025 | be determined by the department ~~board~~, not to exceed \$300, which

2026 shall be deposited in the Auctioneer Recovery Fund.

2027 (3) After October 1, 1995, if the total amount in the
 2028 Auctioneer Recovery Fund, including principal and interest, is
 2029 less than \$200,000 at the end of the fiscal year after the
 2030 payment of all claims and expenses, the department ~~board~~ shall
 2031 assess, in addition to any other fees under s. 468.3852, a
 2032 surcharge against a licensee at the time of initial licensure or
 2033 at the time of license renewal, according to the following
 2034 formula in order to maintain the fund at \$500,000:

2035 (a) Determine the amount remaining in the fund at the end
 2036 of the state fiscal year after all expenses and claims have been
 2037 paid.

2038 (b) Subtract the amount determined under paragraph (a)
 2039 from \$500,000.

2040 (c) Determine the number of initial licenses and license
 2041 renewals in the fiscal year that precedes the current fiscal
 2042 year.

2043 (d) Divide the amount determined under paragraph (b) by
 2044 the number determined under paragraph (c).

2045 (4) The department ~~board~~ shall assess the surcharge
 2046 described in subsection (3) against each licensee who receives
 2047 an initial license or receives a renewal license during the
 2048 fiscal year that follows the year in which the amount remaining
 2049 in the fund was less than \$200,000.

2050 **Section 45. Subsections (1) and (4) of section 468.395,**

2051 **Florida Statutes, are amended to read:**

2052 468.395 Conditions of recovery; eligibility.—

2053 (1) Recovery from the Auctioneer Recovery Fund may be
2054 obtained as follows:

2055 (a) Any aggrieved person is eligible to receive recovery
2056 from the Auctioneer Recovery Fund if the department ~~Florida~~
2057 ~~Board of Auctioneers~~ has issued a final order directing an
2058 offending licensee to pay restitution to the claimant as the
2059 result of the licensee violating, within this state, any
2060 provision of s. 468.389 or any rule adopted by the department
2061 ~~board~~ and if the department ~~board~~ determined that the order of
2062 restitution cannot be enforced; or

2063 (b) Any aggrieved person who obtains a final judgment in
2064 any court against any licensee to recover damages for any actual
2065 loss that results from the violation, within this state, by a
2066 licensee of any provision of s. 468.389 or any rule adopted by
2067 the department ~~board~~ may, upon termination of all proceedings,
2068 including appeals and proceedings supplemental to judgment for
2069 collection purposes, file a verified application to the
2070 department ~~board~~ for an order directing payment out of the
2071 Auctioneer Recovery Fund of the amount of actual loss in the
2072 transaction that remains unpaid upon the judgment. The amount of
2073 actual loss may include court costs, but may ~~shall~~ not include
2074 attorney's fees or punitive damages awarded.

2075 (4) The department ~~board~~ may ~~shall~~ not issue an order for

2076 payment of a claim from the Auctioneer Recovery Fund unless the
2077 claimant has reasonably established to the department ~~board~~ that
2078 she or he has taken proper and reasonable action to collect the
2079 amount of her or his claim from the licensee responsible for the
2080 loss and that any recovery made has been applied to reduce the
2081 amount of the claim on the Auctioneer Recovery Fund.

2082 **Section 46. Subsections (2) and (3) of section 468.396,**
2083 **Florida Statutes, are amended to read:**

2084 468.396 Claims against a single licensee in excess of
2085 dollar limitation; joinder of claims, payment; insufficient
2086 funds.—

2087 (2) Upon petition of the department ~~board~~, the court may
2088 require all claimants and prospective claimants against one
2089 licensee to be joined in one action, to the end that the
2090 respective rights of all the claimants to the department ~~board~~
2091 may be equitably adjudicated and settled.

2092 (3) On June 30 and December 31 of each year, the
2093 department ~~board~~ shall identify each claim that the court orders
2094 to be paid during the 6-month period that ended on that day. The
2095 department ~~board~~ shall pay the part of each claim that is so
2096 identified within 15 days after the end of the 6-month period in
2097 which the claim is ordered paid. However, if the balance in the
2098 fund is insufficient to pay the full payable amount of each
2099 claim that is ordered to be paid during a 6-month period, the
2100 department ~~board~~ shall pay a prorated portion of each claim that

2101 is ordered to be paid during the period. Any part of the payable
2102 amount of a claim left unpaid due to the prorating of payments
2103 under this subsection shall be paid, subject to the \$50,000
2104 limit described in s. 468.395, before the payment of claims
2105 ordered to be paid during the following 6 months.

2106 **Section 47. Section 468.397, Florida Statutes, is amended**
2107 **to read:**

2108 468.397 Payment of claim.—Upon a final order of the court
2109 directing that payment be made out of the Auctioneer Recovery
2110 Fund, the department ~~board~~ shall, subject to the provisions of
2111 this part, make the payment out of the Auctioneer Recovery Fund
2112 as provided in s. 468.395.

2113 **Section 48. Section 468.398, Florida Statutes, is amended**
2114 **to read:**

2115 468.398 Suspension of judgment debtor's license; repayment
2116 by licensee; interest.—If the department ~~board~~ is required to
2117 make any payment from the Auctioneer Recovery Fund in settlement
2118 of a claim or toward the satisfaction of a judgment under this
2119 part, the department ~~board~~ shall suspend the judgment debtor's
2120 license. The licensee is not eligible to be licensed again as
2121 either an auctioneer or auction business until the licensee has
2122 repaid in full the amount paid from the Auctioneer Recovery
2123 Fund, with interest at the current applicable rate.

2124 **Section 49. Subsection (5) of section 468.431, Florida**
2125 **Statutes, is amended to read:**

2126 468.431 Definitions.—As used in this part:

2127 ~~(5) "Council" means the Regulatory Council of Community~~
 2128 ~~Association Managers.~~

2129 **Section 50. Paragraph (d) of subsection (2) and subsection**
 2130 **(3) of section 468.433, Florida Statutes, are amended to read:**

2131 468.433 Licensure by examination.—

2132 (2) The department shall examine each applicant who is at
 2133 least 18 years of age, who has successfully completed all
 2134 prelicensure education requirements, and who the department
 2135 certifies is of good moral character.

2136 (d) The department ~~council~~ shall establish by rule the
 2137 required amount of prelicensure education, which shall consist
 2138 of not more than 24 hours of in-person instruction by a
 2139 department-approved provider and which shall cover all areas of
 2140 the examination specified in subsection (3). Such instruction
 2141 shall be completed within 12 months before ~~prior to~~ the date of
 2142 the examination. ~~Prelicensure education providers shall be~~
 2143 ~~considered continuing education providers for purposes of~~
 2144 ~~establishing provider approval fees. A licensee shall not be~~
 2145 ~~required to comply with the continuing education requirements of~~
 2146 ~~s. 468.4337 prior to the first license renewal.~~ The department
 2147 shall, by rule, set standards for exceptions to the requirement
 2148 of in-person instruction in cases of hardship or disability.

2149 (3) The department ~~council~~ shall approve an examination
 2150 for licensure. The examination must demonstrate that the

2151 applicant has a fundamental knowledge of state and federal laws
 2152 relating to the operation of all types of community associations
 2153 and state laws relating to corporations and nonprofit
 2154 corporations, proper preparation of community association
 2155 budgets, proper procedures for noticing and conducting community
 2156 association meetings, insurance matters relating to community
 2157 associations, and management skills.

2158 **Section 51. Subsection (1) of section 468.4336, Florida**
 2159 **Statutes, is amended to read:**

2160 468.4336 Renewal of license.—

2161 (1) The department shall renew a license upon receipt of
 2162 the renewal application and fee ~~and upon proof of compliance~~
 2163 ~~with the continuing education requirements of s. 468.4337.~~

2164 **Section 52. Section 468.435, Florida Statutes, is amended**
 2165 **to read:**

2166 468.435 Fees; establishment; disposition.—

2167 (1) The department ~~council~~ shall establish fees for the
 2168 described purposes and within the ranges specified in this
 2169 section:

2170 (a) Application fee: not less than \$25, or more than \$50.

2171 (b) Examination fee: not less than \$25, or more than \$100.

2172 (c) Initial license fee: not less than \$25, or more than
 2173 \$100.

2174 (d) Renewal of license fee: not less than \$25, or more
 2175 than \$100.

2176 (e) Delinquent license fee: not less than \$25, or more
 2177 than \$50.

2178 (f) Inactive license fee: not less than \$10, or more than
 2179 \$25.

2180 (2) Until the department ~~council~~ establishes fees under
 2181 subsection (1), the lower amount in each range shall apply.

2182 (3) Fees collected under this section shall be deposited
 2183 to the credit of the Professional Regulation Trust Fund.

2184 (4) The department ~~council~~ shall establish fees that are
 2185 adequate to fund the cost to implement the provisions of this
 2186 part. Fees shall be based on the department estimates of the
 2187 revenue required to implement this part and the provisions of
 2188 law with respect to the regulation of community association
 2189 managers.

2190 **Section 53. Paragraph (b) of subsection (2) and subsection**
 2191 **(3) of section 468.436, Florida Statutes, are amended to read:**

2192 468.436 Disciplinary proceedings.—

2193 (2) The following acts constitute grounds for which the
 2194 disciplinary actions in subsection (4) may be taken:

2195 (b)1. Violation of this part.

2196 2. Violation of any lawful order or rule rendered or
 2197 adopted by the department ~~or the council~~.

2198 3. Being convicted of or pleading nolo contendere to a
 2199 felony in any court in the United States.

2200 4. Obtaining a license or certification or any other

2201 order, ruling, or authorization by means of fraud,
 2202 misrepresentation, or concealment of material facts.

2203 5. Committing acts of gross misconduct or gross negligence
 2204 in connection with the profession.

2205 6. Contracting, on behalf of an association, with any
 2206 entity in which the licensee has a financial interest that is
 2207 not disclosed.

2208 7. Failing to disclose any conflict of interest as
 2209 required by s. 468.4335.

2210 8. Violating chapter 718, chapter 719, or chapter 720
 2211 during the course of performing community association management
 2212 services pursuant to a contract with a community association as
 2213 defined in s. 468.431(1).

2214 (3) The department ~~council~~ shall specify by rule the acts
 2215 or omissions that constitute a violation of subsection (2).

2216 **Section 54. Subsection (2) of section 468.520, Florida**
 2217 **Statutes, is amended to read:**

2218 468.520 Definitions.—As used in this part:

2219 ~~(2) "Board" means the Board of Employee Leasing Companies.~~

2220 **Section 55. Section 468.522, Florida Statutes, is amended**
 2221 **to read:**

2222 468.522 Rules of the department ~~board~~.—The department
 2223 ~~board~~ has authority to adopt rules pursuant to ss. 120.536(1)
 2224 and 120.54 to implement the provisions of this part. Every
 2225 licensee shall be governed and controlled by this part and the

2226 | rules adopted by the department ~~board~~.

2227 | **Section 56. Subsection (2) and paragraph (b) of subsection**
 2228 | **(4) of section 468.524, Florida Statutes, are amended to read:**

2229 | 468.524 Application for license.—

2230 | (2) The department ~~board~~ may require information and
 2231 | certifications necessary to determine that the applicant is of
 2232 | good moral character and meets other licensure requirements of
 2233 | this part.

2234 | (4) An applicant or licensee is ineligible to reapply for
 2235 | a license for a period of 1 year following final agency action
 2236 | on the denial or revocation of a license applied for or issued
 2237 | under this part. This time restriction does not apply to
 2238 | administrative denials or revocations entered because:

2239 | (b) The experience documented to the department ~~board~~ was
 2240 | insufficient at the time of the previous application;

2241 | **Section 57. Section 468.5245, Florida Statutes, is amended**
 2242 | **to read:**

2243 | 468.5245 Change of ownership.—

2244 | (1) A license or registration issued to any entity under
 2245 | this part may not be transferred or assigned. The department
 2246 | ~~board~~ shall adopt rules to provide for a licensee's or
 2247 | registrant's change of name or location.

2248 | (2) A person or entity that seeks to purchase or acquire
 2249 | control of an employee leasing company or group licensed or
 2250 | registered under this part must first apply to the department

2251 ~~board~~ for a certificate of approval for the proposed change of
2252 ownership. However, prior approval is not required if, at the
2253 time the purchase or acquisition occurs, a controlling person of
2254 the employee leasing company or group maintains a controlling
2255 person license under this part. Notification must be provided to
2256 the department ~~board~~ within 30 days after the purchase or
2257 acquisition of such company in the manner prescribed by the
2258 department ~~board~~.

2259 (3) Any application that is submitted to the department
2260 ~~board~~ under this section shall be deemed approved if the board
2261 has not approved the application or rejected the application,
2262 and provided the applicant with the basis for a rejection,
2263 within 90 days after the receipt of the completed application.

2264 (4) The department ~~board~~ shall establish filing fees for a
2265 change-of-ownership application in accordance with s.
2266 468.524(1).

2267 **Section 58. Subsection (2) and paragraphs (c), (d), (e),**
2268 **and (f) of subsection (3) of section 468.525, Florida Statutes,**
2269 **are amended to read:**

2270 468.525 License requirements.—

2271 (2) (a) As used in this part, "good moral character" means
2272 a personal history of honesty, trustworthiness, fairness, a good
2273 reputation for fair dealings, and respect for the rights of
2274 others and for the laws of this state and nation. A thorough
2275 background investigation of the individual's good moral

2276 character shall be instituted by the department. Such
2277 investigation shall require:

2278 1. The submission of fingerprints, for processing through
2279 appropriate law enforcement agencies, by the applicant and the
2280 examination of police records by the department ~~board~~.

2281 2. Such other investigation of the individual as the
2282 department ~~board~~ may deem necessary.

2283 (b) The department ~~board~~ may deny an application for
2284 licensure or renewal citing lack of good moral character.
2285 Conviction of a crime within the last 7 years may ~~shall~~ not
2286 automatically bar any applicant or licensee from obtaining a
2287 license or continuing as a licensee. The department ~~board~~ shall
2288 consider the type of crime committed, the crime's relevancy to
2289 the employee leasing industry, the length of time since the
2290 conviction and any other factors deemed relevant by the
2291 department ~~board~~.

2292 (3) Each employee leasing company licensed by the
2293 department shall have a registered agent for service of process
2294 in this state and at least one licensed controlling person. In
2295 addition, each licensed employee leasing company shall comply
2296 with the following requirements:

2297 (c) An applicant for initial or renewal license of an
2298 employee leasing company license or employee leasing company
2299 group shall have an accounting net worth or shall have
2300 guaranties, letters of credit, or other security acceptable to

2301 the department board in sufficient amounts to offset any
2302 deficiency. A guaranty will not be acceptable to satisfy this
2303 requirement unless the applicant submits sufficient evidence to
2304 satisfy the department board that the guarantor has adequate
2305 resources to satisfy the obligation of the guaranty.

2306 (d) Each employee leasing company shall maintain an
2307 accounting net worth and positive working capital, as determined
2308 in accordance with generally accepted accounting principles, or
2309 shall have guaranties, letters of credit, or other security
2310 acceptable to the department board in sufficient amounts to
2311 offset any deficiency. A guaranty will not be acceptable to
2312 satisfy this requirement unless the licensee submits sufficient
2313 evidence, as defined by rule, that the guarantor has adequate
2314 resources to satisfy the obligation of the guaranty. In
2315 determining the amount of working capital, a licensee shall
2316 include adequate reserves for all taxes and insurance, including
2317 plans of self-insurance or partial self-insurance for claims
2318 incurred but not paid and for claims incurred but not reported.
2319 Compliance with the requirements of this paragraph is subject to
2320 verification by department ~~or board~~ audit.

2321 (e) Each employee leasing company or employee leasing
2322 company group shall submit annual financial statements audited
2323 by an independent certified public accountant, with the
2324 application and within 120 days after the end of each fiscal
2325 year, in a manner and time prescribed by the department board,

2326 provided however, that any employee leasing company or employee
 2327 leasing company group with gross Florida payroll of less than
 2328 \$2.5 million during any fiscal year may submit financial
 2329 statements reviewed by an independent certified public
 2330 accountant for that year.

2331 (f) The licensee shall notify the department ~~or board~~ in
 2332 writing within 30 days after any change in the application or
 2333 status of the license.

2334 **Section 59. Subsections (3) and (5) of section 468.526,**
 2335 **Florida Statutes, are amended to read:**

2336 468.526 License required; fees.—

2337 (3) Each employee leasing company and employee leasing
 2338 company group licensee shall pay to the department upon the
 2339 initial issuance of a license and upon each renewal thereafter a
 2340 license fee not to exceed \$2,500 to be established by the
 2341 department ~~board~~. In addition to the license fee, the department
 2342 ~~board~~ shall establish an annual assessment for each employee
 2343 leasing company and each employee leasing company group
 2344 sufficient to cover all costs for regulation of the profession
 2345 pursuant to this chapter, chapter 455, and any other applicable
 2346 provisions of law. The annual assessment shall:

2347 (a) Be due and payable upon initial licensure and
 2348 subsequent renewals thereof and 1 year before the expiration of
 2349 any licensure period; and

2350 (b) Be based on a fixed percentage, variable classes, or a

2351 combination of both, as determined by the department board, of
 2352 gross Florida payroll for employees leased to clients by the
 2353 applicant or licensee during the period beginning five quarters
 2354 before and ending one quarter before each assessment. It is the
 2355 intent of the Legislature that the greater weight of total fees
 2356 for licensure and assessments should be on larger companies and
 2357 groups.

2358 (5) Each controlling person licensee shall pay to the
 2359 department upon the initial issuance of a license and upon each
 2360 renewal thereafter a license fee to be established by the
 2361 department board in an amount not to exceed \$2,000.

2362 **Section 60. Subsection (1) of section 468.527, Florida**
 2363 **Statutes, is amended to read:**

2364 468.527 Licensure and license renewal.—

2365 (1) The department shall license any applicant who the
 2366 department board certifies is qualified to practice employee
 2367 leasing as an employee leasing company, employee leasing company
 2368 group, or controlling person.

2369 **Section 61. Subsection (2) of section 468.5275, Florida**
 2370 **Statutes, is amended to read:**

2371 468.5275 Registration and exemption of de minimis
 2372 operations.—

2373 (2) A registration is valid for 1 year. Each registrant
 2374 shall pay to the department upon initial registration, and upon
 2375 each renewal thereafter, a registration fee to be established by

2376 the department ~~board~~ in an amount not to exceed:

2377 (a) Two hundred and fifty dollars for an employee leasing
2378 company.

2379 (b) Five hundred dollars for an employee leasing company
2380 group.

2381 **Section 62. Subsections (2), (4), and (5) of section**
2382 **468.529, Florida Statutes, are amended to read:**

2383 468.529 Licensee's insurance; employment tax; benefit
2384 plans.—

2385 (2) An initial or renewal license may not be issued to any
2386 employee leasing company unless the employee leasing company
2387 first files with the department ~~board~~ evidence of workers'
2388 compensation coverage for all leased employees in this state.
2389 Each employee leasing company shall maintain and make available
2390 to its workers' compensation carrier the following information:

2391 (a) The correct name and federal identification number of
2392 each client company.

2393 (b) A listing of all covered employees provided to each
2394 client company, by classification code.

2395 (c) The total eligible wages by classification code and
2396 the premiums due to the carrier for the employees provided to
2397 each client company.

2398 (4) An initial or renewal license may not be issued to any
2399 employee leasing company unless the employee leasing company
2400 first provides evidence to the department ~~board~~, as required by

2401 department board rule, that the employee leasing company has
 2402 paid all of the employee leasing company's obligations for
 2403 payroll, payroll-related taxes, workers' compensation insurance,
 2404 and employee benefits. All disputed amounts must be disclosed in
 2405 the application.

2406 (5) The provisions of this section are subject to
 2407 verification by department ~~or board~~ audit.

2408 **Section 63. Subsections (3) and (4) of section 468.530,**
 2409 **Florida Statutes, are amended to read:**

2410 468.530 License, contents; posting.—

2411 (3) A ~~No~~ license is not ~~shall be~~ valid for any person or
 2412 entity who engages in the business under any name other than
 2413 that specified in the license. A license issued under this part
 2414 is ~~shall~~ not be assignable, and a ~~no~~ licensee may not conduct a
 2415 business under a fictitious name without prior written
 2416 authorization of the department board to do so. The department
 2417 ~~board~~ may not authorize the use of a name which is so similar to
 2418 that of a public officer or agency, or of that used by another
 2419 licensee, that the public may be confused or misled thereby. A
 2420 ~~No~~ licensee ~~shall be~~ permitted to conduct business under more
 2421 than one name unless it has obtained a separate license. A
 2422 licensee desiring to change its licensed name at any time except
 2423 upon license renewal shall notify the department board and pay a
 2424 fee not to exceed \$50 for each authorized change of name.

2425 (4) Each employee leasing company or employee leasing

2426 company group licensed under this part shall be properly
2427 identified in all advertisements, which must include the license
2428 number, licensed business name, and other appropriate
2429 information in accordance with rules established by the
2430 department ~~board~~.

2431 **Section 64. Paragraph (e) of subsection (1) of section**
2432 **468.531, Florida Statutes, is amended to read:**

2433 468.531 Prohibitions; penalties.—

2434 (1) No person or entity shall:

2435 (e) Knowingly give false or forged evidence to the
2436 department ~~board~~ or a member thereof; or

2437 **Section 65. Section 468.532, Florida Statutes, is amended**
2438 **to read:**

2439 468.532 Discipline.—

2440 (1) The following constitute grounds for which
2441 disciplinary action against a licensee may be taken by the
2442 department ~~board~~:

2443 (a) Being convicted or found guilty of, or entering a plea
2444 of nolo contendere to, regardless of adjudication, bribery,
2445 fraud, or willful misrepresentation in obtaining, attempting to
2446 obtain, or renewing a license.

2447 (b) Being convicted or found guilty of, or entering a plea
2448 of nolo contendere to, regardless of adjudication, a crime in
2449 any jurisdiction which relates to the operation of an employee
2450 leasing business or the ability to engage in business as an

2451 employee leasing company.

2452 (c) Being convicted or found guilty of, or entering a plea
2453 of nolo contendere to, regardless of adjudication, fraud,
2454 deceit, or misconduct in the classification of employees
2455 pursuant to chapter 440.

2456 (d) Being convicted or found guilty of, or entering a plea
2457 of nolo contendere to, regardless of adjudication, fraud,
2458 deceit, or misconduct in the establishment or maintenance of
2459 self-insurance, be it health insurance or workers' compensation
2460 insurance.

2461 (e) Being convicted or found guilty of, or entering a plea
2462 of nolo contendere to, regardless of adjudication, fraud,
2463 deceit, or misconduct in the operation of an employee leasing
2464 company.

2465 (f) Conducting business without an active license.

2466 (g) Failing to maintain workers' compensation insurance as
2467 required in s. 468.529.

2468 (h) Transferring or attempting to transfer a license
2469 issued pursuant to this part.

2470 (i) Violating any provision of this part or any lawful
2471 order or rule issued under the provisions of this part or
2472 chapter 455.

2473 (j) Failing to notify the department ~~board~~, in writing, of
2474 any change of the primary business address or the addresses of
2475 any of the licensee's offices in the state.

2476 (k) Having been confined in any county jail,
2477 postadjudication, or being confined in any state or federal
2478 prison or mental institution, or when through mental disease or
2479 deterioration, the licensee can no longer safely be entrusted to
2480 deal with the public or in a confidential capacity.

2481 (l) Having been found guilty for a second time of any
2482 misconduct that warrants suspension or being found guilty of a
2483 course of conduct or practices which shows that the licensee is
2484 so incompetent, negligent, dishonest, or untruthful that the
2485 money, property, transactions, and rights of investors, or those
2486 with whom the licensee may sustain a confidential relationship,
2487 may not safely be entrusted to the licensee.

2488 (m) Failing to inform the department ~~board~~ in writing
2489 within 30 days after being convicted or found guilty of, or
2490 entering a plea of nolo contendere to, any felony, regardless of
2491 adjudication.

2492 (n) Failing to conform to any lawful order of the
2493 department ~~board~~.

2494 (o) Being determined liable for civil fraud by a court in
2495 any jurisdiction.

2496 (p) Having adverse material final action taken by any
2497 state or federal regulatory agency for violations within the
2498 scope of control of the licensee.

2499 (q) Failing to inform the department ~~board~~ in writing
2500 within 30 days after any adverse material final action by a

2501 state or federal regulatory agency.

2502 (r) Failing to meet or maintain the requirements for

2503 licensure as an employee leasing company or controlling person.

2504 (s) Engaging as a controlling person any person who is not

2505 licensed as a controlling person by the department ~~board~~.

2506 (t) Attempting to obtain, obtaining, or renewing a license

2507 to practice employee leasing by bribery, misrepresentation, or

2508 fraud.

2509 (2) When the department ~~board~~ finds any violation of

2510 subsection (1), it may do one or more of the following:

2511 (a) Deny an application for licensure.

2512 (b) Permanently revoke, suspend, restrict, or not renew a

2513 license.

2514 (c) Impose an administrative fine not to exceed \$5,000 for

2515 every count or separate offense.

2516 (d) Issue a reprimand.

2517 (e) Place the licensee on probation for a period of time

2518 and subject to such conditions as the department ~~board~~ may

2519 specify.

2520 (f) Assess costs associated with investigation and

2521 prosecution.

2522 (3) Upon revocation or suspension of a license, the

2523 licensee must immediately return to the department the license

2524 that was revoked or suspended.

2525 (4) The department ~~board~~ shall specify the penalties for

2526 any violation of this part.

2527 **Section 66. Subsection (1) of section 468.603, Florida**
 2528 **Statutes, is amended to read:**

2529 468.603 Definitions.—As used in this part:

2530 ~~(1) "Board" means the Florida Building Code Administrators~~
 2531 ~~and Inspectors Board.~~

2532 **Section 67. Section 468.606, Florida Statutes, is amended**
 2533 **to read:**

2534 468.606 Authority of the department ~~board~~.—The department
 2535 may board is authorized to:

2536 (1) Adopt rules pursuant to ss. 120.536(1) and 120.54 to
 2537 implement the provisions of this part.

2538 (2) Certify individuals as being qualified under the
 2539 provisions of this part to be building code administrators,
 2540 plans examiners, and building code inspectors.

2541 **Section 68. Section 468.607, Florida Statutes, is amended**
 2542 **to read:**

2543 468.607 Certification of building code administration and
 2544 inspection personnel.—The department ~~board~~ shall issue a
 2545 certificate to any individual whom the department ~~board~~
 2546 determines to be qualified, within such class and level as
 2547 provided in this part and with such limitations as the
 2548 department ~~board~~ may place upon it. A ~~No~~ person may not be
 2549 employed by a state agency or local governmental authority to
 2550 perform the duties of a building code administrator, plans

2551 examiner, or building code inspector after October 1, 1993,
2552 without possessing the proper valid certificate issued in
2553 accordance with the provisions of this part. Any person who acts
2554 as an inspector and plans examiner under s. 1013.37 while
2555 conducting activities authorized by certification under that
2556 section is certified to continue to conduct inspections for a
2557 local enforcement agency until the person's UBCI certification
2558 expires, after which time such person must possess the proper
2559 valid certificate issued in accordance with this part.

2560 **Section 69. Section 468.613, Florida Statutes, is amended**
2561 **to read:**

2562 468.613 Certification by endorsement.—The department ~~board~~
2563 shall examine other certification or training programs, as
2564 applicable, upon submission to the department ~~board~~ for its
2565 consideration of an application for certification by
2566 endorsement. The department ~~board~~ shall waive its examination,
2567 qualification, education, or training requirements, to the
2568 extent that such examination, qualification, education, or
2569 training requirements of the applicant are determined by the
2570 department ~~board~~ to be comparable with those established by the
2571 department ~~board~~. The department ~~board~~ shall waive its
2572 examination, qualification, education, or training requirements
2573 if an applicant for certification by endorsement is at least 18
2574 years of age; is of good moral character; has held a valid
2575 building administrator, inspector, plans examiner, or the

2576 equivalent, certification issued by another state or territory
 2577 of the United States for at least 10 years before the date of
 2578 application; and has successfully passed an applicable
 2579 examination administered by the International Code Council. Such
 2580 application must be made either when the license in another
 2581 state or territory is active or within 2 years after such
 2582 license was last active.

2583 **Section 70. Subsections (5) and (7) of section 468.619,**
 2584 **Florida Statutes, are amended to read:**

2585 468.619 Building code enforcement officials' bill of
 2586 rights.—

2587 (5) The enforcement official shall be considered an agent
 2588 of the governmental entity employing him or her and as such
 2589 shall be defended by that entity in any action brought by the
 2590 department ~~or the board~~, provided the enforcement official is
 2591 working within the scope of his or her employment.

2592 (7) If any action taken against the enforcement official
 2593 by the department ~~or the board~~ is found to be without merit by a
 2594 court of competent jurisdiction, or if judgment in such an
 2595 action is awarded to the enforcement official, the department ~~or~~
 2596 ~~the board~~, or the assignee of the department ~~or board~~, shall
 2597 reimburse the enforcement official or his or her employer, as
 2598 appropriate, for reasonable legal costs and reasonable
 2599 attorney's fees incurred. The amount awarded may ~~shall~~ not
 2600 exceed the limit provided in s. 120.595.

2601 **Section 71. Paragraph (a) of subsection (1) and**
 2602 **subsections (2), (3), and (4) of section 468.621, Florida**
 2603 **Statutes, are amended to read:**

2604 468.621 Disciplinary proceedings.—

2605 (1) The following acts constitute grounds for which the
 2606 disciplinary actions in subsection (2) may be taken:

2607 (a) Violating or failing to comply with any provision of
 2608 this part, or a valid rule or lawful order of the ~~board or~~
 2609 department pursuant thereto.

2610 (2) When the department ~~board~~ finds any person guilty of
 2611 any of the grounds set forth in subsection (1), it may enter an
 2612 order imposing one or more of the following penalties:

2613 (a) Denial of an application for certification.

2614 (b) Permanent revocation.

2615 (c) Suspension of a certificate.

2616 (d) Imposition of an administrative fine not to exceed
 2617 \$5,000 for each separate offense. Such fine must be rationally
 2618 related to the gravity of the violation.

2619 (e) Issuance of a reprimand.

2620 (f) Placement of the certificateholder on probation for a
 2621 period of time and subject to such conditions as the department
 2622 ~~board~~ may impose, including alteration of performance level.

2623 (g) Satisfactory completion of continuing education.

2624 (h) Issuance of a citation.

2625 (3) Where a certificate is suspended, placed on probation,

2626 or has conditions imposed, the department board shall reinstate
 2627 the certificate of a disciplined building code administrator,
 2628 plans examiner, or building code inspector upon proof the
 2629 disciplined individual has complied with all terms and
 2630 conditions set forth in the final order.

2631 (4) A ~~No~~ person may not ~~be allowed to~~ apply for
 2632 certification under this part for a minimum of 5 years after the
 2633 date of revocation of any certificate issued pursuant to this
 2634 part. The department board may by rule establish additional
 2635 criteria for certification following revocation.

2636 **Section 72. Subsections (1) and (5) of section 468.627,**
 2637 **Florida Statutes, are amended to read:**

2638 468.627 Application; examination; renewal; fees.—

2639 (1) The department board shall establish by rule fees to
 2640 be paid for application, examination, reexamination,
 2641 certification and certification renewal, inactive status
 2642 application, and reactivation of inactive certificates. The
 2643 department board may establish by rule a late renewal penalty.
 2644 The department board shall establish fees which are adequate,
 2645 when combined with revenue generated by the provisions of s.
 2646 468.631, to ensure the continued operation of this part. Fees
 2647 shall be based on department estimates of the revenue required
 2648 to implement this part.

2649 ~~(5) The certificateholder shall provide proof, in a form~~
 2650 ~~established by board rule, that the certificateholder has~~

2651 ~~completed at least 14 classroom hours of at least 50 minutes~~
2652 ~~each of continuing education courses during each biennium since~~
2653 ~~the issuance or renewal of the certificate, including the~~
2654 ~~specialized or advanced coursework approved by the Florida~~
2655 ~~Building Commission, as part of the building code training~~
2656 ~~program established pursuant to s. 553.841, appropriate to the~~
2657 ~~licensing category sought. A minimum of 3 of the required 14~~
2658 ~~classroom hours must be on state law, rules, and ethics relating~~
2659 ~~to professional standards of practice, duties, and~~
2660 ~~responsibilities of the certificateholder. The board shall by~~
2661 ~~rule establish criteria for approval of continuing education~~
2662 ~~courses and providers, and may by rule establish criteria for~~
2663 ~~accepting alternative nonclassroom continuing education on an~~
2664 ~~hour-for-hour basis.~~

2665 **Section 73. Paragraph (d) of subsection (1) of section**
2666 **468.629, Florida Statutes, is amended to read:**

2667 468.629 Prohibitions; penalties.—

2668 (1) No person may:

2669 (d) Give false or forged evidence to the ~~board or the~~
2670 department, or a member, an employee, or an officer thereof, for
2671 the purpose of obtaining a certificate.

2672 **Section 74. Subsection (1) of section 468.631, Florida**
2673 **Statutes, is amended to read:**

2674 468.631 Building Code Administrators and Inspectors Fund.—

2675 (1) This part shall be funded through a surcharge, to be

2676 assessed pursuant to s. 125.56(4) or s. 166.201 at the rate of
2677 1.5 percent of all permit fees associated with enforcement of
2678 the Florida Building Code as defined by the uniform account
2679 criteria and specifically the uniform account code for building
2680 permits adopted for local government financial reporting
2681 pursuant to s. 218.32. The minimum amount collected on any
2682 permit issued shall be \$2. The unit of government responsible
2683 for collecting permit fees pursuant to s. 125.56 or s. 166.201
2684 shall collect such surcharge and shall remit the funds to the
2685 department on a quarterly calendar basis beginning not later
2686 than December 31, 2010, for the preceding quarter, and
2687 continuing each third month thereafter; and such unit of
2688 government shall retain 10 percent of the surcharge collected to
2689 fund the participation of building departments in the national
2690 and state building code adoption processes and to provide
2691 education related to enforcement of the Florida Building Code.
2692 There is created within the Professional Regulation Trust Fund a
2693 separate account to be known as the Building Code Administrators
2694 and Inspectors Fund, which shall deposit and disburse funds as
2695 necessary for the implementation of this part. The proceeds from
2696 this surcharge shall be allocated equally to fund the Florida
2697 Homeowners' Construction Recovery Fund established by s. 489.140
2698 ~~and the functions of the Building Code Administrators and~~
2699 ~~Inspectors Board.~~ The department may transfer excess cash to the
2700 Florida Homeowners' Construction Recovery Fund that it

2701 determines is not required to fund the implementation of this
2702 part ~~board from the board's account within the Professional~~
2703 ~~Regulation Trust Fund~~. However, the department may not transfer
2704 excess cash that would exceed the amount appropriated in the
2705 General Appropriations Act, and any amount approved by the
2706 Legislative Budget Commission pursuant to s. 216.181, to be used
2707 for the payment of claims from the Florida Homeowners'
2708 Construction Recovery Fund.

2709 **Section 75. Subsection (7) of section 468.8312, Florida**
2710 **Statutes, is amended to read:**

2711 468.8312 Fees.—

2712 ~~(7) The fee for applications from providers of continuing~~
2713 ~~education may not exceed \$500.~~

2714 **Section 76. Subsection (1) of section 468.8315, Florida**
2715 **Statutes, is amended to read:**

2716 468.8315 Renewal of license.—

2717 (1) The department shall renew a license upon receipt of
2718 the renewal application ~~and upon certification by the department~~
2719 ~~that the licensee has satisfactorily completed the continuing~~
2720 ~~education requirements of s. 468.8316.~~

2721 **Section 77. Subsection (1) of section 468.8415, Florida**
2722 **Statutes, is amended to read:**

2723 468.8415 Renewal of license.—

2724 (1) The department shall renew a license upon receipt of
2725 the renewal application ~~and fee and upon certification by the~~

2726 ~~department that the licensee has satisfactorily completed the~~
 2727 ~~continuing education requirements of s. 468.8416.~~

2728 **Section 78. Subsection (2) of section 468.8417, Florida**
 2729 **Statutes, is amended to read:**

2730 468.8417 Inactive license.—

2731 (2) A license that becomes inactive may be reactivated
 2732 upon application to the department. ~~The department may prescribe~~
 2733 ~~by rule continuing education requirements as a condition of~~
 2734 ~~reactivating a license. The rules may not require more than one~~
 2735 ~~renewal cycle of continuing education to reactivate a license.~~

2736 **Section 79. Paragraph (d) of subsection (1) and paragraph**
 2737 **(d) of subsection (2) of section 468.8419, Florida Statutes, are**
 2738 **amended to read:**

2739 468.8419 Prohibitions; penalties.—

2740 (1) A person may not:

2741 (d) Perform or offer to perform any mold remediation to a
 2742 structure on which the mold assessor or the mold assessor's
 2743 company provided a mold assessment within the last 12 months.
 2744 This paragraph does not apply to a certified contractor who is
 2745 classified in s. 489.105(2) ~~s. 489.105(3)~~ as a Division I
 2746 contractor. However, the department may adopt rules requiring
 2747 that, if such contractor performs the mold assessment and offers
 2748 to perform the mold remediation, the contract for mold
 2749 remediation provided to the homeowner discloses that he or she
 2750 has the right to request competitive bids.

2751 (2) A mold remediator, a company that employs a mold
 2752 remediator, or a company that is controlled by a company that
 2753 also has a financial interest in a company employing a mold
 2754 remediator may not:

2755 (d) Perform or offer to perform any mold assessment to a
 2756 structure on which the mold remediator or the mold remediator's
 2757 company provided a mold remediation within the last 12 months.
 2758 This paragraph does not apply to a certified contractor who is
 2759 classified in s. 489.105(2) ~~s. 489.105(3)~~ as a Division I
 2760 contractor. However, the department may adopt rules requiring
 2761 that, if such contractor performs the mold remediation and
 2762 offers to perform the mold assessment, the contract for mold
 2763 assessment provided to the homeowner discloses that he or she
 2764 has the right to request competitive bids.

2765 **Section 80. Subsection (4) of section 469.004, Florida**
 2766 **Statutes, is amended to read:**

2767 469.004 License; asbestos consultant; asbestos
 2768 contractor.-

2769 (4) A license issued under this chapter must be renewed
 2770 every 2 years. ~~Before an asbestos contractor's license may be~~
 2771 ~~renewed, the licensee must complete a 1-day course of continuing~~
 2772 ~~education during each of the preceding 2 years. Before an~~
 2773 ~~asbestos consultant's license may be renewed, the licensee must~~
 2774 ~~complete a 2-day course of continuing education during each of~~
 2775 ~~the preceding 2 years.~~

2776 **Section 81. Subsection (5) of section 469.012, Florida**
2777 **Statutes, is renumbered as subsection (4) and subsection (1) and**
2778 **present subsection (4) of that section are amended, to read:**

2779 469.012 Course requirements for onsite supervisors and
2780 asbestos abatement workers.—

2781 (1) Each asbestos contractor's onsite supervisor must
2782 complete an asbestos contractor/supervisor course of not less
2783 than 5 days before ~~prior to~~ engaging in onsite supervision. Such
2784 training shall cover the nature of the health risks, the medical
2785 effects of exposure, federal and state asbestos laws and
2786 regulations, worker protection, and work area protection. ~~Each~~
2787 ~~onsite supervisor must also complete a continuing education~~
2788 ~~course of not less than 1 day in length each year.~~

2789 ~~(4) All asbestos abatement workers, including onsite~~
2790 ~~supervisors, must complete, as a condition of renewal of~~
2791 ~~accreditation, such courses of continuing education each year as~~
2792 ~~are approved and required by the department.~~

2793 **Section 82. Subsection (1) of section 469.013, Florida**
2794 **Statutes, is amended to read:**

2795 469.013 Course requirements for asbestos surveyors,
2796 management planners, project monitors, and project designers.—

2797 (1) All asbestos surveyors, management planners, and
2798 project monitors must comply with the requirements under ~~set~~
2799 ~~forth in~~ this section before ~~prior to~~ commencing such activities
2800 ~~and must also complete the continuing education necessary to~~

2801 ~~maintain accreditation each year.~~

2802 (a) Management planners must complete all requirements of
2803 s. 469.005(2) (b) and (d).

2804 (b) Asbestos surveyors must complete all requirements of
2805 s. 469.005(2) (a).

2806 (c) Project monitors must complete all requirements of s.
2807 469.005(3) (a) and must also complete an asbestos sampling course
2808 which is equivalent to NIOSH Course 582.

2809 (d) Project designers must complete all requirements of s.
2810 469.005(2) (d).

2811 **Section 83. Paragraph (b) of subsection (2) of section**
2812 **471.003, Florida Statutes, is amended to read:**

2813 471.003 Qualifications for practice; exemptions.—

2814 (2) The following persons are not required to be licensed
2815 under the provisions of this chapter as a licensed engineer:

2816 (b)1. A person acting as a public officer employed by any
2817 state, county, municipal, or other governmental unit of this
2818 state when working on any project the total estimated cost of
2819 which is \$10,000 or less.

2820 2. Persons who are employees of any state, county,
2821 municipal, or other governmental unit of this state and who are
2822 the subordinates of a person in responsible charge licensed
2823 under this chapter, to the extent that the supervision meets
2824 standards adopted by rule of the department ~~board~~.

2825 **Section 84. Section 471.0035, Florida Statutes, is amended**

2826 **to read:**

2827 471.0035 Instructors in postsecondary educational
 2828 institutions; exemption from licensure requirement.—For the sole
 2829 purpose of teaching the principles and methods of engineering
 2830 design, notwithstanding the provisions of s. 471.005(6) ~~s.~~
 2831 ~~471.005(7)~~, a person employed by a public postsecondary
 2832 educational institution, or by an independent postsecondary
 2833 educational institution licensed or exempt from licensure
 2834 pursuant to the provisions of chapter 1005, is not required to
 2835 be licensed under the provisions of this chapter as a
 2836 professional engineer.

2837 **Section 85. Subsections (2) through (12) of section**
 2838 **471.005, Florida Statutes, are renumbered as subsections (1)**
 2839 **through (11), respectively, and present subsections (1), (6),**
 2840 **and (10) of that section are amended, to read:**

2841 471.005 Definitions.—As used in this chapter, the term:
 2842 ~~(1) "Board" means the Board of Professional Engineers.~~
 2843 (5)(6) "Engineer intern" means a person who has graduated
 2844 from an engineering curriculum approved by the department ~~board~~
 2845 and has passed the fundamentals of engineering examination as
 2846 provided by rules adopted by the department ~~board~~.

2847 (9)(10) "Retired professional engineer" or "professional
 2848 engineer, retired" means a person who has been duly licensed as
 2849 a professional engineer by the department ~~board~~ and who chooses
 2850 to relinquish or not to renew his or her license and applies to

2851 and is approved by the department board to be granted the title
 2852 "Professional Engineer, Retired."

2853 **Section 86. Subsection (1) of section 471.011, Florida**
 2854 **Statutes, is amended to read:**

2855 471.011 Fees.—

2856 (1) The department board by rule may establish fees to be
 2857 paid for applications, examination, reexamination, licensing and
 2858 renewal, inactive status application and reactivation of
 2859 inactive licenses, and recordmaking and recordkeeping. The
 2860 department board may also establish by rule a delinquency fee.
 2861 ~~The board shall establish fees that are adequate to ensure the~~
 2862 ~~continued operation of the board.~~ Fees shall be based on
 2863 department estimates of the revenue required to implement this
 2864 chapter and the provisions of law with respect to the regulation
 2865 of engineers.

2866 **Section 87. Section 471.013, Florida Statutes, is amended**
 2867 **to read:**

2868 471.013 Examinations; prerequisites.—

2869 (1) (a) A person shall be entitled to take an examination
 2870 for the purpose of determining whether she or he is qualified to
 2871 practice in this state as an engineer if the person is of good
 2872 moral character and:

- 2873 1. Is a graduate from an approved engineering science
- 2874 curriculum of 4 years or more in a school, college, or
- 2875 university which has been approved by the department board; or

2876 2. Is a graduate of an approved engineering technology
2877 curriculum of 4 years or more in a school, college, or
2878 university which has been approved by the department ~~board~~.

2879
2880 The department ~~board~~ shall adopt rules providing for the review
2881 and approval of schools or colleges and the courses of study in
2882 engineering in such schools and colleges. The rules shall be
2883 based on the educational requirements for engineering as defined
2884 in s. 471.005. The department ~~board~~ may adopt rules providing
2885 for the acceptance of the approval and accreditation of schools
2886 and courses of study by a nationally accepted accreditation
2887 organization.

2888 (b) A person shall be entitled to take the fundamentals
2889 examination for the purpose of determining whether she or he is
2890 qualified to practice in this state as an engineer intern if she
2891 or he is in the final year of, or is a graduate of, an approved
2892 engineering curriculum in a school, college, or university
2893 approved by the department ~~board~~.

2894 (c) A person may ~~shall~~ not be entitled to take the
2895 principles and practice examination until that person has
2896 successfully completed the fundamentals examination.

2897 (2) ~~(d)~~ The department ~~board~~ shall deem that an applicant
2898 who seeks licensure by examination has passed the fundamentals
2899 examination when such applicant has received a doctorate degree
2900 in engineering from an institution that has an undergraduate

2901 engineering program that is accredited by the Engineering
2902 Accreditation Commission of the Accreditation Board for
2903 Engineering and Technology, Inc., and has taught engineering
2904 full time for at least 3 years, at the baccalaureate level or
2905 higher, after receiving that degree.

2906 (3)~~(e)~~ Every applicant who is qualified to take the
2907 fundamentals examination or the principles and practice
2908 examination shall be allowed to take either examination three
2909 times, notwithstanding the number of times either examination
2910 has been previously failed. If an applicant fails either
2911 examination three times, the department ~~board~~ shall require the
2912 applicant to complete additional college-level education courses
2913 or a department-approved ~~board-approved~~ relevant examination
2914 review course as a condition of future eligibility to take that
2915 examination. If the applicant is delayed in taking the
2916 examination due to reserve or active duty service in the United
2917 States Armed Forces or National Guard, the applicant is allowed
2918 an additional two attempts to take the examination before the
2919 department ~~board~~ may require additional college-level education
2920 or review courses.

2921 (4)~~(2)~~(a) The department ~~board~~ may refuse to certify an
2922 applicant for failure to satisfy the requirement of good moral
2923 character only if:

2924 1. There is a substantial connection between the lack of
2925 good moral character of the applicant and the professional

2926 responsibilities of a licensed engineer; and

2927 2. The finding by the department ~~board~~ of lack of good
2928 moral character is supported by clear and convincing evidence.

2929 (b) When an applicant is found to be unqualified for a
2930 license because of a lack of good moral character, the
2931 department ~~board~~ shall furnish the applicant a statement
2932 containing the findings of the department ~~board~~, a complete
2933 record of the evidence upon which the determination was based,
2934 and a notice of the rights of the applicant to a rehearing and
2935 appeal.

2936 **Section 88. Section 471.017, Florida Statutes, is amended**
2937 **to read:**

2938 471.017 Renewal of license.—

2939 (1) The department ~~management corporation~~ shall renew a
2940 license upon receipt of the renewal application and fee.

2941 (2) The department ~~board~~ shall adopt rules establishing a
2942 procedure for the biennial renewal of licenses.

2943 ~~(3) (a) The board shall require a demonstration of~~
2944 ~~continuing professional competency of engineers as a condition~~
2945 ~~of license renewal or relicensure. Every licensee must complete~~
2946 ~~9 continuing education hours for each year of the license~~
2947 ~~renewal period, totaling 18 continuing education hours for the~~
2948 ~~license renewal period. For each renewal period for such~~
2949 ~~continuing education:~~

2950 ~~1. One hour must relate to this chapter and the rules~~

2951 ~~adopted under this chapter.~~

2952 ~~2. One hour must relate to professional ethics.~~

2953 ~~3. Four hours must relate to the licensee's area of~~
2954 ~~practice.~~

2955 ~~4. The remaining hours may relate to any topic pertinent~~
2956 ~~to the practice of engineering.~~

2957
2958 ~~Continuing education hours may be earned by presenting or~~
2959 ~~attending seminars, in-house or nonclassroom courses, workshops,~~
2960 ~~or professional or technical presentations made at meetings,~~
2961 ~~webinars, conventions, or conferences, including those presented~~
2962 ~~by vendors with specific knowledge related to the licensee's~~
2963 ~~area of practice. Up to 4 hours may be earned by serving as an~~
2964 ~~officer or actively participating on a committee of a board-~~
2965 ~~recognized professional or technical engineering society. The 2~~
2966 ~~required continuing education hours relating to this chapter,~~
2967 ~~the rules adopted pursuant to this chapter, and ethics may be~~
2968 ~~earned by serving as a member of the Legislature or as an~~
2969 ~~elected state or local official. The hours required pursuant to~~
2970 ~~s. 471.0195 may apply to any requirements of this section except~~
2971 ~~for those required under subparagraph 1.~~

2972 ~~(b) The board shall adopt rules that are substantially~~
2973 ~~consistent with the most recent published version of the~~
2974 ~~Continuing Professional Competency Guidelines of the National~~
2975 ~~Council of Examiners for Engineering and Surveying, and shall~~

2976 | ~~allow nonclassroom hours to be credited. The board may, by rule,~~
2977 | ~~exempt from continuing professional competency requirements~~
2978 | ~~retired professional engineers who no longer sign and seal~~
2979 | ~~engineering documents and licensees in unique circumstances that~~
2980 | ~~severely limit opportunities to obtain the required continuing~~
2981 | ~~education hours.~~

2982 | **Section 89. Subsections (1) and (2) of section 471.021,**
2983 | **Florida Statutes, are amended to read:**

2984 | 471.021 Engineers and firms of other states; temporary
2985 | registration to practice in Florida.—

2986 | (1) Upon approval of the department board and payment of
2987 | the fee set in s. 471.011, the department ~~management corporation~~
2988 | shall issue a temporary registration for work on one specified
2989 | project in this state for a period not to exceed 1 year to an
2990 | engineer holding a certificate to practice in another state,
2991 | provided Florida licensees are similarly permitted to engage in
2992 | work in such state and provided that the engineer be qualified
2993 | for licensure by endorsement.

2994 | (2) Upon approval by the department board and payment of
2995 | the fee set in s. 471.011, the department ~~management corporation~~
2996 | shall issue a temporary registration for work on one specified
2997 | project in this state for a period not to exceed 1 year to an
2998 | out-of-state corporation, partnership, or firm, provided one of
2999 | the principal officers of the corporation, one of the partners
3000 | of the partnership, or one of the principals in the fictitiously

3001 | named firm has obtained a temporary registration in accordance
3002 | with subsection (1).

3003 | **Section 90. Subsection (4) of section 471.023, Florida**
3004 | **Statutes, is amended to read:**

3005 | 471.023 Qualification of business organizations.—

3006 | (4) Each qualifying agent of a business organization
3007 | qualified under this section must notify the department ~~board~~
3008 | within 30 days after any change in the information contained in
3009 | the application upon which the qualification is based.

3010 | (a) A qualifying agent who terminates an affiliation with
3011 | a qualified business organization shall notify the department
3012 | ~~management corporation~~ of such termination within 24 hours. If
3013 | such qualifying agent is the only qualifying agent for that
3014 | business organization, the business organization must be
3015 | qualified by another qualifying agent within 60 days after the
3016 | termination. Except as provided in paragraph (b), the business
3017 | organization may not engage in the practice of engineering until
3018 | it is qualified by another qualifying agent.

3019 | (b) In the event a qualifying agent ceases employment with
3020 | a qualified business organization and the qualifying agent is
3021 | the only licensed individual affiliated with the business
3022 | organization, the executive director of the department
3023 | ~~management corporation or the chair of the board~~ may authorize
3024 | another licensee employed by the business organization to
3025 | temporarily serve as its qualifying agent for a period of no

3026 | more than 60 days to proceed with incomplete contracts. The
 3027 | business organization is not authorized to operate beyond such
 3028 | period under this chapter absent replacement of the qualifying
 3029 | agent.

3030 | (c) A qualifying agent shall notify the department in
 3031 | writing before engaging in the practice of engineering in the
 3032 | licensee's name or in affiliation with a different business
 3033 | organization.

3034 | **Section 91. Subsections (1) and (2) of section 471.025,**
 3035 | **Florida Statutes, are amended to read:**

3036 | 471.025 Seals.—

3037 | (1) The department ~~board~~ shall prescribe, by rule, one or
 3038 | more forms of seal to be used by licensees. Each licensee shall
 3039 | obtain at least one seal in the form approved by rule of the
 3040 | department ~~board~~ and may, in addition, register his or her seal
 3041 | electronically in accordance with ss. 668.001-668.006. All final
 3042 | drawings, specifications, plans, reports, or documents prepared
 3043 | or issued by the licensee and being filed for public record and
 3044 | all final documents provided to the owner or the owner's
 3045 | representative shall be signed by the licensee, dated, and
 3046 | sealed with said seal. Such signature, date, and seal shall be
 3047 | evidence of the authenticity of that to which they are affixed.
 3048 | Drawings, specifications, plans, reports, final documents, or
 3049 | documents prepared or issued by a licensee may be transmitted
 3050 | electronically and may be signed by the licensee, dated, and

3051 sealed electronically with said seal in accordance with ss.
 3052 668.001-668.006.

3053 (2) It is unlawful for any person to seal or digitally
 3054 sign any document with a seal or digital signature after his or
 3055 her license has expired or been revoked or suspended, unless
 3056 such license has been reinstated or reissued. When an engineer's
 3057 license has been revoked or suspended by the department ~~board~~,
 3058 the licensee shall, within a period of 30 days after the
 3059 revocation or suspension has become effective, surrender his or
 3060 her seal to the executive director of the department ~~board~~ and
 3061 confirm to the department ~~executive director~~ the cancellation of
 3062 the licensee's digital signature in accordance with ss. 668.001-
 3063 668.006. In the event the engineer's license has been suspended
 3064 for a period of time, his or her seal shall be returned to him
 3065 or her upon expiration of the suspension period.

3066 **Section 92. Paragraphs (b) and (d) of subsection (1) of**
 3067 **section 471.031, Florida Statutes, are amended to read:**

3068 471.031 Prohibitions; penalties.—

3069 (1) A person may not:

3070 (b)1. Except as provided in subparagraph 2. or
 3071 subparagraph 3., use the name or title "professional engineer"
 3072 or any other title, designation, words, letters, abbreviations,
 3073 or device tending to indicate that such person holds an active
 3074 license as an engineer when the person is not licensed under
 3075 this chapter, including, but not limited to, the following

3076 titles: "agricultural engineer," "air-conditioning engineer,"
3077 "architectural engineer," "building engineer," "chemical
3078 engineer," "civil engineer," "control systems engineer,"
3079 "electrical engineer," "environmental engineer," "fire
3080 protection engineer," "industrial engineer," "manufacturing
3081 engineer," "mechanical engineer," "metallurgical engineer,"
3082 "mining engineer," "minerals engineer," "marine engineer,"
3083 "nuclear engineer," "petroleum engineer," "plumbing engineer,"
3084 "structural engineer," "transportation engineer," "software
3085 engineer," "computer hardware engineer," or "systems engineer."

3086 2. Any person who is exempt from licensure under s.
3087 471.003(2)(j) may use the title or personnel classification of
3088 "engineer" in the scope of his or her work under that exemption
3089 if the title does not include or connote the term "professional
3090 engineer," "registered engineer," "licensed engineer,"
3091 "registered professional engineer," or "licensed professional
3092 engineer."

3093 3. Any person who is exempt from licensure under s.
3094 471.003(2)(c) or (e) may use the title or personnel
3095 classification of "engineer" in the scope of his or her work
3096 under that exemption if the title does not include or connote
3097 the term "professional engineer," "registered engineer,"
3098 "licensed engineer," "registered professional engineer," or
3099 "licensed professional engineer" and if that person is a
3100 graduate from an approved engineering curriculum of 4 years or

3101 more in a school, college, or university which has been approved
 3102 by the department ~~board~~.

3103 (d) Give false or forged evidence to the department ~~board~~
 3104 or a member thereof.

3105 **Section 93. Paragraphs (a) and (k) of subsection (1) and**
 3106 **subsections (2), (3), and (4) of section 471.033, Florida**
 3107 **Statutes, are amended to read:**

3108 471.033 Disciplinary proceedings.—

3109 (1) The following acts constitute grounds for which the
 3110 disciplinary actions in subsection (3) may be taken:

3111 (a) Violating any provision of s. 455.227(1), s. 471.025,
 3112 or s. 471.031, or any other provision of this chapter or rule of
 3113 the ~~board or~~ department.

3114 (k) Violating any order of the ~~board or~~ department
 3115 previously entered in a disciplinary hearing.

3116 (2) The department ~~board~~ shall specify, by rule, what acts
 3117 or omissions constitute a violation of subsection (1).

3118 (3) When the department ~~board~~ finds any person guilty of
 3119 any of the grounds set forth in subsection (1), it may enter an
 3120 order imposing one or more of the following penalties:

3121 (a) Denial of an application for licensure.

3122 (b) Revocation or suspension of a license.

3123 (c) Imposition of an administrative fine not to exceed
 3124 \$5,000 for each count or separate offense.

3125 (d) Issuance of a reprimand.

3126 (e) Placement of the licensee on probation for a period of
3127 time and subject to such conditions as the department ~~board~~ may
3128 specify.

3129 (f) Restriction of the authorized scope of practice by the
3130 licensee.

3131 (g) Restitution.

3132 (4) The department ~~management corporation~~ shall reissue
3133 the license of a disciplined engineer or business upon
3134 certification by the department ~~board~~ that the disciplined
3135 person has complied with all of the terms and conditions set
3136 forth in the final order.

3137 **Section 94. Section 471.045, Florida Statutes, is amended**
3138 **to read:**

3139 471.045 Professional engineers performing building code
3140 inspector duties.—Notwithstanding any other provision of law, a
3141 person who is currently licensed under this chapter to practice
3142 as a professional engineer may provide building code inspection
3143 services described in s. 468.603(4) and (7) ~~s. 468.603(5) and~~
3144 ~~(8)~~ to a local government or state agency upon its request,
3145 without being certified by the Florida Building Code
3146 Administrators and Inspectors licensing program ~~Board~~ under part
3147 XII of chapter 468. When performing these building code
3148 inspection services, the professional engineer is subject to the
3149 disciplinary guidelines of this chapter and s. 468.621(1)(c)-
3150 (h). Any complaint processing, investigation, and discipline

3151 that arise out of a professional engineer's performing building
3152 code inspection services shall be conducted by the department
3153 ~~Board of Professional Engineers rather than the Florida Building~~
3154 ~~Code Administrators and Inspectors Board~~. A professional
3155 engineer may not perform plans review as an employee of a local
3156 government upon any job that the professional engineer or the
3157 professional engineer's company designed.

3158 **Section 95. Subsections (1), (2), and (5) of section**
3159 **471.055, Florida Statutes, are amended to read:**

3160 471.055 Structural Engineering Recognition Program for
3161 Professional Engineers.—

3162 (1) The department ~~board~~ shall establish the Structural
3163 Engineering Recognition Program for Professional Engineers to
3164 recognize professional engineers who specialize in structural
3165 engineering and have gone above and beyond the required minimum
3166 professional engineer licensing standards. The department ~~board~~
3167 shall establish minimum requirements to receive recognition
3168 through the program. The department ~~board~~ must recognize any
3169 licensed professional engineer who has successfully passed the
3170 National Council of Examiners for Engineering and Surveying
3171 Structural Engineering 16-hour PE Structural examination or any
3172 other examination approved by the department ~~board~~. In addition,
3173 the department ~~board~~ may recognize any licensed professional
3174 engineer who specializes in structural engineering based on
3175 alternative criteria determined by the department ~~board~~.

3176 (2) Upon application to the department board, a
 3177 professional engineer who has the minimum program requirements
 3178 shall be recognized as a professional engineer who has gone
 3179 above and beyond in the field of structural engineering. The
 3180 department board may not collect a fee for such application or
 3181 for recognition by the program.

3182 (5) The department board shall adopt rules to implement
 3183 this section.

3184 **Section 96. Subsection (4) of section 472.003, Florida**
 3185 **Statutes, is amended to read:**

3186 472.003 Persons not affected by ss. 472.001-472.037.—
 3187 Sections 472.001-472.037 do not apply to:

3188 (4) Persons employed by county property appraisers, as
 3189 defined at s. 192.001(3), and persons employed by the Department
 3190 of Revenue, to prepare maps for property appraisal purposes
 3191 only, but only to the extent that they perform mapping services
 3192 which do not include any surveying activities as described in s.
 3193 472.005(3)(a) and (b) ~~s. 472.005(4)(a) and (b)~~.

3194 **Section 97. Subsection (1) of section 472.005, Florida**
 3195 **Statutes, is amended to read:**

3196 472.005 Definitions.—As used in ss. 472.001-472.037:

3197 ~~(1) "Board" means the Board of Professional Surveyors and~~
 3198 ~~Mapers.~~

3199 **Section 98. Subsections (2) through (9) of section**
 3200 **473.302, Florida Statutes, are renumbered as subsections (1)**

3201 **through (8), respectively, and subsection (1), paragraph (c) of**
 3202 **present subsection (8), and present subsection (9) of that**
 3203 **section are amended, to read:**

3204 473.302 Definitions.—As used in this chapter, the term:

3205 ~~(1) "Board" means the Board of Accountancy.~~

3206 (7)~~(8)~~ "Practice of," "practicing public accountancy," or
 3207 "public accounting" means:

3208 (c) Offering to perform or performing for the public one
 3209 or more types of service involving the preparation of financial
 3210 statements not included within paragraph (a), by a certified
 3211 public accountant who holds an active license, issued pursuant
 3212 to this chapter, or who is authorized to practice public
 3213 accounting pursuant to the practice privileges granted in s.
 3214 473.3141; by a firm of certified public accountants; or by a
 3215 firm in which a certified public accountant has an ownership
 3216 interest, including the performance of such services in the
 3217 employ of another person. The department ~~board~~ shall adopt rules
 3218 establishing standards of practice for such reports and
 3219 financial statements; provided, however, that nothing in this
 3220 paragraph shall be construed to permit the department ~~board~~ to
 3221 adopt rules that have the result of prohibiting Florida
 3222 certified public accountants employed by unlicensed firms from
 3223 preparing financial statements as authorized by this paragraph;
 3224 or

3225 (8)~~(9)~~ "Uniform Accountancy Act" means the Uniform

3226 Accountancy Act, Eighth Edition, dated January 2018 and
3227 published by the American Institute of Certified Public
3228 Accountants and the National Association of State Boards of
3229 Accountancy.

3230

3231 However, these terms may ~~shall~~ not include services provided by
3232 the American Institute of Certified Public Accountants or the
3233 Florida Institute of Certified Public Accountants, or any full
3234 service association of certified public accounting firms whose
3235 plans of administration have been approved by the department
3236 ~~board~~, to their members or services performed by these entities
3237 in reviewing the services provided to the public by members of
3238 these entities.

3239 **Section 99. Section 473.3035, Florida Statutes, is amended**
3240 **to read:**

3241 473.3035 Division of Certified Public Accounting.—

3242 (1) All services concerning this chapter, including, but
3243 not limited to, recordkeeping services, examination services,
3244 legal services, and investigative services, and those services
3245 in chapter 455 necessary to perform the duties of this chapter
3246 shall be provided by the Division of Certified Public
3247 Accounting. The department ~~board~~ may, ~~by majority vote~~, delegate
3248 a duty or duties to the appropriate division within the
3249 department. The department ~~board~~ may, ~~by majority vote~~, rescind
3250 any such delegation of duties at any time.

3251 (2) The Division of Certified Public Accounting shall be
 3252 funded by fees and assessments of the department board, and
 3253 funds collected by the department board shall be used only to
 3254 fund public accounting regulation. Funding for the Division of
 3255 Certified Public Accounting shall be governed by ss. 215.37 and
 3256 455.219.

3257 **Section 100. Section 473.304, Florida Statutes, is amended**
 3258 **to read:**

3259 473.304 Rules of department board; powers and duties;
 3260 legal services.—

3261 (1) The department board shall adopt rules pursuant to ss.
 3262 120.536(1) and 120.54 to implement the provisions of this act.
 3263 Every certified public accountant and firm shall be governed and
 3264 controlled by this act and the rules adopted by the department
 3265 board.

3266 (2) Subject to the prior approval of the Attorney General,
 3267 the department board may retain independent legal counsel to
 3268 provide legal advice to the department board on a specific
 3269 matter.

3270 (3) An attorney employed or used by the department board
 3271 may not both prosecute a matter and provide legal services to
 3272 the department board with respect to the same matter.

3273 **Section 101. Section 473.305, Florida Statutes, is amended**
 3274 **to read:**

3275 473.305 Fees.—The department board, by rule, may establish

3276 fees to be paid for applications, examination, reexamination,
3277 licensing and renewal, reinstatement, and recordmaking and
3278 recordkeeping. The fee for the examination shall be established
3279 at an amount that covers the costs for the procurement or
3280 development, administration, grading, and review of the
3281 examination. The fee for the examination is refundable if the
3282 applicant is found to be ineligible to sit for the examination.
3283 The fee for initial application is nonrefundable, and the
3284 combined fees for application and examination may not exceed
3285 \$250 plus the actual per applicant cost to the department for
3286 purchase of the examination from the American Institute of
3287 Certified Public Accountants or a similar national organization.
3288 The biennial renewal fee may not exceed \$250. The department
3289 ~~board~~ may also establish, by rule, a reactivation fee, and a
3290 delinquency fee not to exceed \$50 for continuing professional
3291 education reporting forms. The department ~~board~~ shall establish
3292 fees which are adequate to ensure the continued operation of the
3293 department ~~board~~ and to fund the proportionate expenses incurred
3294 by the department which are allocated to the regulation of
3295 public accountants. Fees shall be based on department estimates
3296 of the revenue required to implement this chapter and the
3297 provisions of law with respect to the regulation of certified
3298 public accountants.

3299 **Section 102. Paragraph (b) of subsection (3) and**
3300 **subsections (4), (5), and (6) of section 473.306, Florida**

3301 **Statutes, are amended to read:**

3302 473.306 Examinations.—

3303 (3) An applicant is entitled to take the licensure
3304 examination to practice in this state as a certified public
3305 accountant if:

3306 (b) The applicant shows that she or he has good moral
3307 character. For purposes of this paragraph, the term "good moral
3308 character" has the same meaning as provided in s. 473.308(6)(a)
3309 ~~s. 473.308(7)(a)~~. The department board may refuse to allow an
3310 applicant to take the licensure examination for failure to
3311 satisfy this requirement if:

3312 1. The department board finds a reasonable relationship
3313 between the lack of good moral character of the applicant and
3314 the professional responsibilities of a certified public
3315 accountant; and

3316 2. The finding by the department board of lack of good
3317 moral character is supported by competent substantial evidence.

3318
3319 If an applicant is found pursuant to this paragraph to be
3320 unqualified to take the licensure examination because of a lack
3321 of good moral character, the department board shall furnish to
3322 the applicant a statement containing the findings of the
3323 department board, a complete record of the evidence upon which
3324 the determination was based, and a notice of the rights of the
3325 applicant to a rehearing and appeal.

3326 (4) The department board shall have the authority to
 3327 establish the standards for determining and shall determine:
 3328 (a) What constitutes a passing grade for each subject or
 3329 part of the licensure examination;
 3330 (b) Which educational institutions, in addition to the
 3331 universities in the State University System of Florida, shall be
 3332 deemed to be accredited colleges or universities;
 3333 (c) What courses and number of hours constitute a major in
 3334 accounting; and
 3335 (d) What courses and number of hours constitute additional
 3336 accounting courses acceptable under s. 473.308(4).
 3337 (5) The department board may adopt an alternative
 3338 licensure examination for persons who have been licensed to
 3339 practice public accountancy or its equivalent in a foreign
 3340 country so long as the International Qualifications Appraisal
 3341 Board of the National Association of State Boards of Accountancy
 3342 has ratified an agreement with that country for reciprocal
 3343 licensure.
 3344 (6) For the purposes of maintaining the proper educational
 3345 qualifications for licensure under this chapter, the department
 3346 ~~board~~ may appoint an Educational Advisory Committee, which shall
 3347 be composed of one member of the department board, two persons
 3348 in public practice who are licensed under this chapter, and four
 3349 academicians on faculties of universities in this state.

3350 **Section 103. Subsections (1), (2), and (3) of section**

3351 **473.309, Florida Statutes, are amended to read:**

3352 473.309 Practice requirements for partnerships,
3353 corporations, and limited liability companies; business entities
3354 practicing public accounting.—

3355 (1) A partnership may not engage in the practice of public
3356 accounting, as defined in s. 473.302(7)(a) ~~s. 473.302(8)(a)~~, or
3357 meet the requirements of s. 473.3101(1)(b), unless:

3358 (a) It is a form of partnership recognized by Florida law.

3359 (b) Partners owning at least 51 percent of the financial
3360 interest and voting rights of the partnership are certified
3361 public accountants in some state. However, each partner who is a
3362 certified public accountant in another state and is domiciled in
3363 this state must be a certified public accountant of this state
3364 and hold an active license.

3365 (c) At least one general partner is a certified public
3366 accountant of this state and holds an active license or, in the
3367 case of a firm that must have a license pursuant to s.
3368 473.3101(1)(c), at least one general partner is a certified
3369 public accountant in some state and meets the requirements of s.
3370 473.3141(1) ~~s. 473.3141(1)(a) or (b)~~.

3371 (d) All partners who are not certified public accountants
3372 in any state are engaged in the business of the partnership as
3373 their principal occupation.

3374 (e) It is in compliance with rules adopted by the
3375 department ~~board~~ pertaining to minimum capitalization, letters

3376 of credit, and adequate public liability insurance.

3377 (2) A corporation may not engage in the practice of public
 3378 accounting, as defined in s. 473.302(7)(a) ~~s. 473.302(8)(a)~~, or
 3379 meet the requirements of s. 473.3101(1)(b), unless:

3380 (a) It is a corporation duly organized in this or some
 3381 other state.

3382 (b) Shareholders of the corporation owning at least 51
 3383 percent of the financial interest and voting rights of the
 3384 corporation are certified public accountants in some state and
 3385 are principally engaged in the business of the corporation.
 3386 However, each shareholder who is a certified public accountant
 3387 in another state and is domiciled in this state must be a
 3388 certified public accountant of this state and hold an active
 3389 license.

3390 (c) The principal officer of the corporation is a
 3391 certified public accountant in some state.

3392 (d) At least one shareholder of the corporation is a
 3393 certified public accountant and holds an active license in this
 3394 state or, in the case of a firm that must have a license
 3395 pursuant to s. 473.3101(1)(c), at least one shareholder is a
 3396 certified public accountant in some state and meets the
 3397 requirements of s. 473.3141(1) ~~s. 473.3141(1)(a) or (b)~~.

3398 (e) All shareholders who are not certified public
 3399 accountants in any state are engaged in the business of the
 3400 corporation as their principal occupation.

3401 (f) It is in compliance with rules adopted by the
 3402 department ~~board~~ pertaining to minimum capitalization, letters
 3403 of credit, and adequate public liability insurance.

3404 (3) A limited liability company may not engage in the
 3405 practice of public accounting, as defined in s. 473.302(7)(a) ~~s.~~
 3406 ~~473.302(8)(a)~~, or meet the requirements of s. 473.3101(1)(b),
 3407 unless:

3408 (a) It is a limited liability company duly organized in
 3409 this or some other state.

3410 (b) Members of the limited liability company owning at
 3411 least 51 percent of the financial interest and voting rights of
 3412 the company are certified public accountants in some state.
 3413 However, each member who is a certified public accountant in
 3414 some state and is domiciled in this state must be a certified
 3415 public accountant of this state and hold an active license.

3416 (c) At least one member of the limited liability company
 3417 is a certified public accountant and holds an active license in
 3418 this state or, in the case of a firm that must have a license
 3419 pursuant to s. 473.3101(1)(c), at least one member is a
 3420 certified public accountant in some state and meets the
 3421 requirements of s. 473.3141(1) ~~s. 473.3141(1)(a) or (b)~~.

3422 (d) All members who are not certified public accountants
 3423 in any state are engaged in the business of the company as their
 3424 principal occupation.

3425 (e) It is in compliance with rules adopted by the

3426 department board pertaining to minimum capitalization, letters
 3427 of credit, and adequate public liability insurance.

3428 (f) It is currently licensed as required by s. 473.3101.

3429 **Section 104. Subsections (1) and (4) of section 473.3101,**
 3430 **Florida Statutes, are amended to read:**

3431 473.3101 Licensure of firms or public accounting firms.—

3432 (1) The following must hold a license issued under this
 3433 section:

3434 (a) Any firm with an office in this state which performs
 3435 services as defined in s. 473.302(7)(a) ~~s. 473.302(8)(a)~~;

3436 (b) Any firm with an office in this state which uses the
 3437 title "CPA," "CPA firm," or any other title, designation, words,
 3438 letters, abbreviations, or device tending to indicate that it is
 3439 a CPA firm. The department board shall define by rule what
 3440 constitutes a CPA firm; or

3441 (c)1. Any firm that does not have an office in this state
 3442 but performs the services described in s. 473.3141(4) for a
 3443 client having its home office in this state, unless it:

3444 a. Complies with the qualifications described in s.
 3445 473.309.

3446 b. Is enrolled in a peer review program pursuant to s.
 3447 473.3125(4).

3448 c. Performs services through an individual with practice
 3449 privileges under s. 473.3141.

3450 d. Lawfully performs services in a state where an

3451 individual with practice privileges granted under s. 473.3141
3452 has his or her principal place of business.

3453 2. The department ~~board~~ shall define by rule what
3454 constitutes an office.

3455 (4) The department ~~board~~ shall determine whether the firm
3456 or public accounting firm meets the requirements for practice
3457 and, pending that determination, may certify to the department
3458 the firm or public accounting firm for provisional licensure.

3459 **Section 105. Subsection (1) of section 473.311, Florida**
3460 **Statutes, is amended to read:**

3461 473.311 Renewal of license.—

3462 (1)(a) The department shall renew a license issued under
3463 s. 473.308 upon receipt of the renewal application and fee ~~and~~
3464 ~~upon certification by the board that the Florida certified~~
3465 ~~public accountant has satisfactorily completed the continuing~~
3466 ~~education requirements of s. 473.312.~~

3467 ~~(b) A nonresident licensee seeking renewal of a license in~~
3468 ~~this state shall be determined to have met the continuing~~
3469 ~~education requirements in s. 473.312, except for the~~
3470 ~~requirements in s. 473.312(1)(c), if the licensee has complied~~
3471 ~~with the continuing education requirements applicable in the~~
3472 ~~state in which his or her office is located. If the state in~~
3473 ~~which the nonresident licensee's office is located has no~~
3474 ~~continuing education requirements for license renewals, the~~
3475 ~~nonresident licensee must comply with the continuing education~~

3476 ~~requirements in s. 473.312.~~

3477 **Section 106. Paragraph (a) of subsection (1), and**
3478 **subsections (2), (3), and (4) of section 473.3125, Florida**
3479 **Statutes, are amended to read:**

3480 473.3125 Peer review.—

3481 (1) As used in this section, the term:

3482 (a) "Licensee" means a licensed firm or public accounting
3483 firm as defined in s. 473.302 ~~s. 473.302(7)~~ and engaged in the
3484 practice of public accounting as defined in s. 473.302(7)(a) ~~s.~~
3485 ~~473.302(8)(a)~~ that is required to be licensed under s. 473.3101.

3486 (2) The department ~~board~~ shall adopt rules establishing
3487 minimum standards for peer review programs, including, but not
3488 limited to, standards for administering, performing, and
3489 reporting peer reviews. The department ~~board~~ shall also adopt
3490 rules establishing minimum criteria for the department's ~~board's~~
3491 approval of one or more organizations that facilitate and
3492 administer peer review programs.

3493 (3) For the purposes of maintaining oversight of the
3494 license renewal requirements of s. 473.311(2), the department
3495 ~~board~~ may establish a peer review oversight committee, which
3496 shall be composed of at least three, but no more than five,
3497 members who are licensed under this chapter and whose firms are
3498 subject to s. 473.311(2) and have received a review rating of
3499 "pass" on the most recent peer review.

3500 (4) Effective January 1, 2015, a licensed firm or public

3501 accounting firm as defined in s. 473.302 ~~s. 473.302(7)~~ and
3502 licensed under s. 473.3101 and engaged in the practice of public
3503 accounting as defined in s. 473.302(7)(a) ~~s. 473.302(8)(a)~~,
3504 except for the performance of compilations and reviews as those
3505 terms are defined by the department ~~board~~, must be enrolled in a
3506 peer review program.

3507 **Section 107. Section 473.313, Florida Statutes, is amended**
3508 **to read:**

3509 473.313 Inactive status; retired status.—

3510 (1) A Florida certified public accountant may request that
3511 her or his license be placed in an inactive status by making
3512 application to the department. The department ~~board~~ may
3513 prescribe by rule fees for placing a license on inactive status,
3514 renewal of inactive status, and reactivation of an inactive
3515 license.

3516 ~~(a) A license that has become inactive under this~~
3517 ~~subsection or for failure to complete the requirements in s.~~
3518 ~~473.312 may be reactivated under s. 473.311 upon application to~~
3519 ~~the department. The board may prescribe by rule continuing~~
3520 ~~education requirements as a condition of reactivating a license.~~
3521 ~~The maximum continuing education requirements for reactivating a~~
3522 ~~license are 120 hours, including at least 30 hours in~~
3523 ~~accounting-related and auditing-related subjects, not more than~~
3524 ~~30 hours in behavioral subjects, and a minimum of 8 hours in~~
3525 ~~ethics subjects approved by the board, for the reactivation of a~~

3526 | ~~license that is inactive or delinquent.~~

3527 | ~~(b) A license that is delinquent for failure to report~~
3528 | ~~completion of the requirements in s. 473.312 may be reactivated~~
3529 | ~~under s. 473.311 upon application to the department.~~
3530 | ~~Reactivation requires the payment of an application fee as~~
3531 | ~~determined by the board and certification by the Florida~~
3532 | ~~certified public accountant that the applicant satisfactorily~~
3533 | ~~completed the continuing education requirements set forth under~~
3534 | ~~s. 473.311. If the license is delinquent on January 1 because of~~
3535 | ~~failure to report completed continuing education requirements,~~
3536 | ~~the applicant must submit a complete application to the board by~~
3537 | ~~March 15 immediately after the delinquent period.~~

3538 | (a)~~(e)~~ Any Florida certified public accountant holding an
3539 | inactive license may be permitted to reactivate such license in
3540 | a conditional manner. The conditions of reactivation shall
3541 | require the payment of fees ~~and the completion of required~~
3542 | ~~continuing education.~~

3543 | (b)~~(d)~~ Notwithstanding ~~the provisions of~~ s. 455.271, the
3544 | department ~~board~~ may, at its discretion, reinstate the license
3545 | of an individual whose license has become null and void if the
3546 | individual has made a good faith effort to comply with this
3547 | section but has failed to comply because of illness or unusual
3548 | hardship. The individual shall apply to the department ~~board~~ for
3549 | reinstatement in a manner prescribed by rules of the department
3550 | ~~board~~ and shall pay an application fee in an amount determined

3551 by rule of the department board. The department board shall
3552 require that the individual ~~meet all continuing education~~
3553 ~~requirements as provided in paragraph (a)~~, pay appropriate
3554 licensing fees, and otherwise be eligible for renewal of
3555 licensure under this chapter.

3556 (2) A Florida certified public accountant who is at least
3557 65 years of age, currently holds an active or inactive license
3558 in good standing under this chapter, and is not the subject of
3559 any sanction or disciplinary action may request that her or his
3560 license be placed on retired status by making application to the
3561 department. The department board may prescribe by rule the
3562 application for placing a license on retired status, which must
3563 state that the applicant has no association with accounting or
3564 any of the services described in s. 473.302 ~~s. 473.302(8)~~. If a
3565 licensee who has been granted retired status reenters the
3566 workforce in a position that has an association with accounting
3567 or any of the services described in s. 473.302 ~~s. 473.302(8)~~,
3568 the licensee automatically loses her or his retired status.

3569 (a) A retired licensee may, without losing her or his
3570 retired status, ~~serve without compensation on a board of~~
3571 ~~directors or board of trustees~~, provide volunteer tax
3572 preparation services, participate in a government-sponsored
3573 business mentoring program such as the Internal Revenue
3574 Service's Volunteer Income Tax Assistance program or the Small
3575 Business Administration's SCORE program, or participate in an

3576 advisory role for a similar charitable, civic, or other non-
3577 profit organization.

3578 (b) The department ~~board~~ shall require a retired licensee
3579 to affirm in writing her or his understanding of the limited
3580 types of activities in which she or he may engage while in
3581 retired status and that she or he has a professional duty to
3582 ensure that she or he holds the professional competencies
3583 necessary to participate in such activities.

3584 (c) A retired licensee may accept routine reimbursement
3585 for actual costs of travel and meals associated with volunteer
3586 services or de minimis per diem amounts paid to the licensee to
3587 cover such expenses as allowed by law.

3588 (d) A retired licensee may use the title of "retired CPA"
3589 on any business card or letterhead or any other printed or
3590 electronic document. However, such title must not be applied in
3591 such a manner that could confuse the public as to the current
3592 status of the licensee. The licensee is not required to have a
3593 certificate issued with the word "retired" on the certificate.

3594 ~~(e) A retired licensee is not required to maintain the~~
3595 ~~continuing education requirements under s. 473.312.~~

3596 (e) ~~(f)~~ A retired licensee may not offer or render
3597 professional services that require her or his signature and the
3598 use of the CPA title, regardless of whether "retired" is
3599 attached to such title.

3600 (f) ~~(g)~~ A retired licensee may be permitted to reactivate

3601 her or his license in a conditional manner as determined by the
3602 department ~~board~~. The conditions of reactivation must require
3603 the payment of fees and ~~the completion of required continuing~~
3604 ~~education~~. The department ~~board~~ may prescribe by rule an
3605 application for reactivating a license placed on retired status
3606 and ~~continuing education requirements as a condition of~~
3607 ~~reactivating a license placed on retired status~~. The minimum
3608 ~~continuing education requirements for reactivating a license~~
3609 ~~placed on retired status are those of the most recent biennium~~
3610 ~~plus one-half of the requirements in s. 473.312 for each~~
3611 ~~biennium or part thereof during which the license was on retired~~
3612 ~~status~~.

3613
3614 For the purposes of this subsection, the term "retired licensee"
3615 means a licensee whose license has been placed in retired status
3616 by the department.

3617 **Section 108. Subsections (1), (2), and (4) of section**
3618 **473.314, Florida Statutes, are amended to read:**

3619 473.314 Temporary license.—

3620 (1) The department ~~board~~ shall adopt rules providing for
3621 the issuance of temporary licenses to certified public
3622 accountants or firms of other states who do not meet the
3623 requirements of s. 473.3141, for the purpose of enabling them or
3624 their employees to perform specific engagements involving the
3625 practice of public accountancy in this state. No temporary

3626 license shall be valid for more than 90 days after its issuance,
3627 and no license shall cover more than one engagement. After the
3628 expiration of 90 days, a new license shall be required.

3629 (2) Each application for a temporary license shall state
3630 the names of all persons who are to enter this state and shall
3631 be accompanied by a fee in an amount established by the
3632 department ~~board~~ not to exceed \$400.

3633 (4) Upon certification of the applicant by the department
3634 ~~board~~, the department shall issue a temporary license to the
3635 applicant.

3636 **Section 109. Subsections (3) and (4) of section 473.315,**
3637 **Florida Statutes, are amended to read:**

3638 473.315 Independence, technical standards.—

3639 (3) The department ~~board~~ shall adopt rules establishing
3640 the standards of practice of public accounting, including, but
3641 not limited to, independence, competence, and technical
3642 standards.

3643 (4) Attorneys who are admitted to practice law by the
3644 Supreme Court of Florida are exempt from the standards of
3645 practice of public accounting as defined in s. 473.302(7)(b) and
3646 (c) ~~s. 473.302(8)(b) and (c)~~ when such standards conflict with
3647 the rules of The Florida Bar or orders of the Florida Supreme
3648 Court.

3649 **Section 110. Subsections (5) and (6) of section 473.316,**
3650 **Florida Statutes, are amended to read:**

3651 473.316 Communications between the accountant and client
3652 privileged.—

3653 (5) Communications are not privileged from disclosure in
3654 any disciplinary investigation or proceeding conducted pursuant
3655 to this act by the department or before the department ~~board~~ or
3656 in any judicial review of such a proceeding. In any such
3657 proceeding, a certified public accountant or public accountant,
3658 without the consent of her or his client, may testify with
3659 respect to any communication between the accountant and the
3660 accountant's client or be compelled, pursuant to a subpoena of
3661 the department ~~or the board~~, to testify or produce records,
3662 books, or papers. Such a communication disclosed to the
3663 department ~~board~~ and records of the department ~~board~~ relating to
3664 the communication shall for all other purposes and proceedings
3665 be a privileged communication in all of the courts of this
3666 state.

3667 (6) The proceedings, records, and workpapers of a review
3668 committee are privileged and are not subject to discovery,
3669 subpoena, or other means of legal process or to introduction
3670 into evidence in a civil action or arbitration, administrative
3671 proceeding, ~~or state accountancy board proceeding~~. A member of a
3672 review committee or person who was involved in a quality review
3673 may not testify in a civil action or arbitration, administrative
3674 proceeding, ~~or state accountancy board proceeding~~ as to any
3675 matter produced or disclosed during the quality review or as to

3676 any findings, recommendations, evaluations, opinions, or other
3677 actions of the review committee or any members thereof. Public
3678 records and materials prepared for a particular engagement are
3679 not privileged merely because they were presented during the
3680 quality review. This privilege does not apply to disputes
3681 between a review committee and a person subject to a quality
3682 review.

3683 **Section 111. Section 473.319, Florida Statutes, is amended**
3684 **to read:**

3685 473.319 Contingent fees.—Public accounting services as
3686 defined in s. 473.302(7)(a) and (c) ~~s. 473.302(8)(a) and (c)~~,
3687 and those that include tax filings with federal, state, or local
3688 government, may ~~shall~~ not be offered or rendered for a fee
3689 contingent upon the findings or results of such service. This
3690 section does not apply to services involving federal, state, or
3691 other taxes in which the findings are those of the tax
3692 authorities and not those of the certified public accountant or
3693 firm. Fees to be fixed by courts or other public authorities,
3694 which are of an indeterminate amount at the time a public
3695 accounting service is undertaken, may ~~shall~~ not be regarded as
3696 contingent fees for purposes of this section.

3697 **Section 112. Section 473.3205, Florida Statutes, is**
3698 **amended to read:**

3699 473.3205 Commissions or referral fees.—A certified public
3700 accountant or firm may not accept or pay a commission or

3701 referral fee in connection with the sale or referral of public
 3702 accounting services as defined in s. 473.302(7)(a) and (c) ~~s.~~
 3703 ~~473.302(8)(a) and (c)~~. Any certified public accountant or firm
 3704 that is engaged in the practice of public accounting and that
 3705 accepts a commission for the sale of a product or service to a
 3706 client must disclose that fact to the client in writing in
 3707 accordance with rules adopted by the department ~~board~~. However,
 3708 this section may ~~shall~~ not prohibit:

- 3709 (1) Payments for the purchase of an accounting practice;
- 3710 (2) Retirement payments to individuals formerly engaged in
 3711 the practice of public accounting or payments to their heirs or
 3712 estates; or
- 3713 (3) Payment of fees to a referring certified public
 3714 accountant or firm for public accounting services to the
 3715 successor certified public accountant or firm or the client in
 3716 connection with an engagement.

3717 **Section 113. Subsection (3) of section 473.321, Florida**
 3718 **Statutes, is amended to read:**

3719 473.321 Fictitious names.—
 3720 (3) The department ~~board~~ shall adopt rules for
 3721 interpretation of this section.

3722 **Section 114. Paragraphs (c) and (e) of subsection (1) of**
 3723 **section 473.322, Florida Statutes, are amended to read:**

3724 473.322 Prohibitions; penalties.—
 3725 (1) A person may not knowingly:

3726 (c) Perform or offer to perform any services described in
 3727 s. 473.302(7)(a) or (d) ~~s. 473.302(8)(a) or (d)~~ unless such
 3728 person holds an active license under this chapter and is a
 3729 licensed firm, provides such services through a licensed firm,
 3730 or complies with ss. 473.3101 and 473.3141. This paragraph does
 3731 not prohibit the performance by persons other than certified
 3732 public accountants of other services involving the use of
 3733 accounting skills, including the preparation of tax returns and
 3734 the preparation of financial statements without expression of
 3735 opinion thereon;

3736 (e) Give false or forged evidence to the department board
 3737 ~~or a member thereof~~;

3738 **Section 115. Paragraph (m) of subsection (1) and**
 3739 **subsections (2), (3), and (4) of section 473.323, Florida**
 3740 **Statutes, are amended to read:**

3741 473.323 Disciplinary proceedings.—

3742 (1) The following acts constitute grounds for which the
 3743 disciplinary actions in subsection (3) may be taken:

3744 (m) Failing to provide any written disclosure to a client
 3745 or the public which is required by this chapter or rule of the
 3746 department board.

3747 (2) The department board shall specify, by rule, what acts
 3748 or omissions constitute a violation of subsection (1).

3749 (3) When the department board finds any certified public
 3750 accountant or firm guilty of any of the grounds set forth in

3751 subsection (1), it may enter an order imposing one or more of
 3752 the following penalties:

3753 (a) Denial of an application for licensure.

3754 (b) Revocation or suspension of the certified public
 3755 accountant or firm's license or practice privileges in this
 3756 state.

3757 (c) Imposition of an administrative fine not to exceed
 3758 \$5,000 for each count or separate offense.

3759 (d) Issuance of a reprimand.

3760 (e) Placement of the certified public accountant on
 3761 probation for a period of time and subject to such conditions as
 3762 the department ~~board~~ may specify, including requiring the
 3763 certified public accountant to attend continuing education
 3764 courses or to work under the supervision of another licensee.

3765 (f) Restriction of the authorized scope of practice by the
 3766 certified public accountant.

3767 (4) The department shall reissue the license of a
 3768 disciplined licensee upon certification by the department ~~board~~
 3769 that the disciplined licensee has complied with all of the terms
 3770 and conditions set forth in the final order.

3771 **Section 116. Subsections (2) of section 474.202, Florida**
 3772 **Statutes, is amended to read:**

3773 474.202 Definitions.—As used in this chapter:

3774 ~~(2) "Board" means the Board of Veterinary Medicine.~~

3775 **Section 117. Subsection (3) and paragraph (e) of**

3776 **subsection (4) of section 474.2021, Florida Statutes, are**
 3777 **amended to read:**

3778 474.2021 Veterinary telehealth.—

3779 (3) The department ~~board~~ has jurisdiction over a
 3780 veterinarian practicing veterinary telehealth, regardless of
 3781 where the veterinarian's physical office is located. The
 3782 practice of veterinary medicine is deemed to occur when the
 3783 veterinarian, the patient, or both are located within this state
 3784 at the time the veterinarian practices veterinary telehealth.

3785 (4) A veterinarian practicing veterinary telehealth:

3786 (e) Shall prescribe all drugs and medications in
 3787 accordance with all federal and state laws and the following
 3788 requirements:

3789 1. A veterinarian practicing veterinary telehealth may
 3790 order, prescribe, or make available medicinal drugs or drugs
 3791 specifically approved for use in animals by the United States
 3792 Food and Drug Administration, the use of which conforms to the
 3793 approved labeling. Prescriptions based solely on a telehealth
 3794 evaluation may be issued for up to 1 year ~~month~~ for products
 3795 labeled solely for flea and tick control and up to 14 days of
 3796 treatment for other animal drugs. Prescriptions based solely on
 3797 a telehealth evaluation may not be renewed without an in-person
 3798 examination.

3799 2. A veterinarian practicing veterinary telehealth may not
 3800 order, prescribe, or make available medicinal drugs or drugs as

3801 defined in s. 465.003 approved by the United States Food and
3802 Drug Administration for human use or compounded antibacterial,
3803 antifungal, antiviral, or antiparasitic medications, unless the
3804 veterinarian has conducted an in-person physical examination of
3805 the animal or made medically appropriate and timely visits to
3806 the premises where the animal is kept.

3807 3. A veterinarian may not use veterinary telehealth to
3808 prescribe a controlled substance as defined in chapter 893
3809 unless the veterinarian has conducted an in-person physical
3810 examination of the animal or made medically appropriate and
3811 timely visits within the past year to the premises where the
3812 animal is kept.

3813 4. A veterinarian practicing veterinary telehealth may not
3814 prescribe a drug or other medication for use on a horse engaged
3815 in racing or training at a facility under the jurisdiction of
3816 the Florida Gaming Control Commission or on a horse that is a
3817 covered horse as defined in the federal Horseracing Integrity
3818 and Safety Act, 15 U.S.C. ss. 3051 et seq.;

3819 **Section 118. Section 474.2065, Florida Statutes, is**
3820 **amended to read:**

3821 474.2065 Fees.—The department board, by rule, shall
3822 establish fees for application and examination, reexamination,
3823 license renewal, inactive status, renewal of inactive status,
3824 license reactivation, periodic inspection of veterinary
3825 establishments, and duplicate copies of licenses, certificates,

3826 and permits. The fee for the initial application and examination
 3827 may not exceed \$650 plus the actual per applicant cost to the
 3828 department for purchase of portions of the examination from the
 3829 Professional Examination Service for the American Veterinary
 3830 Medical Association or a similar national organization. The fee
 3831 for licensure by endorsement may not exceed \$500. The fee for
 3832 temporary licensure may not exceed \$200. The department ~~board~~
 3833 shall establish fees that are adequate to ensure its continued
 3834 operation and to fund the proportionate expenses incurred by the
 3835 department which are allocated to the regulation of
 3836 veterinarians. Fees shall be based on departmental estimates of
 3837 the revenue required to administer this chapter and the
 3838 provisions relating to the regulation of veterinarians.

3839 **Section 119. Subsections (1) through (4) of section**
 3840 **474.207, Florida Statutes, are amended to read:**

3841 474.207 Licensure by examination.—

3842 (1) Any person desiring to be licensed as a veterinarian
 3843 shall apply to the department to take a licensure examination.
 3844 The department ~~board~~ may by rule adopt use of a national
 3845 examination in lieu of part or all of the examination required
 3846 by this section, with a reasonable passing score to be set by
 3847 rule of the department ~~board~~.

3848 (2) The department shall license each applicant who the
 3849 board certifies has:

3850 (a) Completed the application form and remitted an

3851 examination fee set by the department ~~board~~.

3852 (b)1. Graduated from a college of veterinary medicine
3853 accredited by the American Veterinary Medical Association
3854 Council on Education; or

3855 2. Graduated from a college of veterinary medicine listed
3856 in the American Veterinary Medical Association Roster of
3857 Veterinary Colleges of the World and obtained a certificate from
3858 the Education Commission for Foreign Veterinary Graduates or the
3859 Program for the Assessment of Veterinary Education Equivalence.

3860 (c) Successfully completed the examination provided by the
3861 department for this purpose, or an examination determined by the
3862 department ~~board~~ to be equivalent.

3863 (d) Demonstrated knowledge of the laws and rules governing
3864 the practice of veterinary medicine in Florida in a manner
3865 designated by rules of the department ~~board~~.

3866
3867 The department may ~~shall~~ not issue a license to any applicant
3868 who is under investigation in any state or territory of the
3869 United States or in the District of Columbia for an act which
3870 would constitute a violation of this chapter until the
3871 investigation is complete and disciplinary proceedings have been
3872 terminated, at which time the provisions of s. 474.214 shall
3873 apply.

3874 (3) Notwithstanding ~~the provisions of~~ paragraph (2) (b), an
3875 applicant shall be deemed to have met the education requirements

3876 for licensure upon submission of evidence that the applicant
 3877 meets one of the following:

3878 (a) The applicant was certified for examination by the
 3879 board prior to October 1, 1989; or

3880 (b) The applicant immigrated to the United States after
 3881 leaving her or his home country because of political reasons,
 3882 provided such country is located in the Western Hemisphere and
 3883 lacks diplomatic relations with the United States; and

3884 1. Was a Florida resident immediately preceding her or his
 3885 application for licensure;

3886 2. Demonstrates to the department ~~board~~, through
 3887 submission of documentation verified by the applicant's
 3888 respective professional association in exile, that she or he
 3889 received a professional degree in veterinary medicine from a
 3890 college or university located in the country from which she or
 3891 he emigrated. However, the department ~~board~~ may not require
 3892 receipt transcripts from the Republic of Cuba as a condition of
 3893 eligibility under this section; and

3894 3. Lawfully practiced her or his profession for at least 3
 3895 years.

3896 (4) Applicants certified for examination or reexamination
 3897 under subsection (3) who fail the examination three times
 3898 subsequent to October 1, 1989, shall be required to demonstrate
 3899 to the department ~~board~~ that they meet the requirements of
 3900 paragraph (2) (b) before ~~prior to~~ any further reexamination or

3901 certification for licensure.

3902 **Section 120. Section 474.211, Florida Statutes, is amended**
 3903 **to read:**

3904 474.211 Renewal of license.—

3905 (1) The department shall renew a license upon receipt of
 3906 the renewal application and fee ~~and an affidavit of compliance~~
 3907 ~~with continuing education requirements set by rule of the board.~~

3908 (2) The department shall adopt rules establishing a
 3909 procedure for the biennial renewal of licenses.

3910 ~~(3) The board may by rule prescribe continuing education,~~
 3911 ~~not to exceed 30 hours biennially, as a condition for renewal of~~
 3912 ~~a license or certificate. The criteria for such programs,~~
 3913 ~~providers, and courses shall be approved by the board.~~

3914 **Section 121. Subsections (1), (2), and (3) of section**
 3915 **474.2125, Florida Statutes, are amended to read:**

3916 474.2125 Temporary license.—

3917 (1) The department ~~board~~ shall adopt rules providing for
 3918 the issuance of a temporary license to a licensed veterinarian
 3919 of another state for the purpose of enabling her or him to
 3920 provide veterinary medical services in this state for the
 3921 animals of a specific owner or, as may be needed in an emergency
 3922 as defined in s. 252.34(4), for the animals of multiple owners,
 3923 provided the applicant would qualify for licensure by
 3924 endorsement under s. 474.217. No temporary license shall be
 3925 valid for more than 30 days after its issuance, and no license

3926 shall cover more than the treatment of the animals of one owner
 3927 except in an emergency as defined in s. 252.34(4). After the
 3928 expiration of 30 days, a new license is required.

3929 (2) Each application for a temporary license shall state
 3930 the names of all persons who are to enter this state and shall
 3931 be accompanied by a fee in an amount established by the
 3932 department ~~board~~.

3933 (3) Upon certification of the applicant by the department
 3934 ~~board~~, the department shall issue a temporary license to the
 3935 applicant.

3936 **Section 122. Paragraph (d) of subsection (1) of section**
 3937 **474.213, Florida Statutes, is amended to read:**

3938 474.213 Prohibitions; penalties.—

3939 (1) No person shall:

3940 (d) Give false or forged evidence to the department ~~board~~
 3941 or a member thereof for the purpose of obtaining a license;

3942 **Section 123. Paragraphs (a), (f), (h), (j), (v), (aa),**
 3943 **(ee), (jj), and (nn) of subsection (1) and subsections (2) and**
 3944 **(3) of section 474.214, Florida Statutes, are amended to read:**

3945 474.214 Disciplinary proceedings.—

3946 (1) The following acts shall constitute grounds for which
 3947 the disciplinary actions in subsection (2) may be taken:

3948 (a) Attempting to procure a license to practice veterinary
 3949 medicine by bribery, by fraudulent representations, or through
 3950 an error of the department ~~or the board~~.

3951 (f) Violating any provision of this chapter or chapter
3952 455, a rule of the ~~board or~~ department, or a lawful order of the
3953 ~~board or~~ department previously entered in a disciplinary
3954 hearing, or failing to comply with a lawfully issued subpoena of
3955 the department.

3956 (h) Being unable to practice veterinary medicine with
3957 reasonable skill or safety to patients by reason of illness,
3958 drunkenness, use of drugs, narcotics, chemicals, or any other
3959 material or substance or as a result of any mental or physical
3960 condition. In enforcing this paragraph, upon a finding by the
3961 secretary, the secretary's designee, or the probable cause panel
3962 of the department ~~board~~ that probable cause exists to believe
3963 that the licensee is unable to practice the profession because
3964 of the reasons stated in this paragraph, the department shall
3965 have the authority to compel a licensee to submit to a mental or
3966 physical examination by a physician designated by the
3967 department. If the licensee refuses to comply with the
3968 department's order, the department may file a petition for
3969 enforcement in the circuit court of the circuit in which the
3970 licensee resides or does business. The licensee may ~~shall~~ not be
3971 named or identified by initials in any other public court
3972 records or documents and the enforcement proceedings shall be
3973 closed to the public. The department shall be entitled to the
3974 summary procedure provided in s. 51.011. A licensee affected
3975 under this paragraph shall be afforded an opportunity at

3976 reasonable intervals to demonstrate that she or he can resume
 3977 the competent practice for which she or he is licensed with
 3978 reasonable skill and safety to patients. Neither the record of
 3979 proceedings nor the orders entered by the department ~~board~~ in
 3980 any proceedings under this paragraph shall be used against a
 3981 licensee in any other proceedings.

3982 (j) Knowingly maintaining a professional connection or
 3983 association with any person who is in violation of the
 3984 provisions of this chapter or the rules of the ~~board or~~
 3985 department. However, if the licensee verifies that the person is
 3986 actively participating in a department-approved ~~board-approved~~
 3987 program for the treatment of a physical or mental condition, the
 3988 licensee is required only to report such person to the
 3989 consultant.

3990 (v) Failing to keep the equipment and premises of the
 3991 business establishment in a clean and sanitary condition, having
 3992 a premises permit suspended or revoked pursuant to s. 474.215,
 3993 or operating or managing premises that do not comply with
 3994 requirements established by rule of the department ~~board~~.

3995 (aa) Failing to report to the department any person the
 3996 licensee knows to be in violation of this chapter or of the
 3997 rules of the department ~~or board~~. However, if the licensee
 3998 verifies that the person is actively participating in a
 3999 department-approved ~~board-approved~~ program for the treatment of
 4000 a physical or mental condition, the licensee is required only to

4001 report such person to the consultant.

4002 (ee) Failing to keep contemporaneously written medical
4003 records as required by rule of the department ~~board~~.

4004 (jj) Failing to report to the department ~~board~~ within 30
4005 days, in writing, any action set forth in paragraph (b) that has
4006 been taken against the practitioner's license to practice
4007 veterinary medicine by any jurisdiction, including any agency or
4008 subdivision thereof.

4009 (nn) Failing to report a change of address to the
4010 department ~~board~~ within 60 days thereof.

4011 (2) When the department ~~board~~ finds any applicant or
4012 veterinarian guilty of any of the grounds set forth in
4013 subsection (1), regardless of whether the violation occurred
4014 before ~~prior to~~ licensure, it may enter an order imposing one or
4015 more of the following penalties:

4016 (a) Denial of certification for examination or licensure.

4017 (b) Revocation or suspension of a license.

4018 (c) Imposition of an administrative fine not to exceed
4019 \$5,000 for each count or separate offense.

4020 (d) Issuance of a reprimand.

4021 (e) Placement of the veterinarian on probation for a
4022 period of time and subject to such conditions as the department
4023 ~~board~~ may specify, including requiring the veterinarian to
4024 attend continuing education courses or to work under the
4025 supervision of another veterinarian.

4026 (f) Restricting the authorized scope of practice.

4027 (g) Imposition of costs of the investigation and
4028 prosecution.

4029 (h) Requiring the veterinarian to undergo remedial
4030 education.

4031
4032 In determining appropriate action, the department ~~board~~ must
4033 first consider those sanctions necessary to protect the public.

4034 Only after those sanctions have been imposed may the
4035 disciplining authority consider and include in its order
4036 requirements designed to rehabilitate the veterinarian. All
4037 costs associated with compliance with any order issued under
4038 this subsection are the obligation of the veterinarian.

4039 (3) The department shall reissue the license of a
4040 disciplined veterinarian upon certification by the department
4041 ~~board~~ that the disciplined veterinarian has complied with all of
4042 the terms and conditions set forth in the final order and is
4043 capable of competently and safely engaging in the practice of
4044 veterinary medicine.

4045 **Section 124. Subsections (1), (5), (7), (8), and (9) of**
4046 **section 474.215, Florida Statutes, are amended to read:**

4047 474.215 Premises permits.—

4048 (1) Any establishment, permanent or mobile, where a
4049 licensed veterinarian practices must have a premises permit
4050 issued by the department. Upon application and payment of a fee

4051 not to exceed \$250, ~~as set by rule of the board,~~ the department
4052 shall cause such establishment to be inspected. A premises
4053 permit shall be issued if the establishment meets minimum
4054 standards, to be adopted by rule of the department board, as to
4055 sanitary conditions, recordkeeping, equipment, radiation
4056 monitoring, services required, and physical plant.

4057 (5) The department may issue a temporary premises permit
4058 to a responsible veterinarian who has submitted the application
4059 fee and a completed application form affirming compliance with
4060 the standards set by rule of the department board. If the
4061 department inspects the establishment and discovers that it is
4062 not in compliance with the department's standards, the
4063 department shall notify the veterinarian in writing of the
4064 deficiencies and shall provide 30 days for correction of the
4065 deficiencies and reinspection. Such temporary permit shall
4066 become void upon notification by the department that the
4067 establishment has failed, after reinspection, to meet those
4068 standards. Upon receipt of such notice, the responsible
4069 veterinarian shall close the establishment until completion of a
4070 subsequent inspection affirming that the required standards have
4071 been met and until another permit has been issued by the
4072 department.

4073 (7) The department board ~~board~~ by rule shall establish minimum
4074 standards for the operation of limited service veterinary
4075 medical practices. Such rules may ~~shall~~ not restrict limited

4076 service veterinary medical practices and shall be consistent
 4077 with the type of limited veterinary medical service provided.

4078 (a) Any person that offers or provides limited service
 4079 veterinary medical practice shall obtain a biennial permit from
 4080 the department ~~board~~ the cost of which may ~~shall~~ not exceed
 4081 \$250. The limited service permittee shall register each location
 4082 where a limited service clinic is held and shall pay a fee set
 4083 by rule not to exceed \$25 to register each such location.

4084 (b) All permits issued under this subsection are subject
 4085 to the provisions of ss. 474.213 and 474.214.

4086 (c) Notwithstanding any provision of this subsection to
 4087 the contrary, any temporary rabies vaccination effort operated
 4088 by a county health department in response to a public health
 4089 threat, as declared by the State Health Officer in consultation
 4090 with the State Veterinarian, is not subject to any
 4091 preregistration, time limitation, or fee requirements, but must
 4092 adhere to all other requirements for limited service veterinary
 4093 medical practice as prescribed by rule. The fee charged to the
 4094 public for a rabies vaccination administered during such
 4095 temporary rabies vaccination effort may not exceed the actual
 4096 cost of administering the rabies vaccine. Such rabies
 4097 vaccination efforts may not be used for any purpose other than
 4098 to address the public health consequences of the rabies
 4099 outbreak. The department ~~board~~ shall be immediately notified in
 4100 writing of any temporary rabies vaccination effort operated

4101 under this paragraph.

4102 (8) Any person who is not a veterinarian licensed under
 4103 this chapter but who desires to own and operate a veterinary
 4104 medical establishment or limited service clinic shall apply to
 4105 the department ~~board~~ for a premises permit. If the department
 4106 ~~board~~ certifies that the applicant complies with the applicable
 4107 laws and rules of the department ~~board~~, the department shall
 4108 issue a premises permit. No permit shall be issued unless a
 4109 licensed veterinarian is designated to undertake the
 4110 professional supervision of the veterinary medical practice and
 4111 the minimum standards set by rule of the department ~~board~~ for
 4112 premises where veterinary medicine is practiced. Upon
 4113 application, the department shall submit the permittee's name
 4114 for a statewide criminal records correspondence check through
 4115 the Department of Law Enforcement. The permittee shall notify
 4116 the department ~~board~~ within 10 days after any designation of a
 4117 new licensed veterinarian responsible for such duties. A
 4118 permittee under this subsection is subject to the provisions of
 4119 subsection (9) and s. 474.214.

4120 (9) (a) The department ~~or the board~~ may deny, revoke, or
 4121 suspend the permit of any permittee under this section and may
 4122 fine, place on probation, or otherwise discipline any such
 4123 permittee who has:

4124 1. Obtained a permit by misrepresentation or fraud or
 4125 through an error of the department ~~or board~~;

4126 2. Attempted to procure, or has procured, a permit for any
4127 other person by making, or causing to be made, any false
4128 representation;

4129 3. Violated any of the requirements of this chapter or any
4130 rule of the department ~~board~~; or

4131 4. Been convicted or found guilty of, or entered a plea of
4132 nolo contendere to, regardless of adjudication, a felony in any
4133 court of this state, of any other state, or of the United
4134 States.

4135 (b) If the permit is revoked or suspended, the owner,
4136 manager, or proprietor shall cease to operate the premises as a
4137 veterinary medical practice as of the effective date of the
4138 suspension or revocation. In the event of such revocation or
4139 suspension, the owner, manager, or proprietor shall remove from
4140 the premises all signs and symbols identifying the premises as a
4141 veterinary medical practice. The period of any such suspension
4142 shall be prescribed by rule of the department ~~board~~, but may not
4143 exceed 1 year. If the permit is revoked, the person owning or
4144 operating the establishment may not apply for a permit to
4145 operate a premises for a period of 1 year after the effective
4146 date of such revocation. Upon the effective date of such
4147 revocation, the permittee must advise the department ~~board~~ of
4148 the disposition of all medicinal drugs and must provide for
4149 ensuring the security, confidentiality, and availability to
4150 clients of all patient medical records.

4151 **Section 125. Section 474.216, Florida Statutes, is amended**
4152 **to read:**

4153 474.216 License and premises permit to be displayed.—Each
4154 person to whom a license or premises permit is issued shall keep
4155 such document conspicuously displayed in her or his office,
4156 place of business, or place of employment, whether a permanent
4157 or mobile veterinary establishment or clinic, and shall,
4158 whenever required, exhibit said document to any member or
4159 authorized representative of the department ~~board~~.

4160 **Section 126. Subsections (6), (8), (10), and (11) of**
4161 **section 474.2165, Florida Statutes, are amended to read:**

4162 474.2165 Ownership and control of veterinary medical
4163 patient records; report or copies of records to be furnished.—

4164 (6) The department may obtain patient records pursuant to
4165 a subpoena without written authorization from the client if the
4166 department ~~and the probable cause panel of the board~~ find
4167 reasonable cause to believe that a veterinarian has excessively
4168 or inappropriately prescribed any controlled substance specified
4169 in chapter 893 in violation of this chapter or that a
4170 veterinarian has practiced his or her profession below that
4171 level of care, skill, and treatment required as defined by this
4172 chapter.

4173 (8) Notwithstanding the provisions of s. 455.242, records
4174 owners shall notify the department ~~board office~~ when they are
4175 terminating practice, retiring, or relocating and are no longer

4176 available to patients, specifying who the new records owner is
 4177 and where the medical records can be found.

4178 (10) Veterinarians in violation of the provisions of this
 4179 section shall be disciplined by the department ~~board~~.

4180 (11) A records owner furnishing copies of reports or
 4181 records pursuant to this section shall charge no more than the
 4182 actual cost of copying, including reasonable staff time, or the
 4183 amount specified in administrative rule by the department ~~board~~.

4184 **Section 127. Subsection (1) of section 474.217, Florida**
 4185 **Statutes, is amended to read:**

4186 474.217 Licensure by endorsement.—

4187 (1) The department shall issue a license by endorsement to
 4188 any applicant who, upon applying to the department and remitting
 4189 a fee set by the department ~~board~~, demonstrates to the
 4190 department ~~board~~ that she or he:

4191 (a) Has demonstrated, in a manner designated by rule of
 4192 the department ~~board~~, knowledge of the laws and rules governing
 4193 the practice of veterinary medicine in this state; and

4194 (b)1. Holds, and has held for the 3 years immediately
 4195 preceding the application for licensure, a valid, active license
 4196 to practice veterinary medicine in another state of the United
 4197 States, the District of Columbia, or a territory of the United
 4198 States, provided that the applicant has successfully completed a
 4199 state, regional, national, or other examination that is
 4200 equivalent to or more stringent than the examination required by

4201 the department board; or

4202 2. Meets the qualifications of s. 474.207(2) (b) and has
 4203 successfully completed a state, regional, national, or other
 4204 examination which is equivalent to or more stringent than the
 4205 examination given by the department and has passed the ~~board's~~
 4206 clinical competency examination or another clinical competency
 4207 examination specified by rule of the department board.

4208 **Section 128. Section 474.221, Florida Statutes, is amended**
 4209 **to read:**

4210 474.221 Impaired practitioner provisions; applicability.—
 4211 Notwithstanding the transfer of the Division of Medical Quality
 4212 Assurance to the Department of Health or any other provision of
 4213 law to the contrary, veterinarians licensed under this chapter
 4214 shall be governed by the impaired practitioner program
 4215 provisions of s. 456.076 as if they were under the jurisdiction
 4216 of the Division of Medical Quality Assurance, except that for
 4217 veterinarians the Department of Business and Professional
 4218 Regulation shall, at its option, exercise any of the powers
 4219 granted to the Department of Health by that section, ~~and "board"~~
 4220 ~~shall mean board as defined in this chapter.~~

4221 **Section 129. Subsection (4) of section 476.034, Florida**
 4222 **Statutes, is amended to read:**

4223 476.034 Definitions.—As used in this act:

4224 ~~(4) "Board" means the Barbers' Board.~~

4225 **Section 130. Subsection (2) of section 476.074, Florida**

4226 **Statutes, is amended to read:**

4227 476.074 Legal, investigative, and inspection services.—

4228 (2) The department shall provide all investigative
 4229 services required by the ~~board or the~~ department in carrying out
 4230 the ~~provisions of~~ this act.

4231 **Section 131. Paragraph (c) of subsection (2) and**
 4232 **subsection (3) of section 476.114, Florida Statutes, are amended**
 4233 **to read:**

4234 476.114 Examination; prerequisites.—

4235 (2) An applicant is eligible for licensure by examination
 4236 to practice barbering if the applicant:

4237 (c) Has received a minimum of 900 hours of training in
 4238 sanitation, safety, and laws and rules, as established by the
 4239 department ~~board~~, which must include, but is not limited to, the
 4240 equivalent of completion of services directly related to the
 4241 practice of barbering at one of the following:

- 4242 1. A school of barbering licensed pursuant to chapter
- 4243 1005;
- 4244 2. A barbering program within the public school system; or
- 4245 3. A government-operated barbering program in this state.

4246
 4247 The department ~~board~~ shall establish by rule procedures whereby
 4248 the school or program may certify that a person is qualified to
 4249 take the required examination after the completion of a minimum
 4250 of 600 actual school hours. If the person passes the

4251 examination, she or he has satisfied this requirement; but if
4252 the person fails the examination, she or he may not be qualified
4253 to take the examination again until the completion of the full
4254 requirements provided by this section.

4255 (3) An applicant who meets the requirements set forth in
4256 paragraph (2)(c) who fails to pass the examination may take
4257 subsequent examinations as many times as necessary to pass,
4258 except that the department ~~board~~ may specify by rule reasonable
4259 timeframes for rescheduling the examination and additional
4260 training requirements for applicants who, after the third
4261 attempt, fail to pass the examination. Before ~~Prior to~~
4262 reexamination, the applicant must file the appropriate form and
4263 pay the reexamination fee as required by rule.

4264 **Section 132. Subsections (1) and (2) of section 476.134,**
4265 **Florida Statutes, are amended to read:**

4266 476.134 Examinations.—

4267 (1) Examinations of applicants for licenses as barbers
4268 shall be offered not less than four times each year. The
4269 examination of applicants for licenses as barbers shall include
4270 a written test. The department may ~~board shall have the~~
4271 ~~authority to~~ adopt rules with respect to the examination of
4272 applicants for licensure. The department ~~board~~ may provide rules
4273 with respect to written examinations in such manner as the
4274 department ~~board~~ may deem fit.

4275 (2) The department ~~board~~ shall adopt rules specifying the

4276 areas of competency to be covered by the examination. Such rules
4277 shall include the relative weight assigned in grading each area.
4278 All areas tested shall be reasonably related to the protection
4279 of the public and the applicant's competency to practice
4280 barbering in a manner which will not endanger the public.

4281 **Section 133. Subsections (1), (2), (5), and (6) of section**
4282 **476.144, Florida Statutes, are amended to read:**

4283 476.144 Licensure.—

4284 (1) The department shall license any applicant who the
4285 department ~~board~~ certifies is qualified to practice barbering in
4286 this state.

4287 (2) The department ~~board~~ shall certify for licensure any
4288 applicant who satisfies the requirements of s. 476.114, and who
4289 passes the required examination, achieving a passing grade as
4290 established by department ~~board~~ rule.

4291 (5) The department ~~board~~ shall certify as qualified for
4292 licensure by endorsement as a barber in this state an applicant
4293 who holds a current active license to practice barbering in
4294 another state. The department ~~board~~ shall adopt rules specifying
4295 procedures for the licensure by endorsement of practitioners
4296 desiring to be licensed in this state who hold a current active
4297 license in another country and who have met qualifications
4298 substantially similar to, equivalent to, or greater than the
4299 qualifications required of applicants from this state.

4300 (6) A person may apply for a restricted license to

4301 practice barbering. The department ~~board~~ shall adopt rules
 4302 specifying procedures for an applicant to obtain a restricted
 4303 license if the applicant:

4304 (a)1. Has successfully completed a restricted barber
 4305 course, as established by rule of the department ~~board~~, at a
 4306 school of barbering licensed pursuant to chapter 1005, a
 4307 barbering program within the public school system, or a
 4308 government-operated barbering program in this state; or

4309 2.a. Holds or has within the previous 5 years held an
 4310 active valid license to practice barbering in another state or
 4311 country or has held a Florida barbering license which has been
 4312 declared null and void for failure to renew the license, and the
 4313 applicant fulfilled the requirements of s. 476.114(2)(c) for
 4314 initial licensure; and

4315 b. Has not been disciplined relating to the practice of
 4316 barbering in the previous 5 years; and

4317 (b) Passes a written examination on the laws and rules
 4318 governing the practice of barbering in Florida, as established
 4319 by the department ~~board~~.

4320
 4321 The restricted license shall limit the licensee's practice to
 4322 those specific areas in which the applicant has demonstrated
 4323 competence pursuant to rules adopted by the department ~~board~~.

4324 **Section 134. Subsection (2) of section 476.154, Florida**
 4325 **Statutes, is amended to read:**

4326 476.154 Biennial renewal of licenses.—

4327 (2) Any license or certificate of registration issued
 4328 pursuant to this act for a period less than the established
 4329 biennial issuance period may be issued for that lesser period of
 4330 time, and the department shall adjust the required fee
 4331 accordingly. The department ~~board~~ shall adopt rules providing
 4332 for such partial period fee adjustments.

4333 **Section 135. Subsection (2) of section 476.155, Florida**
 4334 **Statutes, is amended to read:**

4335 476.155 Inactive status; reactivation of inactive
 4336 license.—

4337 (2) The department ~~board~~ shall adopt ~~promulgate~~ rules
 4338 relating to licenses which have become inactive and for the
 4339 renewal of inactive licenses. The department ~~board~~ shall
 4340 prescribe by rule a fee not to exceed \$100 for the reactivation
 4341 of an inactive license and a fee not to exceed \$50 for the
 4342 renewal of an inactive license.

4343 **Section 136. Subsection (1) of section 476.192, Florida**
 4344 **Statutes, is amended to read:**

4345 476.192 Fees; disposition.—

4346 (1) The department ~~board~~ shall set by rule fees according
 4347 to the following schedule:

4348 (a) For barbers, fees for original licensing, license
 4349 renewal, and delinquent renewal may ~~shall~~ not exceed \$100.

4350 (b) For barbers, fees for endorsement application,

4351 examination, and reexamination may ~~shall~~ not exceed \$150.

4352 (c) For barbershops, fees for license application,
 4353 original licensing, license renewal, and delinquent renewal may
 4354 ~~shall~~ not exceed \$150.

4355 (d) For duplicate licenses and certificates, fees may
 4356 ~~shall~~ not exceed \$25.

4357 **Section 137. Paragraph (i) of subsection (1) and**
 4358 **subsection (2) of section 476.204, Florida Statutes, are amended**
 4359 **to read:**

4360 476.204 Penalties.—

4361 (1) It is unlawful for any person to:

4362 (i) Violate or refuse to comply with any provision of this
 4363 chapter or chapter 455 or a rule or final order of the
 4364 department board.

4365 (2) Any person who violates any provision of this section
 4366 shall be subject to one or more of the following penalties, as
 4367 determined by the department board:

4368 (a) Revocation or suspension of any license or
 4369 registration issued pursuant to this chapter.

4370 (b) Issuance of a reprimand or censure.

4371 (c) Imposition of an administrative fine not to exceed
 4372 \$500 for each count or separate offense.

4373 (d) Placement on probation for a period of time and
 4374 subject to such reasonable conditions as the department board
 4375 may specify.

4376 (e) Refusal to certify to the department an applicant for
 4377 licensure.

4378 **Section 138. Section 476.214, Florida Statutes, is amended**
 4379 **to read:**

4380 476.214 Grounds for suspending, revoking, or refusing to
 4381 grant license or certificate.—

4382 (1) The department ~~may board~~ shall have the power to
 4383 revoke or suspend any license, registration card, or certificate
 4384 of registration issued pursuant to this act, or to reprimand,
 4385 censure, deny subsequent licensure of, or otherwise discipline
 4386 any holder of a license, registration card, or certificate of
 4387 registration issued pursuant to this act, for any of the
 4388 following causes:

4389 (a) Gross malpractice or gross incompetency in the
 4390 practice of barbering;

4391 (b) Practice by a person knowingly having an infectious or
 4392 contagious disease; or

4393 (c) Commission of any of the offenses described in s.
 4394 476.194.

4395 (2) The department ~~board~~ shall keep a record of its
 4396 disciplinary proceedings against holders of licenses or
 4397 certificates of registration issued pursuant to this act.

4398 (3) The department may ~~shall~~ not issue or renew a license
 4399 or certificate of registration under this chapter to any person
 4400 against whom or barbershop against which the department ~~board~~

4401 has assessed a fine, interest, or costs associated with
 4402 investigation and prosecution until the person or barbershop has
 4403 paid in full such fine, interest, or costs associated with
 4404 investigation and prosecution or until the person or barbershop
 4405 complies with or satisfies all terms and conditions of the final
 4406 order.

4407 **Section 139. Section 476.234, Florida Statutes, is amended**
 4408 **to read:**

4409 476.234 Civil proceedings.—In addition to any other
 4410 remedy, the department may file a proceeding in the name of the
 4411 state seeking issuance of a restraining order, injunction, or
 4412 writ of mandamus against any person who is or has been violating
 4413 any of the provisions of this act or the lawful rules or orders
 4414 of the ~~board,~~ ~~commission,~~ or department.

4415 **Section 140. Subsections (2) through (13) of section**
 4416 **477.013, Florida Statutes, are renumbered as subsections (1)**
 4417 **through (12), respectively, and present subsections (1) and (8)**
 4418 **of that section are amended, to read:**

4419 477.013 Definitions.—As used in this chapter:

4420 ~~(1) "Board" means the Board of Cosmetology.~~

4421 (7) ~~(8)~~ "Specialty salon" means any place of business
 4422 wherein the practice of one or all of the specialties as defined
 4423 in subsection (5) ~~(6)~~ are engaged in or carried on.

4424 **Section 141. Subsections (7), (8), and (9) of section**
 4425 **477.0135, Florida Statutes, are amended to read:**

4426 477.0135 Exemptions.—

4427 (7) A license or registration is not required for a person
 4428 whose occupation or practice is confined solely to hair braiding
 4429 as defined in s. 477.013(8) ~~s. 477.013(9)~~.

4430 (8) A license or registration is not required for a person
 4431 whose occupation or practice is confined solely to hair wrapping
 4432 as defined in s. 477.013(9) ~~s. 477.013(10)~~.

4433 (9) A license or registration is not required for a person
 4434 whose occupation or practice is confined solely to body wrapping
 4435 as defined in s. 477.013(11) ~~s. 477.013(12)~~.

4436 **Section 142. Section 477.016, Florida Statutes, is amended**
 4437 **to read:**

4438 477.016 Rulemaking.—

4439 (1) The department ~~board~~ may adopt rules pursuant to ss.
 4440 120.536(1) and 120.54 to implement the provisions of this
 4441 chapter conferring duties upon it.

4442 (2) The department ~~board~~ may by rule adopt any restriction
 4443 established by a regulation of the United States Food and Drug
 4444 Administration related to the use of a cosmetic product or any
 4445 substance used in the practice of cosmetology if the department
 4446 ~~board~~ finds that the product or substance poses a risk to the
 4447 health, safety, and welfare of clients or persons providing
 4448 cosmetology services.

4449 **Section 143. Section 477.018, Florida Statutes, is amended**
 4450 **to read:**

4451 477.018 Investigative services.—The department shall
 4452 provide all investigative services required by the ~~board or the~~
 4453 department in carrying out the provisions of this act.

4454 **Section 144. Subsections (2), (3), (5), (6), and (7) of**
 4455 **section 477.019, Florida Statutes, are amended to read:**

4456 477.019 Cosmetologists; qualifications; licensure;
 4457 supervised practice; license renewal; endorsement; ~~continuing~~
 4458 ~~education.~~—

4459 (2) An applicant is eligible for licensure by examination
 4460 to practice cosmetology if the applicant:

4461 (a) Is at least 16 years of age or has received a high
 4462 school diploma;

4463 (b) Pays the required application fee, which is not
 4464 refundable, and the required examination fee, which is
 4465 refundable if the applicant is determined to not be eligible for
 4466 licensure for any reason other than failure to successfully
 4467 complete the licensure examination; and

4468 (c) Has received a minimum of 1,200 hours of training as
 4469 established by the department ~~board~~, which must include, but is
 4470 not limited to, the equivalent of completion of services
 4471 directly related to the practice of cosmetology at one of the
 4472 following:

4473 1. A school of cosmetology licensed pursuant to chapter
 4474 1005.

4475 2. A cosmetology program within the public school system.

4476 3. The Cosmetology Division of the Florida School for the
4477 Deaf and the Blind, provided the division meets the standards of
4478 this chapter.

4479 4. A government-operated cosmetology program in this
4480 state.

4481
4482 The department ~~board~~ shall establish by rule procedures whereby
4483 the school or program may certify that a person is qualified to
4484 take the required examination after the completion of a minimum
4485 of 1,000 actual school hours. If the person then passes the
4486 examination, he or she has satisfied this requirement; but if
4487 the person fails the examination, he or she may not be qualified
4488 to take the examination again until the completion of the full
4489 requirements provided by this section.

4490 (3) Upon an applicant receiving a passing grade, as
4491 established by department ~~board~~ rule, on the examination and
4492 paying the initial licensing fee, the department shall issue a
4493 license to practice cosmetology.

4494 (5) Renewal of license registration shall be accomplished
4495 pursuant to rules adopted by the department ~~board~~.

4496 (6) The department ~~board~~ shall certify as qualified for
4497 licensure by endorsement as a cosmetologist in this state an
4498 applicant who holds a current active license to practice
4499 cosmetology in another state.

4500 ~~(7) (a) The board shall prescribe by rule continuing~~

4501 ~~education requirements intended to ensure protection of the~~
4502 ~~public through updated training of licensees and registered~~
4503 ~~specialists, not to exceed 10 hours biennially, as a condition~~
4504 ~~for renewal of a license or registration as a specialist under~~
4505 ~~this chapter. Continuing education courses shall include, but~~
4506 ~~not be limited to, the following subjects as they relate to the~~
4507 ~~practice of cosmetology: human immunodeficiency virus and~~
4508 ~~acquired immune deficiency syndrome; Occupational Safety and~~
4509 ~~Health Administration regulations; workers' compensation issues;~~
4510 ~~state and federal laws and rules as they pertain to~~
4511 ~~cosmetologists, cosmetology, salons, specialists, specialty~~
4512 ~~salons, and booth renters; chemical makeup as it pertains to~~
4513 ~~hair, skin, and nails; and environmental issues. Courses given~~
4514 ~~at cosmetology conferences may be counted toward the number of~~
4515 ~~continuing education hours required if approved by the board.~~

4516 ~~(b) The board may, by rule, require any licensee in~~
4517 ~~violation of a continuing education requirement to take a~~
4518 ~~refresher course or refresher course and examination in addition~~
4519 ~~to any other penalty. The number of hours for the refresher~~
4520 ~~course may not exceed 48 hours.~~

4521 **Section 145. Paragraphs (b) and (c) of subsection (1) and**
4522 **subsections (4) and (5) of section 477.0201, Florida Statutes,**
4523 **are amended to read:**

4524 477.0201 Specialty registration; qualifications;
4525 registration renewal; endorsement.—

4526 (1) Any person is qualified for registration as a
 4527 specialist in any specialty practice within the practice of
 4528 cosmetology under this chapter who:

4529 (b) Has received a certificate of completion for:

4530 1. One hundred and eighty hours of training, as
 4531 established by the department board, which shall focus primarily
 4532 on sanitation and safety, to practice specialties as defined in
 4533 s. 477.013(11) (a) and (b) ~~s. 477.013(6) (a) and (b)~~;

4534 2. Two hundred and twenty hours of training, as
 4535 established by the department board, which shall focus primarily
 4536 on sanitation and safety, to practice the specialty as defined
 4537 in s. 477.013(11) (c) ~~s. 477.013(6) (e)~~; or

4538 3. Four hundred hours of training or the number of hours
 4539 of training required to maintain minimum Pell Grant
 4540 requirements, as established by the department board, which
 4541 shall focus primarily on sanitation and safety, to practice the
 4542 specialties as defined in s. 477.013(11) (a)-(c) ~~s.~~
 4543 ~~477.013(6) (a)-(e)~~.

4544 (c) The certificate of completion specified in paragraph
 4545 (b) must be from one of the following:

4546 1. A school licensed pursuant to s. 477.023.
 4547 2. A school licensed pursuant to chapter 1005 or the
 4548 equivalent licensing authority of another state.
 4549 3. A specialty program within the public school system.
 4550 4. A specialty division within the Cosmetology Division of

4551 the Florida School for the Deaf and the Blind, provided the
4552 training programs comply with minimum curriculum requirements
4553 established by the department ~~board~~.

4554 (4) Renewal of registration shall be accomplished pursuant
4555 to rules adopted by the department ~~board~~.

4556 (5) The department ~~board~~ shall adopt rules specifying
4557 procedures for the registration of specialty practitioners
4558 desiring to be registered in this state who have been registered
4559 or licensed and are practicing in states which have registering
4560 or licensing standards substantially similar to, equivalent to,
4561 or more stringent than the standards of this state.

4562 **Section 146. Subsection (2) of section 477.0212, Florida**
4563 **Statutes, is amended to read:**

4564 477.0212 Inactive status.—

4565 (2) The department ~~board~~ shall adopt rules relating to
4566 licenses that become inactive and for the renewal of inactive
4567 licenses. ~~The rules may not require more than one renewal cycle~~
4568 ~~of continuing education to reactivate a license.~~ The department
4569 ~~board~~ shall prescribe by rule a fee not to exceed \$50 for the
4570 reactivation of an inactive license and a fee not to exceed \$50
4571 for the renewal of an inactive license.

4572 **Section 147. Subsections (1) and (2) of section 477.022,**
4573 **Florida Statutes, are amended to read:**

4574 477.022 Examinations.—

4575 (1) The department ~~board~~ shall ensure that examinations

4576 adequately measure both an applicant's competency and her or his
 4577 knowledge of related statutory requirements. Professional
 4578 testing services may be utilized to formulate the examinations.
 4579 The department board may offer a written clinical examination or
 4580 a performance examination, or both, in addition to a written
 4581 theory examination.

4582 (2) The department board shall ensure that examinations
 4583 comply with state and federal equal employment opportunity
 4584 guidelines.

4585 **Section 148. Subsections (2), (8), (9), and (10) of**
 4586 **section 477.025, Florida Statutes, are amended to read:**

4587 477.025 Cosmetology salons; specialty salons; requisites;
 4588 licensure; inspection; mobile cosmetology salons.—

4589 (2) The department board shall adopt rules governing the
 4590 licensure and operation of salons and specialty salons and their
 4591 facilities, personnel, safety and sanitary requirements, and the
 4592 license application and granting process.

4593 (8) Renewal of license registration for cosmetology salons
 4594 or specialty salons shall be accomplished pursuant to rules
 4595 adopted by the department board. The department board is further
 4596 authorized to adopt rules governing delinquent renewal of
 4597 licenses and may impose penalty fees for delinquent renewal.

4598 (9) The department board is authorized to adopt rules
 4599 governing the periodic inspection of cosmetology salons and
 4600 specialty salons licensed under this chapter.

4601 (10) (a) The department ~~board~~ shall adopt rules governing
4602 the licensure, operation, and inspection of mobile cosmetology
4603 salons, including their facilities, personnel, and safety and
4604 sanitary requirements.

4605 (b) Each mobile salon must comply with all licensure and
4606 operating requirements specified in this chapter or chapter 455
4607 or rules of the ~~board~~ ~~or~~ department that apply to cosmetology
4608 salons at fixed locations, except to the extent that such
4609 requirements conflict with this subsection or rules adopted
4610 pursuant to this subsection.

4611 (c) A mobile cosmetology salon must maintain a permanent
4612 business address, located in the inspection area of the local
4613 department office, at which records of appointments,
4614 itineraries, license numbers of employees, and vehicle
4615 identification numbers of the licenseholder's mobile salon shall
4616 be kept and made available for verification purposes by
4617 department personnel, and at which correspondence from the
4618 department can be received.

4619 (d) To facilitate periodic inspections of mobile
4620 cosmetology salons, before ~~prior to~~ the beginning of each month
4621 each mobile salon licenseholder must file with the department
4622 ~~board~~ a written monthly itinerary listing the locations where
4623 and the dates and hours when the mobile salon will be operating.

4624 (e) The department ~~board~~ shall establish fees for mobile
4625 cosmetology salons, not to exceed the fees for cosmetology

4626 salons at fixed locations.

4627 (f) The operation of mobile cosmetology salons must be in
4628 compliance with all local laws and ordinances regulating
4629 business establishments, with all applicable requirements of the
4630 Americans with Disabilities Act relating to accommodations for
4631 persons with disabilities, and with all applicable OSHA
4632 requirements.

4633 **Section 149. Section 477.026, Florida Statutes, is amended**
4634 **to read:**

4635 477.026 Fees; disposition.—

4636 (1) The department ~~board~~ shall set fees according to the
4637 following schedule:

4638 (a) For cosmetologists, fees for original licensing,
4639 license renewal, and delinquent renewal may ~~shall~~ not exceed
4640 \$50.

4641 (b) For cosmetologists, fees for endorsement application,
4642 examination, and reexamination may ~~shall~~ not exceed \$50.

4643 (c) For cosmetology and specialty salons, fees for license
4644 application, original licensing, license renewal, and delinquent
4645 renewal may ~~shall~~ not exceed \$50.

4646 (d) For specialists, fees for application and endorsement
4647 registration may ~~shall~~ not exceed \$30.

4648 (e) For specialists, fees for initial registration,
4649 registration renewal, and delinquent renewal may ~~shall~~ not
4650 exceed \$50.

4651 (2) All moneys collected by the department from fees
 4652 authorized by this chapter shall be paid into the Professional
 4653 Regulation Trust Fund, which fund is created in the department,
 4654 and shall be applied in accordance with ss. 215.37 and 455.219.
 4655 The Legislature may appropriate any excess moneys from this fund
 4656 to the General Revenue Fund.

4657 (3) The department, with the advice of the department
 4658 ~~board~~, shall prepare and submit a proposed budget in accordance
 4659 with law.

4660 **Section 150. Subsections (2) and (4) of section 477.0263,**
 4661 **Florida Statutes, are amended to read:**

4662 477.0263 Cosmetology services to be performed in licensed
 4663 salon; exceptions.—

4664 (2) Pursuant to rules established by the department ~~board~~,
 4665 cosmetology services may be performed by a licensed
 4666 cosmetologist in a location other than a licensed salon,
 4667 including, but not limited to, a nursing home, hospital, or
 4668 residence, when a client for reasons of ill health is unable to
 4669 go to a licensed salon. Arrangements for the performance of such
 4670 cosmetology services in a location other than a licensed salon
 4671 shall be made only through a licensed salon.

4672 (4) Pursuant to rules adopted by the department ~~board~~, any
 4673 cosmetology or specialty service may be performed in a location
 4674 other than a licensed salon when the service is performed in
 4675 connection with a special event and is performed by a person who

4676 holds the proper license or specialty registration.

4677 **Section 151. Section 477.028, Florida Statutes, is amended**
 4678 **to read:**

4679 477.028 Disciplinary proceedings.—

4680 (1) The department may ~~board shall have the power to~~
 4681 revoke or suspend the license of a cosmetologist licensed under
 4682 this chapter, or the registration of a specialist registered
 4683 under this chapter, and to reprimand, censure, deny subsequent
 4684 licensure or registration of, or otherwise discipline a
 4685 cosmetologist or a specialist licensed or registered under this
 4686 chapter in any of the following cases:

4687 (a) Upon proof that a license or registration has been
 4688 obtained by fraud or misrepresentation.

4689 (b) Upon proof that the holder of a license or
 4690 registration is guilty of fraud or deceit or of gross
 4691 negligence, incompetency, or misconduct in the practice or
 4692 instruction of cosmetology or a specialty.

4693 (c) Upon proof that the holder of a license or
 4694 registration is guilty of aiding, assisting, procuring, or
 4695 advising any unlicensed person to practice as a cosmetologist.

4696 (2) The department may ~~board shall have the power to~~
 4697 revoke or suspend the license of a cosmetology salon or a
 4698 specialty salon licensed under this chapter, to deny subsequent
 4699 licensure of such salon, or to reprimand, censure, or otherwise
 4700 discipline the owner of such salon in either of the following

4701 cases:

4702 (a) Upon proof that a license has been obtained by fraud
4703 or misrepresentation.

4704 (b) Upon proof that the holder of a license is guilty of
4705 fraud or deceit or of gross negligence, incompetency, or
4706 misconduct in the operation of the salon so licensed.

4707 (3) Disciplinary proceedings shall be conducted pursuant
4708 to the provisions of chapter 120.

4709 (4) The department may ~~shall~~ not issue or renew a license
4710 or certificate of registration under this chapter to any person
4711 against whom or salon against which the department ~~board~~ has
4712 assessed a fine, interest, or costs associated with
4713 investigation and prosecution until the person or salon has paid
4714 in full such fine, interest, or costs associated with
4715 investigation and prosecution or until the person or salon
4716 complies with or satisfies all terms and conditions of the final
4717 order.

4718 **Section 152. Paragraph (i) of subsection (1) and**
4719 **subsection (2) of section 477.029, Florida Statutes, are amended**
4720 **to read:**

4721 477.029 Penalty.—

4722 (1) It is unlawful for any person to:

4723 (i) Violate or refuse to comply with any provision of this
4724 chapter or chapter 455 or a rule or final order of the ~~board or~~
4725 ~~the~~ department.

4726 (2) Any person who violates the provisions of this section
 4727 shall be subject to one or more of the following penalties, as
 4728 determined by the department ~~board~~:

4729 (a) Revocation or suspension of any license or
 4730 registration issued pursuant to this chapter.

4731 (b) Issuance of a reprimand or censure.

4732 (c) Imposition of an administrative fine not to exceed
 4733 \$500 for each count or separate offense.

4734 (d) Placement on probation for a period of time and
 4735 subject to such reasonable conditions as the department ~~board~~
 4736 may specify.

4737 (e) Refusal to certify to the department an applicant for
 4738 licensure.

4739 **Section 153. Subsections (4) through (16) of section**
 4740 **481.203, Florida Statutes, are renumbered as subsections (3)**
 4741 **through (15), respectively, and subsection (3) and present**
 4742 **subsection (8) of that section are amended, to read:**

4743 481.203 Definitions.—As used in this part, the term:

4744 ~~(3) "Board" means the Board of Architecture and Interior~~
 4745 ~~Design.~~

4746 (7) ~~(8)~~ "Diversified interior design experience" means
 4747 experience which substantially encompasses the various elements
 4748 of interior design services set forth under the definition of
 4749 "interior design" in subsection (9) ~~(10)~~.

4750 **Section 154. Section 481.207, Florida Statutes, is amended**

4751 **to read:**

4752 481.207 Fees.—The department ~~board~~, by rule, may establish
 4753 fees for architects and registered interior designers, to be
 4754 paid for applications, examination, reexamination, licensing and
 4755 renewal, delinquency, reinstatement, and recordmaking and
 4756 recordkeeping. The examination fee shall be in an amount that
 4757 covers the cost of obtaining and administering the examination
 4758 and shall be refunded if the applicant is found ineligible to
 4759 sit for the examination. The application fee is nonrefundable.
 4760 The fee for initial application and examination for architects
 4761 may not exceed \$775 plus the actual per applicant cost to the
 4762 department for purchase of the examination from the National
 4763 Council of Architectural Registration Boards or similar national
 4764 organizations. The initial nonrefundable fee for registered
 4765 interior designers may not exceed \$75. The biennial renewal fee
 4766 for architects may not exceed \$200. The biennial renewal fee for
 4767 registered interior designers may not exceed \$75. The
 4768 delinquency fee may not exceed the biennial renewal fee
 4769 established by the department ~~board~~ for an active license. The
 4770 department ~~board~~ shall establish fees that are adequate to
 4771 ensure the continued operation of the department ~~board~~ and to
 4772 fund the proportionate expenses incurred by the department which
 4773 are allocated to the regulation of architects and registered
 4774 interior designers. Fees shall be based on department estimates
 4775 of the revenue required to implement this part and the

4776 provisions of law with respect to the regulation of architects
 4777 and interior designers.

4778 **Section 155. Subsection (1) of section 481.209, Florida**
 4779 **Statutes, is amended to read:**

4780 481.209 Examinations.—

4781 (1) A person desiring to be licensed as a registered
 4782 architect by initial examination shall apply to the department,
 4783 complete the application form, and remit a nonrefundable
 4784 application fee. The department shall license any applicant who
 4785 the department ~~board~~ certifies has passed the licensure
 4786 examination prescribed by department ~~board~~ rule and is a
 4787 graduate of a school or college of architecture with a program
 4788 accredited by the National Architectural Accreditation Board.

4789 **Section 156. Section 481.211, Florida Statutes, is amended**
 4790 **to read:**

4791 481.211 Architecture internship required.—An applicant for
 4792 licensure as a registered architect shall complete, before
 4793 licensure, an internship of diversified architectural experience
 4794 approved by the department ~~board~~, which meets the requirements
 4795 set forth by rule.

4796 **Section 157. Subsections (3), (4), and (5) of section**
 4797 **481.215, Florida Statutes, are amended to read:**

4798 481.215 Renewal of license or certificate of
 4799 registration.—

4800 ~~(3) A license or certificate of registration renewal may~~

4801 ~~not be issued to an architect or a registered interior designer~~
4802 ~~by the department until the licensee or registrant submits proof~~
4803 ~~satisfactory to the department that, during the 2 years before~~
4804 ~~application for renewal, the licensee or registrant participated~~
4805 ~~per biennium in not less than 20 hours of at least 50 minutes~~
4806 ~~each per biennium of continuing education approved by the board.~~
4807 ~~The board shall approve only continuing education that builds~~
4808 ~~upon the basic knowledge of architecture or interior design. The~~
4809 ~~board may make exception from the requirements of continuing~~
4810 ~~education in emergency or hardship cases.~~

4811 ~~(4) The board shall by rule establish criteria for the~~
4812 ~~approval of continuing education courses and providers and shall~~
4813 ~~by rule establish criteria for accepting alternative~~
4814 ~~nonclassroom continuing education on an hour-for-hour basis.~~

4815 ~~(5) For a license or certificate of registration, the~~
4816 ~~board shall require, by rule adopted pursuant to ss. 120.536(1)~~
4817 ~~and 120.54, 2 hours in specialized or advanced courses on any~~
4818 ~~portion of the Florida Building Code, adopted pursuant to part~~
4819 ~~IV of chapter 553, relating to the licensee's respective area of~~
4820 ~~practice. Such hours count toward the continuing education hours~~
4821 ~~required under subsection (3). A licensee may complete the~~
4822 ~~courses required under this subsection online.~~

4823 **Section 158. Section 481.217, Florida Statutes, is amended**
4824 **to read:**

4825 481.217 Inactive status.—

4826 ~~(1) The board may prescribe by rule continuing education~~
4827 ~~requirements as a condition of reactivating a license. The rules~~
4828 ~~may not require more than one renewal cycle of continuing~~
4829 ~~education to reactivate a license or registration for a~~
4830 ~~registered architect or registered interior designer.~~

4831 ~~(2) The department ~~board~~ shall adopt rules relating to~~
4832 ~~application procedures for inactive status and for the~~
4833 ~~reactivation of inactive licenses and registrations.~~

4834 **Section 159. Subsection (2), paragraph (b) of subsection**
4835 **(3), and subsection (5) of section 481.219, Florida Statutes,**
4836 **are amended to read:**

4837 481.219 Qualification of business organizations.—

4838 (2) If a licensee or an applicant proposes to engage in
4839 the practice of architecture as a business organization, the
4840 licensee or applicant shall qualify the business organization
4841 upon approval of the department ~~board~~.

4842 (3)

4843 (b) In the event a qualifying agent ceases employment with
4844 a qualified business organization, the department ~~executive~~
4845 ~~director or the chair of the board~~ may authorize another
4846 registered architect employed by the business organization to
4847 temporarily serve as its qualifying agent for a period of no
4848 more than 60 days. The business organization is not authorized
4849 to operate beyond such period under this chapter absent
4850 replacement of the qualifying agent who has ceased employment.

4851 (5) The department board shall allow a licensee or an
4852 applicant to qualify one or more business organizations to offer
4853 architectural services, or to use a fictitious name to offer
4854 such services, if one or more of the principal officers of the
4855 corporation or limited liability company, or one or more
4856 partners of the partnership, and all personnel of the
4857 corporation, limited liability company, or partnership who act
4858 in its behalf in this state as architects, are registered as
4859 provided by this part.

4860 **Section 160. Subsections (1), (2), (6), (11), and (12) of**
4861 **section 481.221, Florida Statutes, are amended to read:**

4862 481.221 Seals; display of certificate number.—

4863 (1) The department board shall prescribe, by rule, one or
4864 more forms of seals to be used by registered architects holding
4865 valid certificates of registration.

4866 (2) Each registered architect shall obtain one seal in a
4867 form approved by rule of the department board and may, in
4868 addition, register her or his seal electronically in accordance
4869 with ss. 668.001-668.006. All final construction documents and
4870 instruments of service which include drawings, plans,
4871 specifications, or reports prepared or issued by the registered
4872 architect and being filed for public record shall bear the
4873 signature and seal of the registered architect who prepared or
4874 approved the document and the date on which they were sealed.
4875 The signature, date, and seal shall be evidence of the

4876 authenticity of that to which they are affixed. Final plans,
4877 specifications, or reports prepared or issued by a registered
4878 architect may be transmitted electronically and may be signed by
4879 the registered architect, dated, and sealed electronically with
4880 the seal in accordance with ss. 668.001-668.006.

4881 (6) No registered architect shall affix her or his
4882 signature or seal to any final construction document or
4883 instrument of service which includes drawings, plans,
4884 specifications, or architectural documents which were not
4885 prepared by her or him or under her or his responsible
4886 supervising control or by another registered architect and
4887 reviewed, approved, or modified and adopted by her or him as her
4888 or his own work according to rules adopted by the department
4889 ~~board~~.

4890 (11) When the certificate of registration of a registered
4891 architect or interior designer has been revoked or suspended by
4892 the department ~~board~~, the registered architect or interior
4893 designer shall surrender her or his seal to the secretary of the
4894 department ~~board~~ within a period of 30 days after the revocation
4895 or suspension has become effective. If the certificate of the
4896 registered architect or interior designer has been suspended for
4897 a period of time, her or his seal shall be returned to her or
4898 him upon expiration of the suspension period.

4899 (12) A person may not sign and seal by any means any final
4900 plan, specification, or report after her or his certificate of

4901 registration has expired or is suspended or revoked. A
4902 registered architect or interior designer whose certificate of
4903 registration is suspended or revoked shall, within 30 days after
4904 the effective date of the suspension or revocation, surrender
4905 her or his seal to the department ~~executive director of the~~
4906 ~~board~~ and confirm in writing to the department ~~executive~~
4907 ~~director~~ the cancellation of the registered architect's or
4908 interior designer's electronic signature in accordance with ss.
4909 668.001-668.006. When a registered architect's or interior
4910 designer's certificate of registration is suspended for a period
4911 of time, her or his seal shall be returned upon expiration of
4912 the period of suspension.

4913 **Section 161. Section 481.222, Florida Statutes, is amended**
4914 **to read:**

4915 481.222 Architects performing building code inspection
4916 services.—Notwithstanding any other provision of law, a person
4917 who is currently licensed to practice as an architect under this
4918 part may provide building code inspection services described in
4919 s. 468.603(4) and (7) ~~s. 468.603(5) and (8)~~ to a local
4920 government or state agency upon its request, without being
4921 certified by the Florida Building Code Administrators and
4922 Inspectors licensing program ~~Board~~ under part XII of chapter
4923 468. With respect to the performance of such building code
4924 inspection services, the architect is subject to the
4925 disciplinary guidelines of this part and s. 468.621(1)(c)-(h).

4926 Any complaint processing, investigation, and discipline that
4927 arise out of an architect's performance of building code
4928 inspection services shall be conducted by the Department of
4929 Business and Professional Regulation ~~Board of Architecture and~~
4930 ~~Interior Design~~ rather than the ~~Florida Building Code~~
4931 ~~Administrators and Inspectors Board~~. An architect may not
4932 perform plans review as an employee of a local government upon
4933 any job that the architect or the architect's company designed.

4934 **Section 162. Paragraphs (a) and (d) of subsection (1) of**
4935 **section 481.223, Florida Statutes, are amended to read:**

4936 481.223 Prohibitions; penalties; injunctive relief.—

4937 (1) A person may not knowingly:

4938 (a) Practice architecture unless the person is an
4939 architect or a registered architect; however, a licensed
4940 architect who has been licensed by the department ~~board~~ and who
4941 chooses to relinquish or not to renew his or her license may use
4942 the title "Architect, Retired" but may not otherwise render any
4943 architectural services.

4944 (d) Give false or forged evidence to the department ~~board~~
4945 ~~or a member thereof~~.

4946 **Section 163. Paragraphs (a), (g), and (i) of subsection**
4947 **(1) and subsections (2), (3), and (4) of section 481.225,**
4948 **Florida Statutes, are amended to read:**

4949 481.225 Disciplinary proceedings against registered
4950 architects.—

4951 (1) The following acts constitute grounds for which the
 4952 disciplinary actions in subsection (3) may be taken:

4953 (a) Violating any provision of s. 455.227(1), s. 481.221,
 4954 or s. 481.223, or any rule of the ~~board or~~ department lawfully
 4955 adopted pursuant to this part or chapter 455.

4956 (g) Committing an act of fraud or deceit, or of
 4957 negligence, incompetency, or misconduct, in the practice of
 4958 architecture, including, but not limited to, allowing the
 4959 preparation of any architectural studies, plans, or other
 4960 instruments of service in an office that does not have a full-
 4961 time Florida-registered architect assigned to such office or
 4962 failing to ensure the responsible supervising control of
 4963 services or projects, as required by department ~~board~~ rule.

4964 (i) Aiding, assisting, procuring, or advising any
 4965 unlicensed person to practice architecture contrary to this part
 4966 or to a rule of the department ~~or the board~~.

4967 (2) The department ~~board~~ shall specify, by rule, what acts
 4968 or omissions constitute a violation of subsection (1).

4969 (3) When the department ~~board~~ finds any registered
 4970 architect guilty of any of the grounds set forth in subsection
 4971 (1), it may enter an order imposing one or more of the following
 4972 penalties:

4973 (a) Denial of an application for licensure.

4974 (b) Revocation or suspension of a license.

4975 (c) Imposition of an administrative fine not to exceed

4976 \$1,000 for each count or separate offense and a fine of up to
 4977 \$5,000 for matters pertaining to a material violation of the
 4978 Florida Building Code as reported by a local jurisdiction.

4979 (d) Issuance of a reprimand.

4980 (e) Placement of the registered architect on probation for
 4981 a period of time and subject to such conditions as the
 4982 department ~~board~~ may specify, including requiring the registered
 4983 architect to attend continuing education courses or to work
 4984 under the supervision of another registered architect.

4985 (f) Restriction of the authorized scope of practice by the
 4986 registered architect.

4987 (4) The department shall reissue the license of a
 4988 disciplined registered architect upon certification by the
 4989 department ~~board~~ that he or she has complied with all of the
 4990 terms and conditions set forth in the final order.

4991 **Section 164. Paragraph (a) of subsection (1) and**
 4992 **subsection (2) of section 481.2251, Florida Statutes, are**
 4993 **amended to read:**

4994 481.2251 Disciplinary proceedings against registered
 4995 interior designers.—

4996 (1) The following acts constitute grounds for which the
 4997 disciplinary actions specified in subsection (2) may be taken:

4998 (a) Attempting to register or renewing registration by
 4999 bribery, by fraudulent misrepresentation, or through an error of
 5000 the department ~~board~~;

5001 (2) When the department ~~board~~ finds any person guilty of
 5002 any of the grounds set forth in subsection (1), it may enter an
 5003 order taking the following action or imposing one or more of the
 5004 following penalties:

- 5005 (a) Refusal to register the applicant;
- 5006 (b) Refusal to renew an existing registration;
- 5007 (c) Removal from the state registry; or
- 5008 (d) Imposition of an administrative fine not to exceed
 5009 \$500 for each violation or separate offense and a fine of up to
 5010 \$2,500 for matters pertaining to a material violation of the
 5011 Florida Building Code as reported by a local jurisdiction.

5012 **Section 165. Subsection (1) of section 481.303, Florida**
 5013 **Statutes, is amended to read:**

5014 481.303 Definitions.—As used in this chapter, the term:
 5015 ~~(1) "Board" means the Board of Landscape Architecture.~~

5016 **Section 166. Section 481.306, Florida Statutes, is amended**
 5017 **to read:**

5018 481.306 Authority to make rules.—The department may ~~board~~
 5019 ~~has authority to~~ adopt rules pursuant to ss. 120.536(1) and
 5020 120.54 to implement the provisions of this chapter and chapter
 5021 455 conferring duties upon it.

5022 **Section 167. Section 481.307, Florida Statutes, is amended**
 5023 **to read:**

5024 481.307 Fees.—The department ~~board~~, by rule, may establish
 5025 fees to be paid for applications, examination, reexamination,

5026 licensing and renewal, delinquency, reinstatement, and
5027 recordmaking and recordkeeping. The examination fee shall be in
5028 an amount that covers the costs of obtaining and administering
5029 the examination and shall be refunded if the applicant is found
5030 ineligible to sit for the examination. The application fee is
5031 nonrefundable. The combined fees for initial application and
5032 examination may not exceed \$800 plus the actual per applicant
5033 cost to the department for purchase of portions of the
5034 examination from the Council of Landscape Architectural
5035 Registration Boards or a similar national organization. The
5036 biennial renewal fee may not exceed \$600. The delinquency fee
5037 may not exceed the biennial renewal fee established by the
5038 department board ~~board~~ for an active license. The department board
5039 shall establish fees that are adequate to ensure the continued
5040 operation of the department board and to fund the proportionate
5041 expenses incurred by the department which are allocated to the
5042 regulation of landscape architects. Fees shall be based on
5043 department estimates of the revenue required to implement this
5044 part and the provisions of law with respect to the regulation of
5045 landscape architects.

5046 **Section 168. Subsection (1) of section 481.309, Florida**
5047 **Statutes, is amended to read:**

5048 481.309 Examinations.—

5049 (1) A person desiring to be licensed as a registered
5050 landscape architect shall apply to the department to take the

5051 licensure examination. The department shall examine each
5052 applicant who the department ~~board~~ certifies:

5053 (a) Has completed the application form and remitted a
5054 nonrefundable application fee and an examination fee which is
5055 refundable if the applicant is found to be ineligible to take
5056 the examination; and

5057 (b)1. Has completed a professional degree program in
5058 landscape architecture as approved by the department ~~Landscape~~
5059 ~~Architectural Accreditation Board~~; or

5060 2. Presents evidence of not less than 6 years of actual
5061 practical experience in landscape architectural work of a grade
5062 and character satisfactory to the department ~~board~~. Each year of
5063 education completed in a recognized school shall be considered
5064 to be equivalent to 1 year of experience, with a maximum credit
5065 of 4 years.

5066 **Section 169. Section 481.310, Florida Statutes, is amended**
5067 **to read:**

5068 481.310 Practical experience requirement.—Beginning
5069 October 1, 1990, every applicant for licensure as a registered
5070 landscape architect shall demonstrate, before ~~prior to~~
5071 licensure, 1 year of practical experience in landscape
5072 architectural work. An applicant who holds a master of landscape
5073 architecture degree and a bachelor's degree in a related field
5074 is not required to demonstrate 1 year of practical experience in
5075 landscape architectural work to obtain licensure. The department

5076 ~~board~~ shall adopt rules providing standards for the required
 5077 experience. An applicant who qualifies for examination pursuant
 5078 to s. 481.309(1)(b)1. may obtain the practical experience after
 5079 completing the required professional degree. Experience used to
 5080 qualify for examination pursuant to s. 481.309(1)(b)2. may not
 5081 be used to satisfy the practical experience requirement under
 5082 this section.

5083 **Section 170. Section 481.311, Florida Statutes, is amended**
 5084 **to read:**

5085 481.311 Licensure.—

5086 (1) The department shall license any applicant who the
 5087 department ~~board~~ certifies is qualified to practice landscape
 5088 architecture and who has paid the initial licensure fee.

5089 (2) The department ~~board~~ shall certify for licensure any
 5090 applicant who:

5091 (a) Passes the examination required by s. 481.309; and

5092 (b) Satisfies the experience requirement of s. 481.310.

5093 (3) The department ~~board~~ shall certify as qualified for a
 5094 license by endorsement an applicant who:

5095 (a) Qualifies to take the examination as set forth in s.
 5096 481.309; and has passed a national, regional, state, or
 5097 territorial licensing examination which is substantially
 5098 equivalent to the examination required by s. 481.309;

5099 (b) Holds a valid license to practice landscape
 5100 architecture issued by another state or territory of the United

5101 States, if the criteria for issuance of such license were
5102 substantially identical to the licensure criteria which existed
5103 in this state at the time the license was issued; or

5104 (c) Has held a valid license to practice landscape
5105 architecture in another state or territory of the United States
5106 for at least 10 years before the date of application and has
5107 successfully completed a state, regional, national, or other
5108 examination that is equivalent to or more stringent than the
5109 examination required by the department board, subject to
5110 subsection (5). An applicant who has met the requirements to be
5111 qualified for a license by endorsement, except for successful
5112 completion of an examination that is equivalent to or more
5113 stringent than the examination required by the department board,
5114 may take the examination required by the department board
5115 without completing additional education requirements. Such
5116 application must be submitted to the department board while the
5117 applicant holds a valid license in another state or territory or
5118 within 2 years after the expiration of such license.

5119 (4) The department board may refuse to certify any
5120 applicant who is under investigation in any jurisdiction for any
5121 act which would constitute a violation of this act or of chapter
5122 455, until the investigation is complete and disciplinary
5123 proceedings have been terminated.

5124 (5) The department board may refuse to certify any
5125 applicant who has violated any of the provisions of s. 481.325.

5126 **Section 171. Subsections (3), (4), and (5) of section**
 5127 **481.313, Florida Statutes, are amended to read:**

5128 481.313 Renewal of license.—

5129 ~~(3) No license renewal shall be issued to a landscape~~
 5130 ~~architect by the department until the licensee submits proof,~~
 5131 ~~satisfactory to the department, that during the 2-year period~~
 5132 ~~prior to application for renewal, the licensee participated in~~
 5133 ~~such continuing education courses required by the board. The~~
 5134 ~~board shall approve only continuing education courses that~~
 5135 ~~relate to and increase the basic knowledge of landscape~~
 5136 ~~architecture. The board may make an exception from the~~
 5137 ~~requirements of continuing education in emergency or hardship~~
 5138 ~~eases.~~

5139 ~~(4) The board, by rule adopted pursuant to ss. 120.536(1)~~
 5140 ~~and 120.54, shall establish criteria for the approval of~~
 5141 ~~continuing education courses and providers, and shall by rule~~
 5142 ~~establish criteria for accepting alternative nonclassroom~~
 5143 ~~continuing education on an hour-for-hour basis. A landscape~~
 5144 ~~architect shall receive hour-for-hour credit for attending~~
 5145 ~~continuing education courses approved by the Landscape~~
 5146 ~~Architecture Continuing Education System or another nationally~~
 5147 ~~recognized clearinghouse for continuing education that relate to~~
 5148 ~~and increase his or her basic knowledge of landscape~~
 5149 ~~architecture, as determined by the board, if the landscape~~
 5150 ~~architect submits proof satisfactory to the board that such~~

5151 ~~course was approved by the Landscape Architecture Continuing~~
5152 ~~Education System or another nationally recognized clearinghouse~~
5153 ~~for continuing education, along with the syllabus or outline for~~
5154 ~~such course and proof of course attendance.~~

5155 ~~(5) The board shall require, by rule adopted pursuant to~~
5156 ~~ss. 120.536(1) and 120.54, a specified number of hours in~~
5157 ~~specialized or advanced courses, approved by the Florida~~
5158 ~~Building Commission, on any portion of the Florida Building~~
5159 ~~Code, adopted pursuant to part IV of chapter 553, relating to~~
5160 ~~the licensee's respective area of practice.~~

5161 **Section 172. Section 481.315, Florida Statutes, is amended**
5162 **to read:**

5163 481.315 Inactive status.—

5164 (1) A license that has become inactive or delinquent may
5165 be reactivated under this section upon application to the
5166 department and payment of any applicable biennial renewal or
5167 delinquency fee, or both, and a reactivation fee. ~~The board may~~
5168 ~~not require a licensee to complete more than one renewal cycle~~
5169 ~~of continuing education requirements.~~

5170 (2) The department ~~board~~ shall adopt rules relating to
5171 application procedures for inactive status and for the
5172 reactivation of inactive licenses.

5173 **Section 173. Subsection (1) of section 481.317, Florida**
5174 **Statutes, is amended to read:**

5175 481.317 Temporary certificates.—

5176 (1) Upon the approval by the department ~~board~~ and payment
5177 of the fee set in s. 481.307, the department shall grant a
5178 temporary certificate of registration for work on a specified
5179 project in this state for a period not to exceed 1 year to an
5180 applicant who is licensed in another state or territory to
5181 practice landscape architecture.

5182 **Section 174. Subsection (3) of section 481.319, Florida**
5183 **Statutes, is amended to read:**

5184 481.319 Corporate and partnership practice of landscape
5185 architecture.—

5186 (3) A landscape architect applying to practice in the name
5187 of a corporation must file with the department the names and
5188 addresses of all officers and department ~~board~~ members of the
5189 corporation, including the principal officer or officers, duly
5190 registered to practice landscape architecture in this state and,
5191 also, of all individuals duly registered to practice landscape
5192 architecture in this state who shall be in responsible charge of
5193 the practice of landscape architecture by the corporation in
5194 this state. A landscape architect applying to practice in the
5195 name of a partnership must file with the department the names
5196 and addresses of all partners of the partnership, including the
5197 partner or partners duly registered to practice landscape
5198 architecture in this state and, also, of an individual or
5199 individuals duly registered to practice landscape architecture
5200 in this state who shall be in responsible charge of the practice

5201 of landscape architecture by said partnership in this state.

5202 **Section 175. Subsections (1) and (2) of section 481.321,**
 5203 **Florida Statutes, are amended to read:**

5204 481.321 Seals; display of certificate number.—

5205 (1) The department ~~board~~ shall prescribe, by rule, one or
 5206 more forms of seals for use by a registered landscape architect
 5207 who holds a valid certificate of registration. Each registered
 5208 landscape architect shall obtain one seal in a form approved by
 5209 rule of the department ~~board~~ and may, in addition, register her
 5210 or his seal electronically in accordance with ss. 668.001-
 5211 668.006. All final plans, specifications, or reports prepared or
 5212 issued by the registered landscape architect and filed for
 5213 public record shall be signed by the registered landscape
 5214 architect, dated, and stamped or sealed electronically with her
 5215 or his seal. The signature, date, and seal constitute evidence
 5216 of the authenticity of that to which they are affixed. Final
 5217 plans, specifications, or reports prepared or issued by a
 5218 registered landscape architect may be transmitted electronically
 5219 and may be signed by the registered landscape architect, dated,
 5220 and sealed electronically with the seal in accordance with ss.
 5221 668.001-668.006.

5222 (2) It is unlawful for any person to sign and seal by any
 5223 means any final plan, specification, or report after her or his
 5224 certificate of registration is expired, suspended, or revoked. A
 5225 registered landscape architect whose certificate of registration

5226 is suspended or revoked shall, within 30 days after the
 5227 effective date of the suspension or revocation, surrender her or
 5228 his seal to the department ~~executive director of the board~~ and
 5229 confirm in writing to the department ~~executive director~~ the
 5230 cancellation of the landscape architect's electronic signature
 5231 in accordance with ss. 668.001-668.006. When a landscape
 5232 architect's certificate of registration is suspended for a
 5233 period of time, her or his seal shall be returned upon
 5234 expiration of the period of suspension.

5235 **Section 176. Paragraph (d) of subsection (1) of section**
 5236 **481.323, Florida Statutes, is amended to read:**

5237 481.323 Prohibitions; penalties.—

5238 (1) A person may not knowingly:

5239 (d) Give false or forged evidence to the department ~~board~~
 5240 or a member thereof;

5241 **Section 177. Subsections (2), (3), and (4) of section**
 5242 **481.325, Florida Statutes, are amended to read:**

5243 481.325 Disciplinary proceedings.—

5244 (2) The department ~~board~~ shall specify, by rule, what acts
 5245 or omissions constitute a violation of subsection (1).

5246 (3) When the department ~~board~~ finds any registered
 5247 landscape architect guilty of any of the grounds set forth in
 5248 subsection (1), it may enter an order imposing one or more of
 5249 the following penalties:

5250 (a) Denial of an application for licensure.

5251 (b) Revocation or suspension of a license.

5252 (c) Imposition of an administrative fine not to exceed

5253 \$1,000 for each count or separate offense and a fine of up to

5254 \$5,000 for matters pertaining to a material violation of the

5255 Florida Building Code as reported by a local jurisdiction.

5256 (d) Issuance of a reprimand.

5257 (e) Placement of the registered landscape architect on

5258 probation for a period of time and subject to such conditions as

5259 the department ~~board~~ may specify, including requiring the

5260 registered landscape architect to attend continuing education

5261 courses or to work under the supervision of another registered

5262 landscape architect.

5263 (f) Restriction of the authorized scope of practice by the

5264 registered landscape architect.

5265 (4) The department shall reissue the license of a

5266 disciplined registered landscape architect upon certification by

5267 the department ~~board~~ that she or he has complied with all of the

5268 terms and conditions set forth in the final order.

5269 **Section 178. Paragraph (c) of subsection (7) of section**

5270 **489.103, Florida Statutes, is amended to read:**

5271 489.103 Exemptions.—This part does not apply to:

5272 (7)

5273 (c) To qualify for exemption under this subsection, an

5274 owner must personally appear and sign the building permit

5275 application and must satisfy local permitting agency

5276 requirements, if any, proving that the owner has a complete
5277 understanding of the owner's obligations under the law as
5278 specified in the disclosure statement in this section. However,
5279 for purposes of implementing a "United States Department of
5280 Energy SunShot Initiative: Rooftop Solar Challenge" grant and
5281 the participation of county and municipal governments, including
5282 local permitting agencies under the jurisdiction of such county
5283 and municipal governments, an owner's notarized signature or
5284 personal appearance to sign the permit application is not
5285 required for a solar project, as described in subparagraph
5286 (a)3., if the building permit application is submitted
5287 electronically to the permitting agency and the owner certifies
5288 the application and disclosure statement using the permitting
5289 agency's electronic confirmation system. If any person violates
5290 the requirements of this subsection, the local permitting agency
5291 shall withhold final approval, revoke the permit, or pursue any
5292 action or remedy for unlicensed activity against the owner and
5293 any person performing work that requires licensure under the
5294 permit issued. The local permitting agency shall provide the
5295 person with a disclosure statement in substantially the
5296 following form:

5297 DISCLOSURE STATEMENT

5298 1. I understand that state law requires construction to be done
5299 by a licensed contractor and have applied for an owner-builder
5300 permit under an exemption from the law. The exemption specifies

5301 that I, as the owner of the property listed, may act as my own
5302 contractor with certain restrictions even though I do not have a
5303 license.

5304 2. I understand that building permits are not required to be
5305 signed by a property owner unless he or she is responsible for
5306 the construction and is not hiring a licensed contractor to
5307 assume responsibility.

5308 3. I understand that, as an owner-builder, I am the responsible
5309 party of record on a permit. I understand that I may protect
5310 myself from potential financial risk by hiring a licensed
5311 contractor and having the permit filed in his or her name
5312 instead of my own name. I also understand that a contractor is
5313 required by law to be licensed in Florida and to list his or her
5314 license numbers on permits and contracts.

5315 4. I understand that I may build or improve a one-family or
5316 two-family residence or a farm outbuilding. I may also build or
5317 improve a commercial building if the costs do not exceed
5318 \$75,000. The building or residence must be for my own use or
5319 occupancy. It may not be built or substantially improved for
5320 sale or lease, unless I am completing the requirements of a
5321 building permit where the contractor listed on the permit
5322 substantially completed the project. If a building or residence
5323 that I have built or substantially improved myself is sold or
5324 leased within 1 year after the construction is complete, the law
5325 will presume that I built or substantially improved it for sale

5326 or lease, which violates the exemption.

5327 5. I understand that, as the owner-builder, I must provide

5328 direct, onsite supervision of the construction.

5329 6. I understand that I may not hire an unlicensed person to act

5330 as my contractor or to supervise persons working on my building

5331 or residence. It is my responsibility to ensure that the persons

5332 whom I employ have the licenses required by law and by county or

5333 municipal ordinance.

5334 7. I understand that it is a frequent practice of unlicensed

5335 persons to have the property owner obtain an owner-builder

5336 permit that erroneously implies that the property owner is

5337 providing his or her own labor and materials. I, as an owner-

5338 builder, may be held liable and subjected to serious financial

5339 risk for any injuries sustained by an unlicensed person or his

5340 or her employees while working on my property. My homeowner's

5341 insurance may not provide coverage for those injuries. I am

5342 willfully acting as an owner-builder and am aware of the limits

5343 of my insurance coverage for injuries to workers on my property.

5344 8. I understand that I may not delegate the responsibility for

5345 supervising work to a licensed contractor who is not licensed to

5346 perform the work being done. Any person working on my building

5347 who is not licensed must work under my direct supervision and

5348 must be employed by me, which means that I must comply with laws

5349 requiring the withholding of federal income tax and social

5350 security contributions under the Federal Insurance Contributions

5351 Act (FICA) and must provide workers' compensation for the
 5352 employee. I understand that my failure to follow these laws may
 5353 subject me to serious financial risk.

5354 9. I agree that, as the party legally and financially
 5355 responsible for this proposed construction activity, I will
 5356 abide by all applicable laws and requirements that govern owner-
 5357 builders as well as employers. I also understand that the
 5358 construction must comply with all applicable laws, ordinances,
 5359 building codes, and zoning regulations.

5360 10. I understand that I may obtain more information regarding
 5361 my obligations as an employer from the Internal Revenue Service,
 5362 the United States Small Business Administration, the Florida
 5363 Department of Financial Services, and the Florida Department of
 5364 Revenue. I also understand that I may contact the Department of
 5365 Business and Professional Regulation ~~Florida Construction~~
 5366 ~~Industry Licensing Board~~ at ...(telephone number)... or
 5367 ...(Internet website address)... for more information about
 5368 licensed contractors.

5369 11. I am aware of, and consent to, an owner-builder building
 5370 permit applied for in my name and understand that I am the party
 5371 legally and financially responsible for the proposed
 5372 construction activity at the following address: ...(address of
 5373 property)....

5374 12. I agree to notify ...(issuer of disclosure statements)...
 5375 immediately of any additions, deletions, or changes to any of

5401 **489.105, Florida Statutes, are renumbered as subsections (1)**
 5402 **through (18), respectively, and subsection (1) and present**
 5403 **subsection (6) of that section are amended, to read:**

5404 489.105 Definitions.—As used in this part:

5405 ~~(1) "Board" means the Construction Industry Licensing~~
 5406 ~~Board.~~

5407 (5)~~(6)~~ "Contracting" means, except as exempted in this
 5408 part, engaging in business as a contractor and includes, but is
 5409 not limited to, performance of any of the acts as set forth in
 5410 subsection (2) ~~(3)~~ which define types of contractors. The
 5411 attempted sale of contracting services and the negotiation or
 5412 bid for a contract on these services also constitutes
 5413 contracting. If the services offered require licensure or agent
 5414 qualification, the offering, negotiation for a bid, or attempted
 5415 sale of these services requires the corresponding licensure.
 5416 However, the term "contracting" does ~~shall~~ not extend to an
 5417 individual, partnership, corporation, trust, or other legal
 5418 entity that offers to sell or sells completed residences on
 5419 property on which the individual or business entity has any
 5420 legal or equitable interest, or to the individual or business
 5421 entity that offers to sell or sells manufactured or factory-
 5422 built buildings that will be completed on site on property on
 5423 which either party to a contract has any legal or equitable
 5424 interest, if the services of a qualified contractor certified or
 5425 registered pursuant to the requirements of this chapter have

5426 | been or will be retained for the purpose of constructing or
5427 | completing such residences.

5428 | **Section 180. Section 489.108, Florida Statutes, is amended**
5429 | **to read:**

5430 | 489.108 Rulemaking authority.—The department ~~board~~ has
5431 | authority to adopt rules pursuant to ss. 120.536(1) and 120.54
5432 | to implement the provisions of this chapter conferring duties
5433 | upon it.

5434 | **Section 181. Paragraphs (c), (e), (f), and (g) of**
5435 | **subsection (1) and subsection (2) of section 489.109, Florida**
5436 | **Statutes, are amended to read:**

5437 | 489.109 Fees.—

5438 | (1) The department ~~board~~, by rule, shall establish
5439 | reasonable fees to be paid for applications, certification and
5440 | renewal, registration and renewal, and recordmaking and
5441 | recordkeeping. The fees shall be established as follows:

5442 | (c) The department ~~board~~, by rule, may establish
5443 | delinquency fees, not to exceed the applicable renewal fee for
5444 | renewal applications made after the expiration date of the
5445 | certificate or registration.

5446 | (e) The department ~~board~~, by rule, shall impose a renewal
5447 | fee for an inactive status certificate or registration, not to
5448 | exceed the renewal fee for an active status certificate or
5449 | registration. Neither the inactive certification fee nor the
5450 | inactive registration fee may exceed \$50. The department ~~board~~,

5451 by rule, may provide for a different fee for inactive status
5452 where such status is sought by a building code administrator,
5453 plans examiner, or inspector certified pursuant to part XII of
5454 chapter 468 who is employed by a local government and is not
5455 allowed by the terms of such employment to maintain a
5456 certificate on active status issued pursuant to this part.

5457 (f) The department ~~board~~, by rule, shall impose an
5458 additional late fee on a delinquent status certificateholder or
5459 registrant when such certificateholder or registrant applies for
5460 active or inactive status.

5461 (g) The department ~~board~~, by rule, shall impose an
5462 additional fee, not to exceed the applicable renewal fee, which
5463 reasonably reflects the costs of processing a
5464 certificateholder's or registrant's request to change licensure
5465 status at any time other than at the beginning of a licensure
5466 cycle.

5467 (2) ~~The board shall establish fees that are adequate to~~
5468 ~~ensure the continued operation of the board.~~ Fees shall be based
5469 on department estimates of the revenue required to implement
5470 this part and the provisions of law with respect to the
5471 regulation of the construction industry.

5472 **Section 182. Paragraph (c) of subsection (2) and**
5473 **subsection (3) of section 489.111, Florida Statutes, are amended**
5474 **to read:**

5475 489.111 Licensure by examination.—

5476 (2) A person shall be eligible for licensure by
5477 examination if the person:

5478 (c) Meets eligibility requirements according to one of the
5479 following criteria:

5480 1. Has received a baccalaureate degree from an accredited
5481 4-year college in the appropriate field of engineering,
5482 architecture, or building construction and has 1 year of proven
5483 experience in the category in which the person seeks to qualify.
5484 For the purpose of this part, a minimum of 2,000 person-hours
5485 shall be used in determining full-time equivalency. An applicant
5486 who is exempt from passing an examination under s. 489.113(1) is
5487 eligible for a license under this section.

5488 2. Has a total of at least 4 years of active experience as
5489 a worker who has learned the trade by serving an apprenticeship
5490 as a skilled worker who is able to command the rate of a
5491 mechanic in the particular trade or as a foreman who is in
5492 charge of a group of workers and usually is responsible to a
5493 superintendent or a contractor or his or her equivalent;
5494 provided, however, that at least 1 year of active experience
5495 shall be as a foreman.

5496 3. Has a combination of not less than 1 year of experience
5497 as a foreman and not less than 3 years of credits for any
5498 accredited college-level courses; has a combination of not less
5499 than 1 year of experience as a skilled worker, 1 year of
5500 experience as a foreman, and not less than 2 years of credits

5501 for any accredited college-level courses; or has a combination
5502 of not less than 2 years of experience as a skilled worker, 1
5503 year of experience as a foreman, and not less than 1 year of
5504 credits for any accredited college-level courses. All junior
5505 college or community college-level courses shall be considered
5506 accredited college-level courses.

5507 4.a. An active certified residential contractor is
5508 eligible to receive a certified building contractor license
5509 after passing or having previously passed the building
5510 contractors' examination if he or she possesses a minimum of 3
5511 years of proven experience in the classification in which he or
5512 she is certified.

5513 b. An active certified residential contractor is eligible
5514 to receive a certified general contractor license after passing
5515 or having previously passed the general contractors' examination
5516 if he or she possesses a minimum of 4 years of proven experience
5517 in the classification in which he or she is certified.

5518 c. An active certified building contractor is eligible to
5519 receive a certified general contractor license after passing or
5520 having previously passed the general contractors' examination if
5521 he or she possesses a minimum of 4 years of proven experience in
5522 the classification in which he or she is certified.

5523 5.a. An active certified air-conditioning Class C
5524 contractor is eligible to receive a certified air-conditioning
5525 Class B contractor license after passing or having previously

5526 | passed the air-conditioning Class B contractors' examination if
 5527 | he or she possesses a minimum of 3 years of proven experience in
 5528 | the classification in which he or she is certified.

5529 | b. An active certified air-conditioning Class C contractor
 5530 | is eligible to receive a certified air-conditioning Class A
 5531 | contractor license after passing or having previously passed the
 5532 | air-conditioning Class A contractors' examination if he or she
 5533 | possesses a minimum of 4 years of proven experience in the
 5534 | classification in which he or she is certified.

5535 | c. An active certified air-conditioning Class B contractor
 5536 | is eligible to receive a certified air-conditioning Class A
 5537 | contractor license after passing or having previously passed the
 5538 | air-conditioning Class A contractors' examination if he or she
 5539 | possesses a minimum of 1 year of proven experience in the
 5540 | classification in which he or she is certified.

5541 | 6.a. An active certified swimming pool servicing
 5542 | contractor is eligible to receive a certified residential
 5543 | swimming pool contractor license after passing or having
 5544 | previously passed the residential swimming pool contractors'
 5545 | examination if he or she possesses a minimum of 3 years of
 5546 | proven experience in the classification in which he or she is
 5547 | certified.

5548 | b. An active certified swimming pool servicing contractor
 5549 | is eligible to receive a certified commercial swimming pool
 5550 | contractor license after passing or having previously passed the

5551 swimming pool commercial contractors' examination if he or she
5552 possesses a minimum of 4 years of proven experience in the
5553 classification in which he or she is certified.

5554 c. An active certified residential swimming pool
5555 contractor is eligible to receive a certified commercial
5556 swimming pool contractor license after passing or having
5557 previously passed the commercial swimming pool contractors'
5558 examination if he or she possesses a minimum of 1 year of proven
5559 experience in the classification in which he or she is
5560 certified.

5561 d. An applicant is eligible to receive a certified
5562 swimming pool/spa servicing contractor license after passing or
5563 having previously passed the swimming pool/spa servicing
5564 contractors' examination if he or she has satisfactorily
5565 completed 60 hours of instruction in courses related to the
5566 scope of work covered by that license and approved by the
5567 department ~~Construction Industry Licensing Board~~ by rule and has
5568 at least 1 year of proven experience related to the scope of
5569 work of such a contractor.

5570 (3) (a) The department ~~board~~ may refuse to certify an
5571 applicant for failure to satisfy the requirement of good moral
5572 character only if:

5573 1. There is a substantial connection between the lack of
5574 good moral character of the applicant and the professional
5575 responsibilities of a certified contractor; and

5576 2. The finding by the department ~~board~~ of lack of good
 5577 moral character is supported by clear and convincing evidence.

5578 (b) When an applicant is found to be unqualified for a
 5579 certificate because of a lack of good moral character, the
 5580 department ~~board~~ shall furnish the applicant a statement
 5581 containing the findings of the department ~~board~~, a complete
 5582 record of the evidence upon which the determination was based,
 5583 and a notice of the rights of the applicant to a rehearing and
 5584 appeal.

5585 **Section 183. Subsections (1) and (2), paragraph (f) of**
 5586 **subsection (3), and subsections (6), (7), and (8) of section**
 5587 **489.113, Florida Statutes, are amended to read:**

5588 489.113 Qualifications for practice; restrictions.—

5589 (1) Any person who desires to engage in contracting on a
 5590 statewide basis shall, as a prerequisite thereto, establish his
 5591 or her competency and qualifications to be certified pursuant to
 5592 this part. To establish competency, a person shall pass the
 5593 appropriate examination approved ~~by the board~~ and certified by
 5594 the department. If an applicant has received a baccalaureate
 5595 degree in building construction from an accredited 4-year
 5596 college, or a related degree as approved by the department ~~board~~
 5597 by rule, and has a grade point average of 3.0 or higher, such
 5598 applicant is only required to take and pass the business and
 5599 finance portion of the examination. Any person who desires to
 5600 engage in contracting on other than a statewide basis shall, as

5601 a prerequisite thereto, be registered pursuant to this part,
5602 unless exempted by this part.

5603 (2) A person must be certified or registered in order to
5604 engage in the business of contracting in this state. However,
5605 for purposes of complying with the provisions of this chapter, a
5606 subcontractor who is not certified or registered may perform
5607 construction work under the supervision of a person who is
5608 certified or registered, provided that the work is within the
5609 scope of the supervising contractor's license, the supervising
5610 contractor is responsible for the work, and the subcontractor
5611 being supervised is not engaged in construction work that would
5612 require a license as a contractor under any of the categories
5613 listed in s. 489.105(2)(d)-(o) ~~s. 489.105(3)(d)-(o)~~. This
5614 subsection does not affect the application of any local
5615 construction licensing ordinances. To enforce this subsection:

5616 (a) The department shall issue a cease and desist order to
5617 prohibit any person from engaging in the business of contracting
5618 who does not hold the required certification or registration for
5619 the work being performed under this part. For the purpose of
5620 enforcing a cease and desist order, the department may file a
5621 proceeding in the name of the state seeking issuance of an
5622 injunction or a writ of mandamus against any person who violates
5623 any provision of such order.

5624 (b) A county, municipality, or local licensing board
5625 created by special act may issue a cease and desist order to

5626 | prohibit any person from engaging in the business of contracting
 5627 | who does not hold the required certification or registration for
 5628 | the work being performed under this part.

5629 | (3) A contractor shall subcontract all electrical,
 5630 | mechanical, plumbing, roofing, sheet metal, swimming pool, and
 5631 | air-conditioning work, unless such contractor holds a state
 5632 | certificate or registration in the respective trade category,
 5633 | however:

5634 | (f) A solar contractor may ~~shall~~ not be required to
 5635 | subcontract minor, as defined by department ~~board~~ rule,
 5636 | electrical, mechanical, plumbing, or roofing work so long as
 5637 | that work is within the scope of the license held by the solar
 5638 | contractor and where such work exclusively pertains to the
 5639 | installation of residential solar energy equipment as defined by
 5640 | rules of the department ~~board~~ ~~adopted in conjunction with the~~
 5641 | ~~Electrical Contracting Licensing Board~~.

5642 | (6) (a) The department ~~board~~ shall, by rule, designate
 5643 | those types of specialty contractors which may be certified
 5644 | under this part. The limit of the scope of work and
 5645 | responsibility of a specialty contractor shall be established by
 5646 | the department ~~board~~ by rule. However, a certified specialty
 5647 | contractor category established by department ~~board~~ rule exists
 5648 | as a voluntary statewide licensing category and does not create
 5649 | a mandatory licensing requirement. Any mandatory statewide
 5650 | construction contracting licensure requirement may only be

5651 established through specific statutory provision.

5652 (b) By July 1, 2025, the department ~~board~~ shall, by rule,
5653 establish certified specialty contractor categories for
5654 voluntary licensure for all of the following:

- 5655 1. Structural aluminum or screen enclosures.
- 5656 2. Marine seawall work.
- 5657 3. Marine bulkhead work.
- 5658 4. Marine dock work.
- 5659 5. Marine pile driving.
- 5660 6. Structural masonry.
- 5661 7. Structural prestressed, precast concrete work.
- 5662 8. Rooftop solar heating installation.
- 5663 9. Structural steel.
- 5664 10. Window and door installation, including garage door
5665 installation and hurricane or windstorm protection.
- 5666 11. Plaster and lath.
- 5667 12. Structural carpentry.

5668 (7) If an eligible applicant fails any contractor's
5669 written examination, except the general and building
5670 contractors' examination, and provides the department ~~board~~ with
5671 acceptable proof of lack of comprehension of written
5672 examinations, the applicant may petition the department ~~board~~ to
5673 be administered a uniform oral examination, subject to the
5674 following conditions:

5675 (a) The applicant documents 10 years of experience in the

5676 appropriate construction craft.

5677 (b) The applicant files written recommendations concerning
5678 his or her competency in the appropriate construction craft.

5679 (c) The applicant is administered only one oral
5680 examination within a period of 1 year.

5681 (8) Any public record of the department ~~board~~, when
5682 certified by the department ~~executive director of the board or~~
5683 ~~the executive director's representative~~, may be received as
5684 prima facie evidence in any administrative or judicial
5685 proceeding.

5686 **Section 184. Subsection (1) of section 489.1131, Florida**
5687 **Statutes, is amended to read:**

5688 489.1131 Credit for relevant military training and
5689 education.—

5690 (1) The department shall provide a method by which
5691 honorably discharged veterans may apply for licensure. The
5692 method must include a veteran-specific application and provide:

5693 (a) To the fullest extent possible, credit toward the
5694 requirements for licensure for military experience, training,
5695 and education received and completed during service in the
5696 United States Armed Forces if the military experience, training,
5697 or education is substantially similar to the experience,
5698 training, or education required for licensure.

5699 (b) Acceptance of up to 3 years of active duty service in
5700 the United States Armed Forces, regardless of duty or training,

5701 to meet the experience requirements of s. 489.111(2)(c). At
5702 least 1 additional year of active experience as a foreman in the
5703 trade, either civilian or military, is required to fulfill the
5704 experience requirement of s. 489.111(2)(c).

5705

5706 The department board may adopt rules pursuant to ss. 120.536(1)
5707 and 120.54 to implement this subsection.

5708 **Section 185. Subsection (1) of section 489.1136, Florida**
5709 **Statutes, is amended to read:**

5710 489.1136 Medical gas certification.—

5711 (1)(a) In addition to the certification or registration
5712 required to engage in business as a plumbing contractor, any
5713 plumbing contractor who wishes to engage in the business of
5714 installation, improvement, repair, or maintenance of any tubing,
5715 pipe, or similar conduit used to transport gaseous or partly
5716 gaseous substances for medical purposes shall take, ~~as part of~~
5717 ~~the contractor's continuing education requirement, at least once~~
5718 ~~during the holding of such license,~~ a course of at least 6 hours
5719 before any installation, improvement, repair, or maintenance of
5720 any tubing, pipe, or similar conduit used to transport gaseous
5721 or partly gaseous substances for medical purposes. Such course
5722 shall be given by an instructional facility or teaching entity
5723 that has been approved by the department board. In order for a
5724 course to be approved, the department board must find that the
5725 course is designed to teach familiarity with the National Fire

5726 Prevention Association Standard 99C (Standard on Gas and Vacuum
5727 Systems, latest edition) and also designed to teach familiarity
5728 and practical ability in performing and inspecting brazing
5729 duties required of medical gas installation, improvement,
5730 repair, or maintenance work. Such course shall issue a
5731 certificate of completion to the taker of the course, which
5732 certificate shall be available for inspection by any entity or
5733 person seeking to have such contractor engage in the business of
5734 installation, improvement, repair, or maintenance of a medical
5735 gas system.

5736 (b) Any other natural person who is employed by a licensed
5737 plumbing contractor to provide work on the installation,
5738 improvement, repair, or maintenance of a medical gas system,
5739 except as noted in paragraph (c), shall, as a prerequisite to
5740 his or her ability to provide such service, take a course
5741 approved by the department ~~board~~. Such course shall be at least
5742 8 hours and consist of both classroom and practical work
5743 designed to teach familiarity with the National Fire Prevention
5744 Association Standard 99C (Standard on Gas and Vacuum Systems,
5745 latest edition) and also designed to teach familiarity and
5746 practical ability in performing and inspecting brazing duties
5747 required of medical gas installation, improvement, repair, or
5748 maintenance work. Such course shall also include the
5749 administration of a practical examination in the skills required
5750 to perform work as outlined above, including brazing, and each

5751 examination shall be reasonably constructed to test for
5752 knowledge of the subject matter. The person taking such course
5753 and examination must, upon successful completion of both, be
5754 issued a certificate of completion by the giver of such course,
5755 which certificate shall be made available by the holder for
5756 inspection by any person or entity seeking to have such person
5757 perform work on the installation, improvement, repair, or
5758 maintenance of a medical gas system.

5759 (c) Any other natural person who wishes to perform only
5760 brazing duties incidental to the installation, improvement,
5761 repair, or maintenance of a medical gas system shall pass an
5762 examination designed to show that person's familiarity with and
5763 practical ability in performing brazing duties required of
5764 medical gas installation, improvement, repair, or maintenance.
5765 Such examination shall be from a test approved by the department
5766 ~~board~~. Such examination must test for knowledge of National Fire
5767 Prevention Association Standard 99C (Standard on Gas and Vacuum
5768 Systems, latest edition). The person taking such examination
5769 must, upon passing such examination, be issued a certificate of
5770 completion by the giver of such examination, and such
5771 certificate shall be made available by the holder for inspection
5772 by any person or entity seeking to have or employ such person to
5773 perform brazing duties on a medical gas system.

5774 (d) It is the responsibility of the licensed plumbing
5775 contractor to ascertain whether members of his or her workforce

5776 are in compliance with this subsection, and such contractor is
5777 subject to discipline under s. 489.129 for violation of this
5778 subsection.

5779 (e) Training programs in medical gas piping installation,
5780 improvement, repair, or maintenance shall be reviewed annually
5781 by the department ~~board~~ to ensure that programs have been
5782 provided equitably across the state.

5783 (f) Periodically, the department ~~board~~ shall review
5784 training programs in medical gas piping installation for quality
5785 in content and instruction in accordance with the National Fire
5786 Prevention Association Standard 99C (Standard on Gas and Vacuum
5787 Systems, latest edition). The department ~~board~~ shall also
5788 respond to complaints regarding approved programs.

5789 **Section 186. Section 489.114, Florida Statutes, is amended**
5790 **to read:**

5791 489.114 Evidence of workers' compensation coverage.—Except
5792 as provided in s. 489.115(5) (d), any person, business
5793 organization, or qualifying agent engaged in the business of
5794 contracting in this state and certified or registered under this
5795 part shall, as a condition precedent to the issuance or renewal
5796 of a certificate or registration of the contractor, provide to
5797 the department ~~Construction Industry Licensing Board~~, as
5798 provided by department ~~board~~ rule, evidence of workers'
5799 compensation coverage pursuant to chapter 440. In the event that
5800 the Division of Workers' Compensation of the Department of

5801 Financial Services receives notice of the cancellation of a
5802 policy of workers' compensation insurance insuring a person or
5803 entity governed by this section, the Division of Workers'
5804 Compensation shall certify and identify all persons or entities
5805 by certification or registration license number to the
5806 department after verification is made by the Division of
5807 Workers' Compensation that persons or entities governed by this
5808 section are no longer covered by workers' compensation
5809 insurance. Such certification and verification by the Division
5810 of Workers' Compensation may result from records furnished to
5811 the Division of Workers' Compensation by the persons or entities
5812 governed by this section or an investigation completed by the
5813 Division of Workers' Compensation. The department shall notify
5814 the persons or entities governed by this section who have been
5815 determined to be in noncompliance with chapter 440, and the
5816 persons or entities notified shall provide certification of
5817 compliance with chapter 440 to the department and pay an
5818 administrative fine in the amount of \$500. The failure to
5819 maintain workers' compensation coverage as required by law shall
5820 be grounds for the department ~~board~~ to revoke, suspend, or deny
5821 the issuance or renewal of a certificate or registration of the
5822 contractor under the provisions of s. 489.129.

5823 **Section 187. Paragraph (a) of subsection (2), subsection**
5824 **(3), paragraph (b) of subsection (4), and subsections (5), (6),**
5825 **(7), and (9) of section 489.115, Florida Statutes, are amended**

5826 **to read:**

5827 489.115 Certification and registration; endorsement;
5828 reciprocity; renewals; ~~continuing education.~~

5829 (2) (a) The department shall issue a certificate or
5830 registration to each person qualified by the department ~~board~~
5831 and upon receipt of the original license fee.

5832 (3) The department ~~board~~ shall certify as qualified for
5833 certification by endorsement any applicant who:

5834 (a) Meets the requirements for certification as set forth
5835 in this section; has passed a national, regional, state, or
5836 United States territorial licensing examination that is
5837 substantially equivalent to the examination required by this
5838 part; and has satisfied the requirements set forth in s.
5839 489.111;

5840 (b) Holds a valid license to practice contracting issued
5841 by another state or territory of the United States, if the
5842 criteria for issuance of such license were substantially
5843 equivalent to Florida's current certification criteria;

5844 (c) Holds a valid, current license to practice contracting
5845 issued by another state or territory of the United States, if
5846 the state or territory has entered into a reciprocal agreement
5847 with the department ~~board~~ for the recognition of contractor
5848 licenses issued in that state, based on criteria for the
5849 issuance of such licenses that are substantially equivalent to
5850 the criteria for certification in this state; or

5851 (d) Has held a valid, current license to practice
5852 contracting issued by another state or territory of the United
5853 States for at least 10 years before the date of application and
5854 is applying for the same or similar license in this state,
5855 subject to subsections (5)-(9). The department ~~board~~ may
5856 consider an applicant's technical competence to ensure the
5857 applicant is able to meet the requirements of this state's codes
5858 and standards for wind mitigation and water intrusion. The
5859 department ~~board~~ may also consider whether such applicant has
5860 had a license to practice contracting revoked, suspended, or
5861 otherwise acted against by the licensing authority of another
5862 state, territory, or country. Such application must be made
5863 either when the license in another state or territory is active
5864 or within 2 years after such license was last active. Division I
5865 contractors and roofing contractors must complete a 2-hour
5866 course on the Florida Building Code which includes information
5867 on wind mitigation techniques. The required courses may be
5868 completed online.

5869 (4)

5870 ~~(b)1. Each certificateholder or registrant shall provide~~
5871 ~~proof, in a form established by rule of the board, that the~~
5872 ~~certificateholder or registrant has completed at least 14~~
5873 ~~classroom hours of at least 50 minutes each of continuing~~
5874 ~~education courses during each biennium since the issuance or~~
5875 ~~renewal of the certificate or registration. The board shall~~

5876 ~~establish by rule that a portion of the required 14 hours must~~
5877 ~~deal with the subject of workers' compensation, business~~
5878 ~~practices, workplace safety, and, for applicable licensure~~
5879 ~~categories, wind mitigation methodologies, and 1 hour of which~~
5880 ~~must deal with laws and rules. The board shall by rule establish~~
5881 ~~criteria for the approval of continuing education courses and~~
5882 ~~providers, including requirements relating to the content of~~
5883 ~~courses and standards for approval of providers, and may by rule~~
5884 ~~establish criteria for accepting alternative nonclassroom~~
5885 ~~continuing education on an hour-for-hour basis. The board shall~~
5886 ~~prescribe by rule the continuing education, if any, which is~~
5887 ~~required during the first biennium of initial licensure. A~~
5888 ~~person who has been licensed for less than an entire biennium~~
5889 ~~must not be required to complete the full 14 hours of continuing~~
5890 ~~education.~~

5891 ~~2. In addition, the board may approve specialized~~
5892 ~~continuing education courses on compliance with the wind~~
5893 ~~resistance provisions for one and two family dwellings contained~~
5894 ~~in the Florida Building Code and any alternate methodologies for~~
5895 ~~providing such wind resistance which have been approved for use~~
5896 ~~by the Florida Building Commission. Division I~~
5897 ~~certificateholders or registrants who demonstrate proficiency~~
5898 ~~upon completion of such specialized courses may certify plans~~
5899 ~~and specifications for one and two family dwellings to be in~~
5900 ~~compliance with the code or alternate methodologies, as~~

5901 ~~appropriate, except for dwellings located in floodways or~~
5902 ~~coastal hazard areas as defined in ss. 60.3D and E of the~~
5903 ~~National Flood Insurance Program.~~

5904 ~~3. The board shall require, by rule adopted pursuant to~~
5905 ~~ss. 120.536(1) and 120.54, a specified number of hours in~~
5906 ~~specialized or advanced module courses, approved by the Florida~~
5907 ~~Building Commission, on any portion of the Florida Building~~
5908 ~~Code, adopted pursuant to part IV of chapter 553, relating to~~
5909 ~~the contractor's respective discipline.~~

5910 (5) (a) As a prerequisite to the initial issuance or the
5911 renewal of a certificate or registration, the applicant shall
5912 submit an affidavit on a form provided by the department board
5913 attesting to the fact that the applicant has obtained workers'
5914 compensation insurance as required by chapter 440, public
5915 liability insurance, and property damage insurance for the
5916 safety and welfare of the public, in amounts determined by rule
5917 of the department board. The department board shall by rule
5918 establish a procedure to verify the accuracy of such affidavits
5919 based upon a random sample method.

5920 (b) In addition to the affidavit of insurance, as a
5921 prerequisite to the initial issuance of a certificate, the
5922 applicant shall furnish a credit report from a nationally
5923 recognized credit agency that reflects the financial
5924 responsibility of the applicant and evidence of financial
5925 responsibility, credit, and business reputation of either

5926 | himself or herself or the business organization he or she
5927 | desires to qualify. The department ~~board~~ shall adopt rules
5928 | defining financial responsibility based upon the applicant's
5929 | credit history, ability to be bonded, and any history of
5930 | bankruptcy or assignment of receivers. The department ~~board~~ may
5931 | also adopt rules that would allow applicants to demonstrate
5932 | financial responsibility, as an alternative to the foregoing, by
5933 | providing minimum credit scores or bonds payable as prescribed
5934 | for financially responsible officers. Such rules shall specify
5935 | the financial responsibility grounds on which the department
5936 | ~~board~~ may refuse to qualify an applicant for certification.

5937 | (c) If, within 60 days from the date the applicant is
5938 | notified that he or she has qualified, he or she does not
5939 | provide the evidence required, he or she shall apply to the
5940 | department for an extension of time which shall be granted upon
5941 | a showing of just cause.

5942 | (d) An applicant for initial issuance of a certificate or
5943 | registration shall submit as a prerequisite to qualifying for an
5944 | exemption from workers' compensation coverage requirements under
5945 | s. 440.05 an affidavit attesting to the fact that the applicant
5946 | will obtain an exemption within 30 days after the date the
5947 | initial certificate or registration is issued by the department
5948 | ~~board~~.

5949 | (6) An applicant for initial issuance of a certificate or
5950 | registration shall submit to a statewide criminal history

5951 records check through the Department of Law Enforcement. The
5952 Department of Business and Professional Regulation shall submit
5953 the requests for the criminal history records check to the
5954 Department of Law Enforcement for state processing, and the
5955 Department of Law Enforcement shall return the results to the
5956 department to determine if the applicant meets certification or
5957 registration requirements. If the applicant has been convicted
5958 of a felony, the department board may deny licensure to the
5959 applicant based upon the severity of the crime, the relationship
5960 of the crime to contracting, or the potential for public harm.
5961 The department board shall also, in denying or approving
5962 licensure, consider the length of time since the commission of
5963 the crime and the rehabilitation of the applicant. The
5964 department board may not deny licensure to an applicant based
5965 solely upon a felony conviction or the applicant's failure to
5966 provide proof of restoration of civil rights.

5967 (7) An initial applicant shall, along with the
5968 application, and a certificateholder or registrant shall, upon
5969 requesting a change of status, submit to the department board a
5970 credit report from a nationally recognized credit agency that
5971 reflects the financial responsibility of the applicant or
5972 certificateholder or registrant. The credit report required for
5973 the initial applicant shall be considered the minimum evidence
5974 necessary to satisfy the department board that he or she is
5975 financially responsible to be certified, has the necessary

5976 credit and business reputation to engage in contracting in the
5977 state, and has the minimum financial stability necessary to
5978 avoid the problem of financial mismanagement or misconduct. The
5979 department ~~board~~ shall, by rule, adopt guidelines for
5980 determination of financial stability, which may include minimum
5981 requirements for net worth, cash, and bonding for Division I
5982 certificateholders of no more than \$20,000 and for Division II
5983 certificateholders of no more than \$10,000. Fifty percent of the
5984 financial requirements may be met by completing a 14-hour
5985 financial responsibility course approved by the department
5986 ~~board~~.

5987 (9) An initial applicant shall submit, along with the
5988 application, a complete set of fingerprints to the department.
5989 The fingerprints shall be submitted to the Department of Law
5990 Enforcement for state processing, and the Department of Law
5991 Enforcement shall forward them to the Federal Bureau of
5992 Investigation for national processing for the purpose of
5993 determining if the applicant has a criminal history record. The
5994 department shall and the department ~~board~~ may review the
5995 background results to determine if an applicant meets licensure
5996 requirements. The cost for the fingerprint processing shall be
5997 borne by the person subject to the background screening. These
5998 fees are to be collected by the authorized agencies or vendors.
5999 The authorized agencies or vendors are responsible for paying
6000 the processing costs to the Department of Law Enforcement.

6001 **Section 188. Subsections (7) and (8) of section 489.116,**
 6002 **Florida Statutes, are renumbered as subsections (6) and (7),**
 6003 **respectively, and subsections (2) through (5) and subsection (6)**
 6004 **and present subsection (7) of that section are amended, to read:**

6005 489.116 Inactive and delinquent status; renewal and
 6006 cancellation notices.—

6007 (2) The department ~~board~~ shall permit a certificateholder
 6008 or registrant to elect, at the time of licensure renewal, an
 6009 active or inactive status.

6010 (3) An inactive status certificateholder or registrant may
 6011 change to active status at any time, if the certificateholder or
 6012 registrant meets all requirements for active status, pays any
 6013 additional licensure fees necessary to equal those imposed on an
 6014 active status certificateholder or registrant, pays any
 6015 applicable late fees, and meets all ~~continuing education~~
 6016 requirements prescribed by the department ~~board~~.

6017 (4) A certificateholder or registrant shall apply with a
 6018 completed application, as determined by department ~~board~~ rule,
 6019 to renew an active or inactive status certificate or
 6020 registration before the certificate or registration expires.
 6021 Failure of a certificateholder or registrant to so apply shall
 6022 cause the certificate or registration to become a delinquent
 6023 certificate or registration. Further, any delinquent
 6024 certificateholder or registrant who fails to apply to renew
 6025 licensure on either active or inactive status before expiration

6026 of the current licensure cycle must reapply in the same manner
 6027 as an applicant for initial certification or registration.

6028 (5) A delinquent status certificateholder or registrant
 6029 must apply with a completed application, as determined by
 6030 department ~~board~~ rule, for active or inactive status during the
 6031 current licensure cycle. Failure by a delinquent status
 6032 certificateholder or registrant to become active or inactive
 6033 before the expiration of the current licensure cycle renders the
 6034 certificate or registration void, and any subsequent licensure
 6035 shall be subject to all procedures and requirements imposed on
 6036 an applicant for initial licensure.

6037 ~~(6) The board may not require an inactive~~
 6038 ~~certificateholder or registrant to complete more than one~~
 6039 ~~renewal cycle of continuing education for reactivating a~~
 6040 ~~certificate or registration.~~

6041 (6) ~~(7)~~ The status or any change in status of a
 6042 certificateholder or registrant may ~~shall~~ not alter in any way
 6043 the department's ~~board's~~ right to impose discipline or to
 6044 enforce discipline previously imposed on a certificateholder or
 6045 registrant for acts or omissions committed by the
 6046 certificateholder or registrant while holding a certificate or
 6047 registration.

6048 **Section 189. Paragraphs (a) and (c) of subsection (1),**
 6049 **subsection (2), paragraph (a) of subsection (3), and subsection**
 6050 **(4) of section 489.117, Florida Statutes, are amended to read:**

6051 489.117 Registration; specialty contractors.—

6052 (1) (a) A person engaged in the business of a contractor as
6053 defined in s. 489.105(2) (a) - (o) ~~s. 489.105(3) (a) - (o)~~ must be
6054 registered before engaging in business as a contractor in this
6055 state, unless he or she is certified. Except as provided in
6056 paragraph (2) (b), to be initially registered, the applicant must
6057 submit the required fee and file evidence of successful
6058 compliance with the local examination and licensing
6059 requirements, if any, in the area for which registration is
6060 desired. An examination is not required for registration.

6061 (c) Each registrant shall report to the department ~~board~~
6062 each local jurisdiction and each category of registration in
6063 which the registrant holds a certificate of competency or
6064 license, or where the registrant has been granted a certificate
6065 of competency or license by reciprocal agreement, for which
6066 registration is required by this part, within 30 days after
6067 obtaining such certificate or license.

6068 (2) (a) Except as provided in paragraph (b), the department
6069 ~~board~~ may not issue a new registration after July 1, 1993, based
6070 on any certificate of competency or license for a category of
6071 contractor defined in s. 489.105(2) (a) - (o) ~~s. 489.105(3) (a) - (o)~~
6072 which is issued by a municipal or county government that does
6073 not exercise disciplinary control and oversight over such
6074 locally licensed contractors, including forwarding a recommended
6075 order in each action to the department ~~board~~ as provided in s.

6076 489.131(7). For purposes of this subsection and s. 489.131(10),
6077 the department ~~board~~ shall determine the adequacy of such
6078 disciplinary control by reviewing the local government's ability
6079 to process and investigate complaints and to take disciplinary
6080 action against locally licensed contractors.

6081 (b) The department ~~board~~ shall issue a registration to an
6082 eligible applicant to engage in the business of a contractor in
6083 a specified local jurisdiction, provided each of the following
6084 conditions are satisfied:

6085 1. The applicant held, in any local jurisdiction in this
6086 state during 2021, 2022, or 2023, a certificate of registration
6087 issued by the state or a local license issued by a local
6088 jurisdiction to perform work in a category of contractor defined
6089 in s. 489.105(2)(a)-(o) ~~s. 489.105(3)(a)-(e)~~.

6090 2. The applicant submits all of the following to the
6091 department ~~board~~:

6092 a. Evidence of the certificate of registration or local
6093 license held by the applicant as required by subparagraph 1.

6094 b. Evidence that the specified local jurisdiction does not
6095 have a license type available for the category of work for which
6096 the applicant was issued a certificate of registration or local
6097 license during 2021, 2022, or 2023, such as a notification on
6098 the website of the local jurisdiction or an e-mail or letter
6099 from the office of the local building official or local building
6100 department stating that such license type is not available in

6101 that local jurisdiction.

6102 c. Evidence that the applicant has submitted the required
6103 fee.

6104 d. Evidence of compliance with the insurance and financial
6105 responsibility requirements of s. 489.115(5).

6106

6107 An examination is not required for an applicant seeking a
6108 registration under this paragraph.

6109 (c) The department ~~board~~ is responsible for disciplining
6110 licensees issued a registration under paragraph (b). The
6111 department ~~board~~ shall make such licensure and disciplinary
6112 information available through the automated information system
6113 provided pursuant to s. 455.2286.

6114 (d) The fees for an applicant seeking a registration under
6115 paragraph (b) and renewal of such registration every 2 years are
6116 the same as the fees established by the department ~~board~~ for
6117 applications, registration and renewal, and record making and
6118 recordkeeping, as set forth in s. 489.109. The department shall
6119 provide license, renewal, and cancellation notices pursuant to
6120 ss. 455.273 and 455.275.

6121 (3) (a) Upon findings of fact supporting the need therefor,
6122 the department ~~board~~ may grant a limited nonrenewable
6123 registration to a contractor not domiciled in the state, for one
6124 project. During the period of such registration the department
6125 ~~board~~ may require compliance with this and any other statute of

6126 | the state.

6127 | (4) (a)1. A person whose job scope does not substantially
 6128 | correspond to either the job scope of one of the contractor
 6129 | categories defined in s. 489.105(2) (a) - (o) ~~s. 489.105(3) (a) - (o)~~,
 6130 | or the job scope of one of the certified specialty contractor
 6131 | categories established by department ~~board~~ rule, is not required
 6132 | to register with the department ~~board~~. A local government, as
 6133 | defined in s. 163.211, may not require a person to obtain a
 6134 | license, issued by the local government or the state, for a job
 6135 | scope which does not substantially correspond to the job scope
 6136 | of one of the contractor categories defined in s. 489.105(2) (a) -
 6137 | (o) and (q) ~~s. 489.105(3) (a) - (o) and (q)~~ or authorized in s.
 6138 | 489.1455(1), or the job scope of one of the certified specialty
 6139 | contractor categories established pursuant to s. 489.113(6). A
 6140 | local government may not require a state or local license to
 6141 | obtain a permit for such job scopes. For purposes of this
 6142 | section, job scopes for which a local government may not require
 6143 | a license include, but are not limited to, painting; flooring;
 6144 | cabinetry; interior remodeling when the scope of the project
 6145 | does not include a task for which a state license is required;
 6146 | driveway or tennis court installation; handyman services;
 6147 | decorative stone, tile, marble, granite, or terrazzo
 6148 | installation; plastering; pressure washing; stuccoing; caulking;
 6149 | and canvas awning and ornamental iron installation.

6150 | 2. A county that includes an area designated as an area of

6151 critical state concern under s. 380.05 may offer a license for
6152 any job scope which requires a contractor license under this
6153 part if the county imposed such a licensing requirement before
6154 January 1, 2021.

6155 3. A local government may continue to offer a license for
6156 veneer, including aluminum or vinyl gutters, siding, soffit, or
6157 fascia; rooftop painting, coating, and cleaning above three
6158 stories in height; or fence installation and erection if the
6159 local government imposed such a licensing requirement before
6160 January 1, 2021.

6161 4. A local government may not require a license as a
6162 prerequisite to submit a bid for public works projects if the
6163 work to be performed does not require a license under general
6164 law.

6165 (b) The local jurisdictions are responsible for providing
6166 the following information to the department ~~board~~ within 30 days
6167 after licensure of, or any disciplinary action against, a
6168 locally licensed contractor who is registered under this part:

- 6169 1. Licensure information.
- 6170 2. Code violation information pursuant to s. 553.781.
- 6171 3. Disciplinary information.

6172
6173 The department ~~board~~ shall maintain such licensure and
6174 disciplinary information as it is provided to the department
6175 ~~board~~ and shall make the information available through the

6176 automated information system provided pursuant to s. 455.2286.

6177 (c) Providing discipline to such locally licensed
6178 contractors is the responsibility of the local jurisdiction.

6179 (d) Any person who is not required to obtain registration
6180 or certification pursuant to s. 489.105(2)(d)-(o) ~~s.~~

6181 ~~489.105(3)(d)-(e)~~ may perform contracting services for the
6182 construction, remodeling, repair, or improvement of single-
6183 family residences, including a townhouse as defined in the
6184 Florida Building Code, without obtaining a local license if such
6185 person is under the supervision of a certified or registered
6186 general, building, or residential contractor. As used in this
6187 paragraph, supervision may ~~shall~~ not be deemed to require the
6188 existence of a direct contract between the certified or
6189 registered general, building, or residential contractor and the
6190 person performing specialty contracting services.

6191 (e) Any person who is not certified or registered may
6192 perform the work of a specialty contractor whose scope of
6193 practice is limited to the type of work specified under s.
6194 489.105(2)(j), (k), or (l) ~~s. 489.105(3)(j), (k), or (l)~~ for the
6195 construction, remodeling, repair, or improvement of commercial
6196 or residential swimming pools, interactive water features as
6197 defined in the Florida Building Code, hot tubs, and spas without
6198 obtaining a local license or certification as a specialty
6199 contractor if he or she is supervised by a contractor who is
6200 certified or registered under s. 489.105(2)(j), (k), or (l) ~~s.~~

6201 ~~489.105(3)(j), (k), or (l)~~; the work is within the scope of the
6202 supervising contractor's license; the supervising contractor is
6203 responsible for the work; and the work does not require
6204 certification or registration under s. 489.105(2)(d)-(i), (m)-
6205 (o) ~~s. 489.105(3)(d)-(i), (m)-(o), or s. 489.505~~. Such
6206 supervision does not require a direct contract between the
6207 contractor certified or registered under s. 489.105(2)(j), (k),
6208 or (l) ~~s. 489.105(3)(j), (k), or (l)~~ and the person performing
6209 the work, or for the person performing the work to be an
6210 employee of the contractor certified or registered under s.
6211 489.105(2)(j), (k), or (l) ~~s. 489.105(3)(j), (k), or (l)~~. This
6212 paragraph does not limit the exemptions provided in s. 489.103
6213 and may not be construed to expand the scope of a contractor
6214 certified or registered under s. 489.105(2)(j), (k), or (l) ~~s.~~
6215 ~~489.105(3)(j), (k), or (l)~~ to provide plumbing or electrical
6216 services for which certification or registration is required by
6217 this part or part II.

6218 **Section 190. Section 489.118, Florida Statutes, is amended**
6219 **to read:**

6220 489.118 Certification of registered contractors;
6221 grandfathering provisions.—The department ~~board~~ shall, upon
6222 receipt of a completed application and appropriate fee, issue a
6223 certificate in the appropriate category to any contractor
6224 registered under this part who makes application to the
6225 department ~~board~~ and can show that he or she meets each of the

6226 following requirements:

6227 (1) Currently holds a valid registered local license in
6228 one of the contractor categories defined in s. 489.105(3)(a)-(p)
6229 ~~s. 489.105(3)(a)-(p)~~.

6230 (2) Has, for that category, passed a written examination
6231 that the department ~~board~~ finds to be substantially similar to
6232 the examination required to be licensed as a certified
6233 contractor under this part. For purposes of this subsection, a
6234 written, proctored examination such as that produced by the
6235 National Assessment Institute, Block and Associates, NAI/Block,
6236 Experior Assessments, Professional Testing, Inc., or Assessment
6237 Systems, Inc., shall be considered to be substantially similar
6238 to the examination required to be licensed as a certified
6239 contractor. The department ~~board~~ may not impose or make any
6240 requirements regarding the nature or content of these cited
6241 examinations.

6242 (3) Has at least 5 years of experience as a contractor in
6243 that contracting category, or as an inspector or building
6244 administrator with oversight over that category, at the time of
6245 application. For contractors, only time periods in which the
6246 contractor license is active and the contractor is not on
6247 probation shall count toward the 5 years required by this
6248 subsection.

6249 (4) Has not had his or her contractor's license revoked at
6250 any time, had his or her contractor's license suspended within

6251 the last 5 years, or been assessed a fine in excess of \$500
6252 within the last 5 years.

6253 (5) Is in compliance with the insurance and financial
6254 responsibility requirements in s. 489.115(5).

6255 **Section 191. Paragraphs (b), (c), and (e) of subsection**
6256 **(2), paragraph (a) of subsection (3), paragraphs (a), (b), and**
6257 **(e) of subsection (5), subsection (6), and paragraphs (a) and**
6258 **(b) of subsection (7) of section 489.119, Florida Statutes, are**
6259 **amended to read:**

6260 489.119 Business organizations; qualifying agents.—

6261 (2) If the applicant proposes to engage in contracting as
6262 a business organization, including any partnership, corporation,
6263 business trust, or other legal entity, or in any name other than
6264 the applicant's legal name or a fictitious name where the
6265 applicant is doing business as a sole proprietorship, the
6266 applicant must apply for registration or certification as the
6267 qualifying agent of the business organization.

6268 (b)1. An application for registration or certification to
6269 qualify a business organization must include an affidavit on a
6270 form provided by the department ~~board~~ attesting that the
6271 applicant has final approval authority for all construction work
6272 performed by the business organization and that the applicant
6273 has final approval authority on all business matters, including
6274 contracts, specifications, checks, drafts, or payments,
6275 regardless of the form of payment, made by the business

6276 organization, except where a financially responsible officer is
6277 approved.

6278 2. The application for financially responsible officer
6279 must include an affidavit on a form provided by the department
6280 ~~board~~ attesting that the applicant's approval is required for
6281 all checks, drafts, or payments, regardless of the form of
6282 payment, made by the business organization and that the
6283 applicant has authority to act for the business organization in
6284 all financial matters.

6285 3. The application for secondary qualifying agent must
6286 include an affidavit on a form provided by the department ~~board~~
6287 attesting that the applicant has authority to supervise all
6288 construction work performed by the business organization as
6289 provided in s. 489.1195(2).

6290 (c) The department ~~board~~ may deny an application for
6291 registration or certification to qualify a business organization
6292 if the applicant, or any person listed in paragraph (a), has
6293 been involved in past disciplinary actions or on any grounds for
6294 which an individual registration or certification may be denied.

6295 (e) A joint venture, including a joint venture composed of
6296 qualified business organizations, is itself a separate and
6297 distinct organization that must be qualified in accordance with
6298 department ~~board~~ rules.

6299 (3) (a) A qualifying agent must be certified or registered
6300 under this part in order for the business organization to

6301 operate in the category of contracting in which the qualifying
6302 agent is certified or registered. If any qualifying agent ceases
6303 to be affiliated with a business organization, he or she shall
6304 inform the department. In addition, if the qualifying agent is
6305 the only certified or registered contractor affiliated with the
6306 business organization, the business organization shall notify
6307 the department of the termination of the qualifying agent and
6308 shall have 60 days from the termination of the qualifying
6309 agent's affiliation with the business organization in which to
6310 employ another qualifying agent. The business organization may
6311 not engage in contracting until a qualifying agent is employed,
6312 unless the department ~~executive director or chair of the board~~
6313 has granted a temporary nonrenewable certificate or registration
6314 to the financially responsible officer, the president, a
6315 partner, or, in the case of a limited partnership, the general
6316 partner, who assumes all responsibilities of a primary
6317 qualifying agent for the business organization. This temporary
6318 certificate or registration shall only allow the business
6319 organization to proceed with incomplete contracts. For the
6320 purposes of this paragraph, an incomplete contract is one which
6321 has been awarded to, or entered into by, the business
6322 organization before ~~prior to~~ the cessation of affiliation of the
6323 qualifying agent with the business organization or one on which
6324 the business organization was the low bidder and the contract is
6325 subsequently awarded, regardless of whether any actual work has

6326 commenced under the contract before ~~prior to~~ the qualifying
 6327 agent ceasing to be affiliated with the business organization.

6328 (5) (a) Each registered or certified contractor shall affix
 6329 the number of his or her registration or certification to each
 6330 application for a building permit and on each building permit
 6331 issued and recorded. Each city or county building department
 6332 shall require, as a precondition for the issuance of the
 6333 building permit, that the contractor taking out the permit must
 6334 provide verification giving his or her department ~~Construction~~
 6335 ~~Industry Licensing Board~~ registration or certification number.

6336 (b) The registration or certification number of each
 6337 contractor shall appear in each offer of services, business
 6338 proposal, bid, contract, or advertisement, regardless of medium,
 6339 as defined by department ~~board~~ rule, used by that contractor or
 6340 business organization in the practice of contracting.

6341 (e) The department ~~board~~ shall issue a notice of
 6342 noncompliance for the first offense, and may assess a fine or
 6343 issue a citation for failure to correct the offense within 30
 6344 days or for any subsequent offense, to any contractor or
 6345 business organization that fails to include the certification or
 6346 registration number as required by this part when submitting an
 6347 advertisement for publication, broadcast, or printing or fails
 6348 to display the certification or registration number as required
 6349 by this part.

6350 (6) Each qualifying agent shall pay the department an

6351 amount equal to the original fee for registration or
6352 certification to qualify a new business organization. If the
6353 qualifying agent for a business organization desires to qualify
6354 additional business organizations, the department ~~board~~ shall
6355 require the qualifying agent to present evidence of his or her
6356 ability to supervise the construction activities of each such
6357 organization. Approval of each business organization is
6358 discretionary with the department ~~board~~.

6359 (7) (a) A business organization proposing to engage in
6360 contracting is not required to apply for or obtain authorization
6361 under this part to engage in contracting if:

6362 1. The business organization employs one or more
6363 registered or certified contractors licensed in accordance with
6364 this part who are responsible for obtaining permits and
6365 supervising all of the business organization's contracting
6366 activities;

6367 2. The business organization engages only in contracting
6368 on property owned by the business organization or by its parent,
6369 subsidiary, or affiliated entities; and

6370 3. The business organization, or its parent entity if the
6371 business organization is a wholly owned subsidiary, maintains a
6372 minimum net worth of \$20 million.

6373 (b) Any business organization engaging in contracting
6374 under this subsection shall provide the department ~~board~~ with
6375 the name and license number of each registered or certified

6376 contractor employed by the business organization to supervise
6377 its contracting activities. The business organization is not
6378 required to post a bond or otherwise evidence any financial or
6379 credit information except as necessary to demonstrate compliance
6380 with paragraph (a).

6381 **Section 192. Paragraphs (b) and (d) of subsection (1),**
6382 **paragraphs (a) and (b) of subsection (2), and paragraphs (a) and**
6383 **(b) of subsection (3) of section 489.1195, Florida Statutes, are**
6384 **amended to read:**

6385 489.1195 Responsibilities.—

6386 (1) A qualifying agent is a primary qualifying agent
6387 unless he or she is a secondary qualifying agent under this
6388 section.

6389 (b) Upon approval by the department ~~board~~, a business
6390 entity may designate a financially responsible officer for
6391 purposes of certification or registration. A financially
6392 responsible officer shall be responsible for all financial
6393 aspects of the business organization and may not be designated
6394 as the primary qualifying agent. The designated financially
6395 responsible officer shall furnish evidence of the financial
6396 responsibility, credit, and business reputation of either
6397 himself or herself, or the business organization he or she
6398 desires to qualify, as determined appropriate by the department
6399 ~~board~~.

6400 (d) The department ~~board~~ shall adopt rules prescribing the

6401 qualifications for financially responsible officers, including
6402 net worth, cash, and bonding requirements. These qualifications
6403 must be at least as extensive as the requirements for the
6404 financial responsibility of qualifying agents.

6405 (2) (a) One of the qualifying agents for a business
6406 organization that has more than one qualifying agent may be
6407 designated as the sole primary qualifying agent for the business
6408 organization by a joint agreement that is executed, on a form
6409 provided by the department board, by all qualifying agents for
6410 the business organization.

6411 (b) The joint agreement must be submitted to the
6412 department board for approval. If the department board
6413 determines that the joint agreement is in good order, it shall
6414 approve the designation and immediately notify the qualifying
6415 agents of such approval. The designation made by the joint
6416 agreement is effective upon receipt of the notice by the
6417 qualifying agents.

6418 (3) (a) A qualifying agent who has been designated by a
6419 joint agreement as the sole primary qualifying agent for a
6420 business organization may terminate this status as such by
6421 giving actual notice to the business organization, to the
6422 department board, and to all secondary qualifying agents of his
6423 or her intention to terminate this status. The notice to the
6424 department board must include proof satisfactory to the
6425 department board that he or she has given the notice required in

6426 | this paragraph.

6427 | (b) The status of the qualifying agent shall cease upon
6428 | the designation of a new primary qualifying agent or 60 days
6429 | after satisfactory notice of termination has been provided to
6430 | the department board, whichever first occurs.

6431 | **Section 193. Section 489.121, Florida Statutes, is amended**
6432 | **to read:**

6433 | 489.121 Emergency registration upon death of contractor.—
6434 | If an incomplete contract exists at the time of death of a
6435 | contractor, the contract may be completed by any person even
6436 | though not certified or registered. Such person shall notify the
6437 | department board, within 30 days after the death of the
6438 | contractor, of his or her name and address, knowledge of the
6439 | contract, and ability to complete it. If the department board
6440 | approves, he or she may proceed with the contract. For purposes
6441 | of this section, an incomplete contract is one which has been
6442 | awarded to, or entered into by, the contractor before his or her
6443 | death, or on which he or she was the low bidder and the contract
6444 | is subsequently awarded to him or her, regardless of whether any
6445 | actual work has commenced under the contract before the
6446 | contractor's death.

6447 | **Section 194. Subsection (1) of section 489.126, Florida**
6448 | **Statutes, is amended to read:**

6449 | 489.126 Moneys received by contractors.—

6450 | (1) For purposes of this section, the term "contractor"

6451 includes all definitions as set forth in s. 489.105(2) ~~s.~~
6452 ~~489.105(3)~~, and any person performing or contracting or
6453 promising to perform work described therein, without regard to
6454 the licensure of the person.

6455 **Section 195. Subsection (6) of section 489.127, Florida**
6456 **Statutes, is amended to read:**

6457 489.127 Prohibitions; penalties.—

6458 (6) Local building departments may collect outstanding
6459 fines against registered or certified contractors issued by the
6460 department ~~Construction Industry Licensing Board~~ and may retain
6461 75 percent of the fines they are able to collect, provided that
6462 they transmit 25 percent of the fines they are able to collect
6463 to the department according to a procedure to be determined by
6464 the department.

6465 **Section 196. Subsections (1) through (9), paragraph (d) of**
6466 **subsection (11), and subsection (12) of section 489.129, Florida**
6467 **Statutes, are amended to read:**

6468 489.129 Disciplinary proceedings.—

6469 (1) The department ~~board~~ may take any of the following
6470 actions against any certificateholder or registrant: place on
6471 probation or reprimand the licensee, revoke, suspend, or deny
6472 the issuance or renewal of the certificate or registration,
6473 require financial restitution to a consumer for financial harm
6474 directly related to a violation of a provision of this part,
6475 impose an administrative fine not to exceed \$10,000 per

6476 violation, require continuing education, or assess costs
6477 associated with investigation and prosecution, if the
6478 contractor, financially responsible officer, or business
6479 organization for which the contractor is a primary qualifying
6480 agent, a financially responsible officer, or a secondary
6481 qualifying agent responsible under s. 489.1195 is found guilty
6482 of any of the following acts:

6483 (a) Obtaining a certificate or registration by fraud or
6484 misrepresentation.

6485 (b) Being convicted or found guilty of, or entering a plea
6486 of nolo contendere to, regardless of adjudication, a crime in
6487 any jurisdiction which directly relates to the practice of
6488 contracting or the ability to practice contracting.

6489 (c) Violating any provision of chapter 455.

6490 (d) Performing any act which assists a person or entity in
6491 engaging in the prohibited uncertified and unregistered practice
6492 of contracting, if the certificateholder or registrant knows or
6493 has reasonable grounds to know that the person or entity was
6494 uncertified and unregistered.

6495 (e) Knowingly combining or conspiring with an uncertified
6496 or unregistered person by allowing his or her certificate or
6497 registration to be used by the uncertified or unregistered
6498 person with intent to evade the provisions of this part. When a
6499 certificateholder or registrant allows his or her certificate or
6500 registration to be used by one or more business organizations

6501 without having any active participation in the operations,
6502 management, or control of such business organizations, such act
6503 constitutes prima facie evidence of an intent to evade the
6504 provisions of this part.

6505 (f) Acting in the capacity of a contractor under any
6506 certificate or registration issued hereunder except in the name
6507 of the certificateholder or registrant as set forth on the
6508 issued certificate or registration, or in accordance with the
6509 personnel of the certificateholder or registrant as set forth in
6510 the application for the certificate or registration, or as later
6511 changed as provided in this part.

6512 (g) Committing mismanagement or misconduct in the practice
6513 of contracting that causes financial harm to a customer.

6514 Financial mismanagement or misconduct occurs when:

6515 1. Valid liens have been recorded against the property of
6516 a contractor's customer for supplies or services ordered by the
6517 contractor for the customer's job; the contractor has received
6518 funds from the customer to pay for the supplies or services; and
6519 the contractor has not had the liens removed from the property,
6520 by payment or by bond, within 75 days after the date of such
6521 liens;

6522 2. The contractor has abandoned a customer's job and the
6523 percentage of completion is less than the percentage of the
6524 total contract price paid to the contractor as of the time of
6525 abandonment, unless the contractor is entitled to retain such

6526 funds under the terms of the contract or refunds the excess
6527 funds within 30 days after the date the job is abandoned; or
6528 3. The contractor's job has been completed, and it is
6529 shown that the customer has had to pay more for the contracted
6530 job than the original contract price, as adjusted for subsequent
6531 change orders, unless such increase in cost was the result of
6532 circumstances beyond the control of the contractor, was the
6533 result of circumstances caused by the customer, or was otherwise
6534 permitted by the terms of the contract between the contractor
6535 and the customer.

6536 (h) Being disciplined by any municipality or county for an
6537 act or violation of this part.

6538 (i) Failing in any material respect to comply with the
6539 provisions of this part or violating a rule or lawful order of
6540 the department ~~board~~.

6541 (j) Abandoning a construction project in which the
6542 contractor is engaged or under contract as a contractor. A
6543 project may be presumed abandoned after 90 days if the
6544 contractor terminates the project without just cause or without
6545 proper notification to the owner, including the reason for
6546 termination, or fails to perform work without just cause for 90
6547 consecutive days.

6548 (k) Signing a statement with respect to a project or
6549 contract falsely indicating that the work is bonded; falsely
6550 indicating that payment has been made for all subcontracted

6551 work, labor, and materials which results in a financial loss to
6552 the owner, purchaser, or contractor; or falsely indicating that
6553 workers' compensation and public liability insurance are
6554 provided.

6555 (l) Committing fraud or deceit in the practice of
6556 contracting.

6557 (m) Committing incompetency or misconduct in the practice
6558 of contracting.

6559 (n) Committing gross negligence, repeated negligence, or
6560 negligence resulting in a significant danger to life or
6561 property.

6562 (o) Proceeding on any job without obtaining applicable
6563 local building department permits and inspections.

6564 (p) Intimidating, threatening, coercing, or otherwise
6565 discouraging the service of a notice to owner under part I of
6566 chapter 713 or a notice to contractor under chapter 255 or part
6567 I of chapter 713.

6568 (q) Failing to satisfy within a reasonable time, the terms
6569 of a civil judgment obtained against the licensee, or the
6570 business organization qualified by the licensee, relating to the
6571 practice of the licensee's profession.

6572 (r) Committing misapplication of construction funds in
6573 violation of s. 713.345. If a contractor, subcontractor, sub-
6574 subcontractor, or other person licensed by the department ~~board~~
6575 under this chapter is convicted of misapplication of

6576 construction funds, the department ~~board~~ must suspend all
6577 licenses issued to such licensee under this chapter for a
6578 minimum of 1 year from the date of conviction. The suspension
6579 required under this paragraph is not exclusive, and the
6580 department ~~board~~ may impose any additional penalties set forth
6581 in this subsection.

6582
6583 For the purposes of this subsection, construction is considered
6584 to be commenced when the contract is executed and the contractor
6585 has accepted funds from the customer or lender. A contractor
6586 does not commit a violation of this subsection when the
6587 contractor relies on a building code interpretation rendered by
6588 a building official or person authorized by s. 553.80 to enforce
6589 the building code, absent a finding of fraud or deceit in the
6590 practice of contracting, or gross negligence, repeated
6591 negligence, or negligence resulting in a significant danger to
6592 life or property on the part of the building official, in a
6593 proceeding under chapter 120.

6594 (2) If a registrant or certificateholder disciplined under
6595 subsection (1) is a qualifying agent or financially responsible
6596 officer for a business organization and the violation was
6597 performed in connection with a construction project undertaken
6598 by that business organization, the department ~~board~~ may impose
6599 an additional administrative fine not to exceed \$5,000 per
6600 violation against the business organization or against any

6601 partner, officer, director, trustee, or member if such person
6602 participated in the violation or knew or should have known of
6603 the violation and failed to take reasonable corrective action.

6604 (3) The department ~~board~~ may specify by rule the acts or
6605 omissions which constitute violations of this section.

6606 (4) In recommending penalties in any proposed recommended
6607 final order, the department shall follow the penalty guidelines
6608 established by the department ~~board~~ by rule. The department
6609 shall advise the administrative law judge of the appropriate
6610 penalty, including mitigating and aggravating circumstances, and
6611 the specific rule citation.

6612 (5) The department ~~board~~ may not reinstate the
6613 certification or registration of, or cause a certificate or
6614 registration to be issued to, a person who or business
6615 organization which the department ~~board~~ has determined is
6616 unqualified or whose certificate or registration the department
6617 ~~board~~ has suspended until it is satisfied that such person or
6618 business organization has complied with all the terms and
6619 conditions set forth in the final order and is capable of
6620 competently engaging in the business of contracting.

6621 (6) (a) The department ~~board~~ may assess interest or
6622 penalties on all fines imposed under this chapter against any
6623 person or business organization which has not paid the imposed
6624 fine by the due date established by rule or final order. The
6625 provisions of chapter 120 do not apply to such assessment.

6626 Interest rates to be imposed shall be established by rule and
6627 may ~~shall~~ not be usurious.

6628 (b) Venue for all actions to enforce any fine levied by
6629 the department ~~board~~ shall be in Duval County. The department
6630 ~~board~~ is authorized to enter into contracts with private
6631 businesses or attorneys to collect such fines with payment for
6632 such collections made on a contingent fee basis. All such
6633 contracts shall be publicly advertised and competitively awarded
6634 based upon responses submitted to a request for proposals
6635 developed by the department ~~board~~.

6636 (7) The department ~~may~~ ~~board~~ ~~shall~~ not issue or renew a
6637 certificate or registration to any person or business
6638 organization that has been assessed a fine, interest, or costs
6639 associated with investigation and prosecution, or has been
6640 ordered to pay restitution, until such fine, interest, or costs
6641 associated with investigation and prosecution or restitution are
6642 paid in full or until all terms and conditions of the final
6643 order have been satisfied.

6644 (8) If the department ~~board~~ finds any certified or
6645 registered contractor guilty of a violation, the department
6646 ~~board~~ may, as part of its disciplinary action, require such
6647 contractor to obtain continuing education in the areas of
6648 contracting affected by such violation.

6649 (9) Any person certified or registered pursuant to this
6650 part who has had his or her license revoked may ~~shall~~ not be

6651 eligible to be a partner, officer, director, or trustee of a
6652 business organization defined by this section or be employed in
6653 a managerial or supervisory capacity for a 5-year period. Such
6654 person shall also be ineligible to reapply for certification or
6655 registration under this part for a period of 5 years after the
6656 effective date of the revocation.

6657 (11)

6658 (d) The arbitrator's order shall become a final order of
6659 the department ~~board~~ if not challenged by the complainant or the
6660 certificateholder or registrant within 30 days after filing. The
6661 department's ~~board's~~ review of the arbitrator's order shall
6662 operate in the manner of the review of recommended orders
6663 pursuant to s. 120.57(1) and may ~~shall~~ not be a de novo review.

6664 (12) When an investigation of a contractor is undertaken,
6665 the department shall promptly furnish to the contractor or the
6666 contractor's attorney a copy of the complaint or document that
6667 resulted in the initiation of the investigation. The department
6668 shall make the complaint and supporting documents available to
6669 the contractor. The complaint or supporting documents shall
6670 contain information regarding the specific facts that serve as
6671 the basis for the complaint. The contractor may submit a written
6672 response to the information contained in such complaint or
6673 document within 20 days after service to the contractor of the
6674 complaint or document. The contractor's written response shall
6675 be considered by the probable cause panel. The right to respond

6676 does not prohibit the issuance of a summary emergency order if
6677 necessary to protect the public. However, if the department
6678 decides ~~secretary, or the secretary's designee, and the chair of~~
6679 ~~the board or the chair of the probable cause panel agree in~~
6680 ~~writing~~ that such notification would be detrimental to the
6681 investigation, the department may withhold notification. The
6682 department may conduct an investigation without notification to
6683 a contractor if the act under investigation is a criminal
6684 offense.

6685 **Section 197. Paragraphs (c) and (f) of subsection (3),**
6686 **paragraphs (b) and (c) of subsection (6), paragraphs (c), (d),**
6687 **(e), and (f) of subsection (7), and subsections (10), (11), and**
6688 **(12) of section 489.131, Florida Statutes, are amended to read:**

6689 489.131 Applicability.—

6690 (3) Nothing in this part limits the power of a
6691 municipality or county:

6692 (c) To collect business taxes, subject to s. 205.065, and
6693 inspection fees for engaging in contracting or examination fees
6694 from persons who are registered with the department ~~board~~
6695 pursuant to local examination requirements and issue business
6696 tax receipts. However, nothing in this part shall be construed
6697 to require general contractors, building contractors, or
6698 residential contractors to obtain additional business tax
6699 receipts for specialty work when such specialty work is
6700 performed by employees of such contractors on projects for which

6701 they have substantially full responsibility and such contractors
6702 do not hold themselves out to the public as being specialty
6703 contractors.

6704 (f) To refuse to issue permits or issue permits with
6705 specific conditions to a contractor who has committed multiple
6706 violations, when he or she has been disciplined for each of them
6707 by the department ~~board~~ and when each disciplinary action has
6708 involved revocation or suspension of a license, imposition of an
6709 administrative fine of at least \$1,000, or probation; or to
6710 issue permits with specific conditions to a contractor who,
6711 within the previous 12 months, has had disciplinary action other
6712 than a citation or letter of guidance taken against him or her
6713 by the department or by a local board or agency which licenses
6714 contractors and has reported the action pursuant to paragraph
6715 (6) (c), for engaging in the business or acting in the capacity
6716 of a contractor without a license. However, this subsection does
6717 not supersede the provisions of s. 489.113(4), and no county or
6718 municipality may require any certificateholder to obtain a local
6719 professional license or pay a local professional license fee as
6720 a condition of performing any services within the scope of the
6721 certificateholder's statewide license as established under this
6722 part.

6723 (6)

6724 (b) To engage in contracting in the territorial area, an
6725 applicant shall also be registered with the department ~~board~~, as

6726 required by s. 489.117.

6727 (c) Each local board or agency that licenses contractors
6728 must transmit quarterly to the department ~~board~~ a report of any
6729 disciplinary action taken against contractors and of any
6730 administrative or disciplinary action taken against unlicensed
6731 persons for engaging in the business or acting in the capacity
6732 of a contractor including any cease and desist orders issued
6733 pursuant to s. 489.113(2)(b) and any fine issued pursuant to s.
6734 489.127(5).

6735 (7)

6736 (c) In addition to any action the local jurisdiction
6737 enforcement body may take against the individual's local
6738 license, and any fine the local jurisdiction may impose, the
6739 local jurisdiction enforcement body shall issue a recommended
6740 penalty for department ~~board~~ action. This recommended penalty
6741 may include a recommendation for no further action, or a
6742 recommendation for suspension, restitution, revocation, or
6743 restriction of the registration, or a fine to be levied by the
6744 department ~~board~~, or a combination thereof. The recommended
6745 penalty must specify the violations of this chapter upon which
6746 the recommendation is based. The local jurisdiction enforcement
6747 body shall inform the disciplined contractor and the complainant
6748 of the local license penalty imposed, the department ~~board~~
6749 penalty recommended, his or her rights to appeal, and the
6750 consequences should he or she decide not to appeal. The local

6751 jurisdiction enforcement body shall, upon having reached
6752 adjudication or having accepted a plea of nolo contendere,
6753 immediately inform the department ~~board~~ of its action and the
6754 recommended department ~~board~~ penalty.

6755 (d) The ~~department,~~ the disciplined contractor, or the
6756 complainant may challenge the local jurisdiction enforcement
6757 body's recommended penalty for department ~~board~~ action to the
6758 department ~~Construction Industry Licensing Board~~. A challenge
6759 shall be filed within 60 days after the issuance of the
6760 recommended penalty to the department ~~board~~. If challenged,
6761 there is a presumptive finding of probable cause and the case
6762 may proceed without the need for a probable cause hearing.

6763 (e) Failure of the department, the disciplined contractor,
6764 or the complainant to challenge the local jurisdiction's
6765 recommended penalty within the time period set forth in this
6766 subsection shall constitute a waiver of the right to a hearing
6767 before the department ~~board~~. A waiver of the right to a hearing
6768 before the department ~~board~~ shall be deemed an admission of the
6769 violation, and the penalty recommended shall become a final
6770 order according to procedures developed by department ~~board~~ rule
6771 without further department ~~board~~ action. The disciplined
6772 contractor may appeal this department ~~board~~ action to the
6773 district court.

6774 (f)1. The department may investigate any complaint which
6775 is made with the department. However, the department may not

6776 initiate or pursue any complaint against a registered contractor
6777 who is not also a certified contractor where a local
6778 jurisdiction enforcement body has jurisdiction over the
6779 complaint, unless summary procedures are initiated by the
6780 secretary pursuant to s. 455.225(8), or unless the local
6781 jurisdiction enforcement body has failed to investigate and
6782 prosecute a complaint, or make a finding of no violation, within
6783 6 months of receiving the complaint. The department shall refer
6784 the complaint to the local jurisdiction enforcement body for
6785 investigation, and if appropriate, prosecution. However, the
6786 department may investigate such complaints to the extent
6787 necessary to determine whether summary procedures should be
6788 initiated.

6789 2. Upon a recommendation by the department, the department
6790 ~~board~~ may make conditional, suspend, or rescind its
6791 determination of the adequacy of the local government
6792 enforcement body's disciplinary procedures granted under s.
6793 489.117(2).

6794 (10) No municipal or county government may issue any
6795 certificate of competency or license for any contractor defined
6796 in s. 489.105(2)(a)-(o) ~~s. 489.105(3)(a)-(e)~~ after July 1, 1993,
6797 unless such local government exercises disciplinary control and
6798 oversight over such locally licensed contractors, including
6799 forwarding a recommended order in each action to the department
6800 ~~board~~ as provided in subsection (7). Each local board that

6801 licenses and disciplines contractors must have at least two
 6802 consumer representatives on that board. If the local board has
 6803 seven or more members, at least three of those members must be
 6804 consumer representatives. The consumer representative may be any
 6805 resident of the local jurisdiction who is not, and has never
 6806 been, a member or practitioner of a profession regulated by the
 6807 department board or a member of any closely related profession.

6808 (11) Any municipal or county government which enters or
 6809 has in place a reciprocal agreement which accepts a certificate
 6810 of competency or license issued by another municipal or county
 6811 government in lieu of its own certificate of competency or
 6812 license allowing contractors defined in s. 489.105(2)(a)-(o) ~~s.~~
 6813 ~~489.105(3)(a)-(e)~~, shall file a certified copy of such agreement
 6814 with the department board not later than 60 days after July 1,
 6815 1993, or 30 days after the effective date of such agreement.

6816 (12) Unless specifically provided, ~~the provisions of this~~
 6817 does ~~shall not be construed to~~ create a civil cause of
 6818 action.

6819 **Section 198. Subsection (5) of section 489.132, Florida**
 6820 **Statutes, is amended to read:**

6821 489.132 Prohibited acts by unlicensed principals;
 6822 investigation; hearing; penalties.—

6823 (5) The department may suspend, revoke, or deny issuance
 6824 or renewal of a certificate or registration for any individual
 6825 or business organization that associates a person as an officer,

6826 | director, or partner, or in a managerial or supervisory
 6827 | capacity, after such person has been found under a final order
 6828 | to have violated this section or was an officer, director,
 6829 | partner, trustee, or manager of a business organization
 6830 | disciplined by the department ~~board~~ by revocation, suspension,
 6831 | or fine in excess of \$2,500, upon finding reasonable cause that
 6832 | such person knew or reasonably should have known of the conduct
 6833 | leading to the discipline.

6834 | **Section 199. Subsections (2) and (4) of section 489.133,**
 6835 | **Florida Statutes, are amended to read:**

6836 | 489.133 Pollutant storage systems specialty contractors;
 6837 | definitions; certification; restrictions.—

6838 | (2) The department ~~board~~ shall adopt rules providing
 6839 | standards for registration of precision tank testers who
 6840 | precision test a pollutant storage tank. The Department of
 6841 | Environmental Protection shall approve the methodology,
 6842 | procedures, and equipment used and shall approve the applicant
 6843 | as being eligible for registration as a registered precision
 6844 | tank tester. A registered precision tank tester is subject to
 6845 | the provisions of ss. 489.129 and 489.132 and is considered a
 6846 | contractor operating as a primary qualifying agent for the
 6847 | business entity employing him or her, which is considered a
 6848 | contracting firm for the purposes of ss. 489.129 and 489.132. A
 6849 | person who registers under this subsection is exempt from
 6850 | municipal, county, or development district registration under s.

6851 489.117 and may operate as a precision tank tester statewide.

6852 (4) The department ~~board~~ shall adopt rules providing
 6853 standards for certification of pollutant storage systems
 6854 specialty contractors, including persons who remove such
 6855 systems. The department ~~board~~ shall provide the proposed rules
 6856 to the Department of Environmental Protection for review and
 6857 comment before ~~prior to~~ adoption. The rules shall include, but
 6858 not be limited to:

6859 (a) Standards for operating as a pollutant storage systems
 6860 specialty contractor.

6861 (b) Requirements for certification as a pollutant storage
 6862 systems specialty contractor.

6863 (c) Requirements for certification without examination of
 6864 pollutant storage systems specialty contractors for any person
 6865 who has passed a local licensure examination, a licensure
 6866 examination in another state, or a licensure examination of a
 6867 national organization, which is at least as stringent as the
 6868 examination adopted by the department ~~board~~.

6869 **Section 200. Subsections (1) and (2) of section 489.1401,**
 6870 **Florida Statutes, are amended to read:**

6871 489.1401 Legislative intent.—

6872 (1) It is the intent of the Legislature that actions taken
 6873 by the department ~~Construction Industry Licensing Board~~ with
 6874 respect to contractor sanctions and pursuant to this chapter are
 6875 an exercise of the department's regulatory power for the

6876 protection of public safety and welfare.

6877 (2) It is the intent of the Legislature that the sole
 6878 purpose of the Florida Homeowners' Construction Recovery Fund is
 6879 to compensate an aggrieved claimant who contracted for the
 6880 construction or improvement of the homeowner's residence located
 6881 within this state and who has obtained a final judgment in a
 6882 court of competent jurisdiction, was awarded restitution by the
 6883 department ~~Construction Industry Licensing Board~~, or received an
 6884 award in arbitration against a licensee on grounds of financial
 6885 mismanagement or misconduct, abandoning a construction project,
 6886 or making a false statement with respect to a project. Such
 6887 grievance must arise directly out of a transaction conducted
 6888 when the judgment debtor was licensed and must involve an act
 6889 enumerated in s. 489.129(1)(g), (j), or (k).

6890 **Section 201. Paragraphs (c) through (l) of subsection (1)**
 6891 **of section 489.1402, Florida Statutes, are redesignated as**
 6892 **paragraphs (b) through (k), respectively, and paragraph (b) and**
 6893 **present paragraph (d) of that subsection are amended, to read:**

6894 489.1402 Homeowners' Construction Recovery Fund;
 6895 definitions.—

6896 (1) The following definitions apply to ss. 489.140-
 6897 489.144:

6898 ~~(b) "Board" means the Construction Industry Licensing~~
 6899 ~~Board.~~

6900 (c) ~~(d)~~ "Contractor" means a Division I or Division II

6901 contractor performing his or her respective services described
 6902 in s. 489.105(2) ~~s. 489.105(3)~~.

6903 **Section 202. Paragraphs (a), (e), (f), and (g) of**
 6904 **subsection (1), paragraph (f) of subsection (2), and subsection**
 6905 **(3) of section 489.141, Florida Statutes, are amended to read:**

6906 489.141 Conditions for recovery; eligibility.—

6907 (1) A claimant is eligible to seek recovery from the
 6908 recovery fund after making a claim and exhausting the limits of
 6909 any available bond, cash bond, surety, guarantee, warranty,
 6910 letter of credit, or policy of insurance if each of the
 6911 following conditions is satisfied:

6912 (a) The claimant has received a final judgment in a court
 6913 of competent jurisdiction in this state or has received an award
 6914 in arbitration or the department ~~Construction Industry Licensing~~
 6915 ~~Board~~ has issued a final order directing the licensee to pay
 6916 restitution to the claimant. The department ~~board~~ may waive this
 6917 requirement if:

6918 1. The claimant is unable to secure a final judgment
 6919 against the licensee due to the death of the licensee; or

6920 2. The claimant has sought to have assets involving the
 6921 transaction that gave rise to the claim removed from the
 6922 bankruptcy proceedings so that the matter might be heard in a
 6923 court of competent jurisdiction in this state and, after due
 6924 diligence, the claimant is precluded by action of the bankruptcy
 6925 court from securing a final judgment against the licensee.

6926 (e) The contract was executed and the violation occurred
6927 on or after July 1, 1993, and provided that:

6928 1. The claimant has caused to be issued a writ of
6929 execution upon such judgment, and the officer executing the writ
6930 has made a return showing that no personal or real property of
6931 the judgment debtor or licensee liable to be levied upon in
6932 satisfaction of the judgment can be found or that the amount
6933 realized on the sale of the judgment debtor's or licensee's
6934 property pursuant to such execution was insufficient to satisfy
6935 the judgment;

6936 2. If the claimant is unable to comply with subparagraph
6937 1. for a valid reason to be determined by the department ~~board~~,
6938 the claimant has made all reasonable searches and inquiries to
6939 ascertain whether the judgment debtor or licensee is possessed
6940 of real or personal property or other assets subject to being
6941 sold or applied in satisfaction of the judgment and by his or
6942 her search has discovered no property or assets or has
6943 discovered property and assets and has taken all necessary
6944 action and proceedings for the application thereof to the
6945 judgment but the amount thereby realized was insufficient to
6946 satisfy the judgment; and

6947 3. The claimant has made a diligent attempt, as defined by
6948 department ~~board~~ rule, to collect the restitution awarded by the
6949 department ~~board~~.

6950 (f) A claim for recovery is made within 1 year after the

6951 conclusion of any civil, criminal, or administrative action or
6952 award in arbitration based on the act. This paragraph applies to
6953 any claim filed with the department ~~board~~ after October 1, 1998.

6954 (g) Any amounts recovered by the claimant from the
6955 judgment debtor or licensee, or from any other source, have been
6956 applied to the damages awarded by the court or the amount of
6957 restitution ordered by the department ~~board~~.

6958 (2) A claimant is not qualified to make a claim for
6959 recovery from the recovery fund if:

6960 (f) The claimant had entered into a contract with a
6961 licensee to perform a scope of work described in s.
6962 489.105(2)(d)-(g) ~~s. 489.105(3)(d)-(g)~~ before July 1, 2016.

6963 (3) The department ~~board~~ may determine by rule
6964 documentation that is required to complete a claim.

6965 **Section 203. Section 489.142, Florida Statutes, is amended**
6966 **to read:**

6967 489.142 Department ~~Board~~ powers relating to recovery;
6968 conduct of hearings and service.-

6969 (1) With respect to actions for recovery from the recovery
6970 fund, the department ~~board~~ may intervene, enter an appearance,
6971 file an answer, defend the action, or take any action it deems
6972 appropriate and may take recourse through any appropriate method
6973 of review on behalf of the State of Florida. The department
6974 ~~board~~ may delegate to the department by rule the authority to
6975 close any case when a claimant is not qualified to make a claim

6976 for recovery from the recovery fund under s. 489.141(2); when
6977 after notice the claimant has failed to provide documentation in
6978 support of the claim as required by the department ~~board~~; or
6979 when the licensee has reached the aggregate limit.

6980 (2) Notwithstanding any other provision of law, the
6981 department ~~board~~ shall cause a notice of hearing to be served 14
6982 days in advance of the hearing on the claimant and on the
6983 licensee whose license is subject to suspension by s. 489.143.
6984 Each notice shall inform the recipient of any administrative
6985 hearing or judicial review that is available under s. 120.569,
6986 s. 120.57, or s. 120.68; shall indicate the procedure that must
6987 be followed to obtain the hearing or judicial review; and shall
6988 state the time limits that apply. Service of the notice on the
6989 licensee shall be made in accordance with s. 455.275. Service of
6990 the notice on the claimant shall be by regular United States
6991 mail at the address provided on the claim. The service of notice
6992 in accordance with this section is complete upon expiration of
6993 14 days after deposit in the United States mail. Proof of
6994 service of a notice shall be made by entry in the records of the
6995 department that the notice was given. The entry shall be
6996 admissible in judicial and administrative proceedings of this
6997 state and shall constitute sufficient proof that notice was
6998 given.

6999 (3) Notwithstanding any other provision of law, department
7000 ~~board~~ hearings on claims shall be conducted in accordance with

7001 ss. 120.569 and 120.57(2). All claim hearings shall be conducted
 7002 at the department's ~~board's~~ regular meeting at the place, date,
 7003 and time published. Orders of the department ~~board~~ denying or
 7004 awarding funds to a claimant constitute final orders that may be
 7005 appealed in accordance with s. 120.68. Orders awarding or
 7006 denying claims shall be served in the same manner as notices of
 7007 hearing in this section.

7008 **Section 204. Section 489.1425, Florida Statutes, is**
 7009 **amended to read:**

7010 489.1425 Duty of contractor to notify residential property
 7011 owner of recovery fund.—

7012 (1) Each agreement or contract for repair, restoration,
 7013 improvement, or construction to residential real property must
 7014 contain a written statement explaining the consumer's rights
 7015 under the recovery fund, except where the value of all labor and
 7016 materials does not exceed \$2,500. The written statement must be
 7017 substantially in the following form:

7018
 7019 FLORIDA HOMEOWNERS' CONSTRUCTION
 7020 RECOVERY FUND
 7021 PAYMENT, UP TO A LIMITED AMOUNT, MAY BE AVAILABLE FROM THE
 7022 FLORIDA HOMEOWNERS' CONSTRUCTION RECOVERY FUND IF YOU LOSE MONEY
 7023 ON A PROJECT PERFORMED UNDER CONTRACT, WHERE THE LOSS RESULTS
 7024 FROM SPECIFIED VIOLATIONS OF FLORIDA LAW BY A LICENSED
 7025 CONTRACTOR. FOR INFORMATION ABOUT THE RECOVERY FUND AND FILING A

7026 CLAIM, CONTACT THE FLORIDA DEPARTMENT OF BUSINESS AND
7027 PROFESSIONAL REGULATION ~~CONSTRUCTION INDUSTRY LICENSING BOARD~~ AT
7028 THE FOLLOWING TELEPHONE NUMBER AND ADDRESS:

7029
7030 The statement must shall be immediately followed by the
7031 department's ~~board's~~ address and telephone number as established
7032 by department ~~board~~ rule.

7033 (2) (a) Upon finding a first violation of subsection (1),
7034 the department ~~board~~ may fine the contractor up to \$500, and the
7035 moneys must be deposited into the recovery fund.

7036 (b) Upon finding a second or subsequent violation of
7037 subsection (1), the department ~~board~~ shall fine the contractor
7038 \$1,000 per violation, and the moneys must be deposited into the
7039 recovery fund.

7040 **Section 205. Subsections (1), (2), (4), and (6) of section**
7041 **489.143, Florida Statutes, are amended to read:**

7042 489.143 Payment from the fund.—

7043 (1) The fund shall be disbursed as provided in s. 489.141
7044 on a final order of the department ~~board~~.

7045 (2) A claimant who meets all of the conditions prescribed
7046 in s. 489.141 may apply to the department ~~board~~ to cause payment
7047 to be made to a claimant from the recovery fund in an amount
7048 equal to the judgment, award, or restitution order or \$25,000,
7049 whichever is less, or an amount equal to the unsatisfied portion
7050 of such person's judgment, award, or restitution order, but only

7051 to the extent and amount of actual damages suffered by the
7052 claimant, and only up to the maximum payment allowed for each
7053 respective Division I and Division II claim. Payment from the
7054 fund for other costs related to or pursuant to civil proceedings
7055 such as postjudgment interest, attorney fees, court costs,
7056 medical damages, and punitive damages is prohibited. The
7057 recovery fund is not obligated to pay a judgment, an award, or a
7058 restitution order, or any portion thereof, which is not
7059 expressly based on one of the grounds for recovery set forth in
7060 s. 489.141.

7061 (4) Upon receipt by a claimant under subsection (2) of
7062 payment from the recovery fund, the claimant shall assign his or
7063 her additional right, title, and interest in the judgment,
7064 award, or restitution order, to the extent of such payment, to
7065 the department ~~board~~, and thereupon the department ~~board~~ shall
7066 be subrogated to the right, title, and interest of the claimant;
7067 and any amount subsequently recovered on the judgment, award, or
7068 restitution order, to the extent of the right, title, and
7069 interest of the department ~~board~~ therein, shall be for the
7070 purpose of reimbursing the recovery fund.

7071 (6) For contracts entered into before July 1, 2004,
7072 payments for claims against any one licensee may not exceed, in
7073 the aggregate, \$100,000 annually, up to a total aggregate of
7074 \$250,000. For any claim approved by the department ~~board~~ which
7075 is in excess of the annual cap, the amount in excess of \$100,000

7076 up to the total aggregate cap of \$250,000 is eligible for
7077 payment in the next and succeeding fiscal years, but only after
7078 all claims for the then-current calendar year have been paid.
7079 Payments may not exceed the aggregate annual or per claimant
7080 limits under law. Beginning January 1, 2005, for each Division I
7081 contract entered into after July 1, 2004, payment from the
7082 recovery fund is subject only to a total aggregate cap of
7083 \$500,000 for each Division I licensee. Beginning January 1,
7084 2017, for each Division II contract entered into on or after
7085 July 1, 2016, payment from the recovery fund is subject only to
7086 a total aggregate cap of \$150,000 for each Division II licensee.
7087 Beginning January 1, 2025, for Division I and Division II
7088 contracts entered into on or after July 1, 2024, payment from
7089 the recovery fund is subject only to a total aggregate cap of \$2
7090 million for each Division I licensee and \$600,000 for each
7091 Division II licensee.

7092 **Section 206. Paragraph (a) of subsection (1) of section**
7093 **489.1455, Florida Statutes, is amended to read:**

7094 489.1455 Journeyman; reciprocity; standards.—

7095 (1) Counties and municipalities are authorized to issue
7096 journeyman licenses in the plumbing, pipe fitting, mechanical,
7097 or HVAC trades to an individual who:

7098 (a) Has scored at least 70 percent, or after October 1,
7099 1997, at least 75 percent, on a proctored journeyman Block and
7100 Associates examination or other proctored examination approved

7101 by the department ~~board~~ for the trade in which he or she is
7102 licensed;

7103 **Section 207. Section 489.146, Florida Statutes, is amended**
7104 **to read:**

7105 489.146 Privatization of services.—Notwithstanding any
7106 other provision of this part relating to the review of licensure
7107 applications, issuance of licenses and renewals, collection of
7108 revenues, fees, and fines, service of documents, publications,
7109 and printing, and other ministerial functions of the department
7110 relating to the regulation of contractors, the department shall
7111 make all reasonable efforts to contract with one or more private
7112 entities for provision of such services, when such services can
7113 be provided in a more efficient manner by private entities. The
7114 department or the department ~~board~~ shall retain final authority
7115 for licensure decisions and rulemaking, including all appeals or
7116 other legal action resulting from such licensure decisions or
7117 rulemaking.

7118 **Section 208. Subsection (1) of section 489.509, Florida**
7119 **Statutes, is amended to read:**

7120 489.509 Fees.—

7121 (1) The department ~~board~~, by rule, shall establish fees to
7122 be paid for applications, examination, reexamination, transfers,
7123 licensing and renewal, reinstatement, and recordmaking and
7124 recordkeeping. The examination fee shall be in an amount that
7125 covers the cost of obtaining and administering the examination

7126 and shall be refunded if the applicant is found ineligible to
7127 sit for the examination. The application fee is nonrefundable.
7128 The fee for initial application and examination for
7129 certification of electrical contractors may not exceed \$400. The
7130 initial application fee for registration may not exceed \$150.
7131 The biennial renewal fee may not exceed \$400 for
7132 certificateholders and \$200 for registrants. The fee for initial
7133 application and examination for certification of alarm system
7134 contractors may not exceed \$400. The biennial renewal fee for
7135 certified alarm system contractors may not exceed \$450. The
7136 department board may establish a fee for a temporary certificate
7137 as an alarm system contractor not to exceed \$75. The department
7138 ~~board~~ may also establish by rule a delinquency fee not to exceed
7139 \$50. The fee to transfer a certificate or registration from one
7140 business organization to another may not exceed \$200. The fee
7141 for reactivation of an inactive license may not exceed \$50. The
7142 department board shall establish fees that are adequate to
7143 ensure the continued operation of the department board. Fees
7144 shall be based on department estimates of the revenue required
7145 to implement this part and the provisions of law with respect to
7146 the regulation of electrical contractors and alarm system
7147 contractors.

7148 **Section 209. Section 489.510, Florida Statutes, is amended**
7149 **to read:**

7150 489.510 Evidence of workers' compensation coverage.—Except

7151 as provided in s. 489.515(3)(b), any person, business
7152 organization, or qualifying agent engaged in the business of
7153 contracting in this state and certified or registered under this
7154 part shall, as a condition precedent to the issuance or renewal
7155 of a certificate or registration of the contractor, provide to
7156 the department ~~Electrical Contractors' Licensing Board~~, as
7157 provided by department ~~board~~ rule, evidence of workers'
7158 compensation coverage pursuant to chapter 440. In the event that
7159 the Division of Workers' Compensation of the Department of
7160 Financial Services receives notice of the cancellation of a
7161 policy of workers' compensation insurance insuring a person or
7162 entity governed by this section, the Division of Workers'
7163 Compensation shall certify and identify all persons or entities
7164 by certification or registration license number to the
7165 department after verification is made by the Division of
7166 Workers' Compensation that persons or entities governed by this
7167 section are no longer covered by workers' compensation
7168 insurance. Such certification and verification by the Division
7169 of Workers' Compensation may result from records furnished to
7170 the Division of Workers' Compensation by the persons or entities
7171 governed by this section or an investigation completed by the
7172 Division of Workers' Compensation. The department shall notify
7173 the persons or entities governed by this section who have been
7174 determined to be in noncompliance with chapter 440, and the
7175 persons or entities notified shall provide certification of

7176 compliance with chapter 440 to the department and pay an
7177 administrative fine in the amount of \$500. The failure to
7178 maintain workers' compensation coverage as required by law shall
7179 be grounds for the department ~~board~~ to revoke, suspend, or deny
7180 the issuance or renewal of a certificate or registration of the
7181 contractor under the provisions of s. 489.533.

7182 **Section 210. Paragraph (b) of subsection (1) and**
7183 **subsections (2) through (5) of section 489.511, Florida**
7184 **Statutes, are amended to read:**

7185 489.511 Certification; application; examinations;
7186 endorsement.—

7187 (1)

7188 (b) Any person desiring to be certified as a contractor
7189 shall apply to the department in writing and must meet the
7190 following criteria:

7191 1. Be of good moral character;

7192 2. Pass the certification examination, achieving a passing
7193 grade as established by department ~~board~~ rule; and

7194 3. Meet eligibility requirements according to one of the
7195 following criteria:

7196 a. Has, within the 6 years immediately preceding the
7197 filing of the application, at least 3 years of proven management
7198 experience in the trade or education equivalent thereto, or a
7199 combination thereof, but not more than one-half of such
7200 experience may be educational equivalent;

7201 b. Has, within the 8 years immediately preceding the
7202 filing of the application, at least 4 years of experience as a
7203 supervisor or contractor in the trade for which he or she is
7204 making application, or at least 4 years of experience as a
7205 supervisor in electrical or alarm system work with the United
7206 States Armed Forces;

7207 c. Has, within the 12 years immediately preceding the
7208 filing of the application, at least 6 years of comprehensive
7209 training, technical education, or supervisory experience
7210 associated with an electrical or alarm system contracting
7211 business, or at least 6 years of technical experience,
7212 education, or training in electrical or alarm system work with
7213 the United States Armed Forces or a governmental entity;

7214 d. Has, within the 12 years immediately preceding the
7215 filing of the application, been licensed for 3 years as a
7216 professional engineer who is qualified by education, training,
7217 or experience to practice electrical engineering; or

7218 e. Has any combination of qualifications under sub-
7219 subparagraphs a.-c. totaling 6 years of experience.

7220 (2) The department ~~board~~ may determine by rule the number
7221 of times per year the applicant may take the examination and
7222 after three unsuccessful attempts may require the applicant to
7223 complete additional college-level or technical education courses
7224 in the areas of deficiency, as determined by the department
7225 ~~board~~, as a condition of future eligibility to take the

7226 examination.

7227 (3) (a) "Good moral character" means a personal history of
 7228 honesty, fairness, and respect for the rights of others and for
 7229 laws of this state and nation.

7230 (b) The department ~~board~~ may determine that an individual
 7231 applying for certification is ineligible for failure to satisfy
 7232 the requirement of good moral character only if:

7233 1. There is a substantial connection between the lack of
 7234 good moral character of the individual and the professional
 7235 responsibilities of a certified contractor; and

7236 2. The finding by the department ~~board~~ of lack of good
 7237 moral character is supported by clear and convincing evidence.

7238 (c) When an individual is found to be unqualified for
 7239 certification because of a lack of good moral character, the
 7240 department ~~board~~ shall furnish such individual a statement
 7241 containing the findings of the department ~~board~~, a complete
 7242 record of the evidence upon which the determination was based,
 7243 and a notice of the rights of the individual to a rehearing and
 7244 appeal.

7245 (4) The department ~~board~~ shall, by rule, designate those
 7246 types of specialty electrical or alarm system contractors who
 7247 may be certified under this part. The limit of the scope of work
 7248 and responsibility of a certified specialty contractor shall be
 7249 established by department ~~board~~ rule. A certified specialty
 7250 contractor category exists as an optional statewide licensing

7251 category. Qualification for certification in a specialty
7252 category created by rule shall be the same as set forth in
7253 paragraph (1)(b). The existence of a specialty category created
7254 by rule does not itself create any licensing requirement;
7255 however, neither does its optional nature remove any licensure
7256 requirement established elsewhere in this part.

7257 (5) The department ~~board~~ shall certify as qualified for
7258 certification by endorsement any individual applying for
7259 certification who:

7260 (a) Meets the requirements for certification as set forth
7261 in this section; has passed a national, regional, state, or
7262 United States territorial licensing examination that is
7263 substantially equivalent to the examination required by this
7264 part; and has satisfied the requirements set forth in s.
7265 489.521;

7266 (b) Holds a valid license to practice electrical or alarm
7267 system contracting issued by another state or territory of the
7268 United States, if the criteria for issuance of such license were
7269 substantially equivalent to the certification criteria that
7270 existed in this state at the time the certificate was issued; or

7271 (c) Has held a valid, current license to practice
7272 electrical or alarm system contracting issued by another state
7273 or territory of the United States for at least 10 years before
7274 the date of application and is applying for the same or similar
7275 license in this state, subject to ss. 489.510 and 489.521(3)(a)

7276 and subparagraph (1)(b)1. Such application must be made either
 7277 when the license in another state or territory is active or
 7278 within 2 years after such license was last active. Electrical
 7279 contractors and alarm system contractors must complete a 2-hour
 7280 course on the Florida Building Code. The required courses may be
 7281 completed online.

7282 **Section 211. Paragraph (c) of subsection (1) and**
 7283 **subsections (3) and (6) of section 489.513, Florida Statutes,**
 7284 **are amended to read:**

7285 489.513 Registration; application; requirements.—

7286 (1) Any person engaged in the business of contracting in
 7287 the state shall be registered in the proper classification
 7288 unless he or she is certified. Any person desiring to be a
 7289 registered contractor shall apply to the department for
 7290 registration and must:

7291 (c) Meet eligibility requirements according to the
 7292 following criteria:

7293 1. As used in this subsection, the term "good moral
 7294 character" means a personal history of honesty, fairness, and
 7295 respect for the rights of others and for state and federal law.

7296 2. The department ~~board~~ may determine that an individual
 7297 applying for registration is ineligible due to failure to
 7298 satisfy the requirement of good moral character only if:

7299 a. There is a substantial connection between the lack of
 7300 good moral character of the individual and the professional

7301 responsibilities of a registered contractor; and

7302 b. The finding by the department ~~board~~ of lack of good
7303 moral character is supported by clear and convincing evidence.

7304 3. When an individual is found to be unqualified because
7305 of lack of good moral character, the department ~~board~~ must
7306 furnish such individual a statement containing the findings of
7307 the department ~~board~~, a complete record of evidence upon which
7308 the determination was based, and a notice of the rights of the
7309 individual to a rehearing and an appeal.

7310 (3) To be registered as an electrical contractor, an alarm
7311 system contractor I, an alarm system contractor II, or a
7312 residential alarm system contractor, the applicant shall file
7313 evidence of holding a current certificate of competency issued
7314 by any municipality or county of the state for the type of work
7315 for which registration is desired, on a form provided by the
7316 department, together with evidence of having passed an
7317 appropriate local examination, written or oral, designed to test
7318 skills and knowledge relevant to the technical performance of
7319 the profession, accompanied by the registration fee fixed
7320 pursuant to this part. For any person working or wishing to work
7321 in any local jurisdiction that does not require an examination
7322 for its license, the applicant may apply and shall be considered
7323 qualified to be issued a registration in the appropriate
7324 electrical or alarm system category, provided that he or she
7325 shows that he or she has scored at least 75 percent on an

7326 examination which is substantially equivalent to the examination
7327 approved by the department ~~board~~ for certification in the
7328 category and that he or she has had at least 3 years' technical
7329 experience in the trade. The requirement to take and pass an
7330 examination in order to obtain a registration does ~~shall~~ not
7331 apply to persons making application before ~~prior to~~ the
7332 effective date of this act.

7333 (6) The local jurisdictions are responsible for providing
7334 the following information to the department ~~board~~ within 30 days
7335 after licensure of, or any disciplinary action against, a
7336 locally licensed contractor who is registered under this part:

- 7337 (a) Licensure information.
7338 (b) Code violation information pursuant to s. 553.781.
7339 (c) Disciplinary information.

7340
7341 The department ~~board~~ shall maintain such licensure and
7342 disciplinary information as it is provided to the department
7343 ~~board~~ and shall make the information available through the
7344 automated information system provided pursuant to s. 455.2286.

7345 **Section 212. Section 489.514, Florida Statutes, is amended**
7346 **to read:**

7347 489.514 Certification for registered contractors;
7348 grandfathering provisions.—

7349 (1) The department ~~board~~ shall, upon receipt of a
7350 completed application, appropriate fee, and proof of compliance

7351 with the provisions of this section, issue:

7352 (a) To an applying registered electrical contractor, a
 7353 certificate as an electrical contractor, ~~as defined in s.~~
 7354 ~~489.505(12)~~;

7355 (b) To an applying registered alarm system contractor, a
 7356 certificate in the matching alarm system contractor category, ~~as~~
 7357 ~~defined in s. 489.505(2)(a) or (b)~~; or

7358 (c) To an applying registered electrical specialty
 7359 contractor, a certificate in the matching electrical specialty
 7360 contractor category, ~~as defined in s. 489.505(19)~~.

7361 (2) Any contractor registered under this part who makes
 7362 application under this section to the department board shall
 7363 meet each of the following requirements for certification:

7364 (a) Currently holds a valid registered local license in
 7365 the category of electrical contractor, alarm system contractor,
 7366 or electrical specialty contractor.

7367 (b) Has, for that category, passed a written, proctored
 7368 examination that the department board finds to be substantially
 7369 similar to the examination required to be licensed as a
 7370 certified contractor under this part. For purposes of this
 7371 subsection, a written, proctored examination such as that
 7372 produced by the National Assessment Institute, Block and
 7373 Associates, NAI/Block, Experior Assessments, Professional
 7374 Testing, Inc., or Assessment Systems, Inc., shall be considered
 7375 to be substantially similar to the examination required to be

7376 licensed as a certified contractor. The department ~~board~~ may not
7377 impose or make any requirements regarding the nature or content
7378 of these cited examinations.

7379 (c) Has at least 5 years of experience as a contractor in
7380 that contracting category, or as an inspector or building
7381 administrator with oversight over that category, at the time of
7382 application. For contractors, only time periods in which the
7383 contractor license is active and the contractor is not on
7384 probation shall count toward the 5 years required under this
7385 subsection.

7386 (d) Has not had his or her contractor's license revoked at
7387 any time, had his or her contractor's license suspended in the
7388 last 5 years, or been assessed a fine in excess of \$500 in the
7389 last 5 years.

7390 (e) Is in compliance with the insurance and financial
7391 responsibility requirements in s. 489.515(1)(b).

7392 **Section 213. Subsections (1) through (4) of section**
7393 **489.515, Florida Statutes, are amended to read:**

7394 489.515 Issuance of certificates; registrations.—

7395 (1)(a) The department shall issue a certificate to a
7396 person who the department ~~board~~ certifies is qualified to become
7397 a certified contractor.

7398 (b) The department ~~board~~ shall certify as qualified for
7399 certification any person who satisfies the requirements of s.
7400 489.511 and who submits satisfactory evidence that he or she has

7401 obtained both workers' compensation insurance or an acceptable
7402 exemption certificate issued by the department and public
7403 liability and property damage insurance for the health, safety,
7404 and welfare of the public in amounts determined by rule of the
7405 department ~~board~~, and furnishes evidence of financial
7406 responsibility, credit, and business reputation of either
7407 himself or herself or the business organization he or she
7408 desires to qualify.

7409 (c) Upon compliance with the provisions of this section
7410 and payment of the certification fee, the department shall issue
7411 the person a certificate.

7412 (2) The department shall issue a registration to a person
7413 who is in compliance with the provisions of s. 489.513 and who
7414 the department ~~board~~ certifies is qualified to be registered.

7415 (3) (a) As a prerequisite to the initial issuance or the
7416 renewal of a certificate or registration, the applicant shall
7417 submit an affidavit on a form provided by the department ~~board~~
7418 attesting to the fact that the applicant has obtained both
7419 workers' compensation insurance or an acceptable exemption
7420 certificate issued by the department and public liability and
7421 property damage insurance for the health, safety, and welfare of
7422 the public in amounts determined by rule of the department
7423 ~~board~~. The department ~~board~~ shall by rule establish a procedure
7424 to verify the accuracy of such affidavits based upon a random
7425 audit method.

7426 (b) An applicant for initial issuance of a certificate or
 7427 registration shall submit as a prerequisite to qualifying for an
 7428 exemption from workers' compensation coverage requirements under
 7429 s. 440.05 an affidavit attesting to the fact that the applicant
 7430 will obtain an exemption within 30 days after the date the
 7431 initial certificate or registration is issued by the department
 7432 ~~board~~.

7433 (4) The department ~~board~~ may refuse to certify any
 7434 applicant who has violated any of the provisions of s. 489.533.

7435 **Section 214. Subsection (4) of section 489.516, Florida**
 7436 **Statutes, is amended to read:**

7437 489.516 Qualifications to practice; restrictions;
 7438 prerequisites.—

7439 (4) A county or municipality may suspend or deny a locally
 7440 issued permit when the local building official, tax collector,
 7441 or other authorized person determines that the contractor has
 7442 failed to obtain both workers' compensation insurance or an
 7443 acceptable exemption certificate issued by the department and
 7444 public liability and property damage insurance in the amounts
 7445 determined by rule of the department ~~board~~.

7446 **Section 215. Section 489.5161, Florida Statutes, is**
 7447 **amended to read:**

7448 489.5161 Credit for relevant military training and
 7449 education.—

7450 (1) The department shall provide a method by which

7451 | honorably discharged veterans may apply for licensure. The
7452 | method must include a veteran-specific application and provide,
7453 | to the fullest extent possible, credit toward the requirements
7454 | for licensure for military experience, training, and education
7455 | received and completed during service in the United States Armed
7456 | Forces if the military experience, training, or education is
7457 | substantially similar to the experience, training, or education
7458 | required for licensure. The department ~~board~~ may adopt rules
7459 | pursuant to ss. 120.536(1) and 120.54 to implement this
7460 | subsection.

7461 | (2) Notwithstanding any other provision of law, beginning
7462 | October 1, 2017, and annually thereafter, the department, ~~in~~
7463 | ~~conjunction with the board,~~ is directed to prepare and submit a
7464 | report titled "Construction and Electrical Contracting Veteran
7465 | Applicant Statistics" to the Governor, the President of the
7466 | Senate, and the Speaker of the House of Representatives. The
7467 | report shall include statistics and information relating to this
7468 | section and s. 489.1131 which detail:

7469 | (a) The number of applicants who identified themselves as
7470 | veterans.

7471 | (b) The number of veterans whose application for a license
7472 | was approved.

7473 | (c) The number of veterans whose application for a license
7474 | was denied, including data on the reasons for denial.

7475 | (d) Data on the application processing times for veterans.

7476 (e) Recommendations on ways to improve the department's
7477 ability to meet the needs of veterans which would effectively
7478 address the challenges that veterans face when separating from
7479 military service and seeking a license regulated by the
7480 department pursuant to this part.

7481 **Section 216. Subsections (4), (5), and (6) of section**
7482 **489.517, Florida Statutes, are renumbered as subsections (3),**
7483 **(4), and (5), respectively, and subsection (3) and present**
7484 **subsections (5) and (6) of that section are amended, to read:**

7485 489.517 Renewal of certificate or registration; ~~continuing~~
7486 ~~education.~~—

7487 ~~(3)(a) Each certificateholder or registrant licensed as a~~
7488 ~~specialty contractor or an alarm system contractor shall provide~~
7489 ~~proof, in a form established by rule of the board, that the~~
7490 ~~certificateholder or registrant has completed at least 7~~
7491 ~~classroom hours of at least 50 minutes each of continuing~~
7492 ~~education courses during each biennium since the issuance or~~
7493 ~~renewal of the certificate or registration. The board shall by~~
7494 ~~rule establish criteria for the approval of continuing education~~
7495 ~~courses and providers and may by rule establish criteria for~~
7496 ~~accepting alternative nonclassroom continuing education on an~~
7497 ~~hour-for-hour basis.~~

7498 ~~(b) Each certificateholder or registrant licensed as an~~
7499 ~~electrical contractor shall provide proof, in a form established~~
7500 ~~by rule of the board, that the certificateholder or registrant~~

7501 ~~has completed at least 11 classroom hours of at least 50 minutes~~
7502 ~~each of continuing education courses during each biennium since~~
7503 ~~the issuance or renewal of the certificate or registration. The~~
7504 ~~board shall by rule establish criteria for the approval of~~
7505 ~~continuing education courses and providers and may by rule~~
7506 ~~establish criteria for accepting alternative nonclassroom~~
7507 ~~continuing education on an hour-for-hour basis.~~

7508 (4)~~(5)~~ By applying for renewal, each certificateholder or
7509 registrant certifies that he or she has continually maintained
7510 the required amounts of public liability and property damage
7511 insurance as specified by department ~~board~~ rule. The department
7512 ~~board~~ shall establish by rule a procedure to verify the public
7513 liability and property damage insurance for a specified period,
7514 based upon a random sampling method.

7515 (5)~~(6)~~ The department ~~board~~ shall require, by rule adopted
7516 pursuant to ss. 120.536(1) and 120.54, a specialized number of
7517 hours in specialized or advanced module courses, approved by the
7518 Florida Building Commission, on any portion of the Florida
7519 Building Code, adopted pursuant to part IV of chapter 553,
7520 relating to the contractor's respective discipline.

7521 **Section 217. Subsection (6) is renumbered as subsection**
7522 **(5), paragraph (b) of subsection (1), paragraphs (b) and (d) of**
7523 **subsection (4), and subsection (5) of section 489.518, Florida**
7524 **Statutes, are amended to read:**

7525 489.518 Alarm system agents.—

7526 (1) A licensed electrical or alarm system contractor may
7527 not employ a person to perform the duties of a burglar alarm
7528 system agent unless the person:

7529 (b) Has successfully completed a minimum of 14 hours of
7530 training within 90 days after employment, to include basic alarm
7531 system electronics in addition to related training including
7532 CCTV and access control training, with at least 2 hours of
7533 training in the prevention of false alarms. Such training shall
7534 be from a department-approved ~~board-approved~~ provider, and the
7535 employee or applicant for employment shall provide proof of
7536 successful completion to the licensed employer. The department
7537 ~~board~~ shall by rule establish criteria for the approval of
7538 training courses and providers and may by rule establish
7539 criteria for accepting alternative nonclassroom education on an
7540 hour-for-hour basis. The department ~~board~~ shall approve
7541 providers that conduct training in other than the English
7542 language. The department ~~board~~ shall establish a fee for the
7543 approval of training providers or courses, not to exceed \$60.
7544 Qualified employers may conduct training classes for their
7545 employees, with department ~~board~~ approval.

7546 (4)

7547 (b) The identification card shall be designed in a
7548 department-approved ~~board-approved~~ format. The card must include
7549 a picture of the agent, must specify at least the name of the
7550 holder of the card and the name and license number of the

7551 contractor, and must be signed by the contractor and by the
7552 holder of the card. Each identification card is valid for a
7553 period of 2 years after the date of issuance. The identification
7554 card must be in the possession of each burglar alarm system
7555 agent while engaged in burglar alarm system agent duties.

7556 (d) Each identification card must be renewed every 2 years
7557 and ~~in a board-approved format to show compliance with the 6~~
7558 ~~hours of continuing education necessary to maintain~~
7559 ~~certification as a burglar alarm system agent.~~

7560 ~~(5) Each burglar alarm system agent must receive 6 hours~~
7561 ~~of continuing education on burglar alarm system installation and~~
7562 ~~repair and false alarm prevention every 2 years from a board-~~
7563 ~~approved sponsor of training and through a board-approved~~
7564 ~~training course.~~

7565 **Section 218. Subsection (6) of section 489.5185, Florida**
7566 **Statutes, is renumbered as subsection (5) and paragraph (b) of**
7567 **subsection (1), paragraphs (a) and (f) of subsection (2),**
7568 **paragraphs (b) and (d) of subsection (4), and subsection (5) of**
7569 **that section are amended, to read:**

7570 489.5185 Fire alarm system agents.—

7571 (1) A certified unlimited electrical contractor or
7572 licensed fire alarm contractor may not employ a person to
7573 perform the duties of a fire alarm system agent unless the
7574 person:

7575 (b) Has successfully completed a minimum of 14 hours of

7576 initial training, to include basic fire alarm system technology
7577 in addition to related training in National Fire Protection
7578 Association (NFPA) codes and standards and access control
7579 training, with at least 2 hours of training in the prevention of
7580 false alarms. Such training must be from a department-approved
7581 ~~board-approved~~ provider, and the employee or applicant for
7582 employment must provide proof of successful completion to the
7583 licensed employer. The department board, by rule, shall
7584 establish criteria for the approval of training courses and
7585 providers. The department board shall approve qualified
7586 providers that conduct training in other than the English
7587 language. The department board shall establish a fee for the
7588 approval of training providers, not to exceed \$200, and a fee
7589 for the approval of courses at \$25 per credit hour, not to
7590 exceed \$100 per course.

7591 (2) (a) Any applicant for employment as a fire alarm system
7592 agent, or any individual employed as a fire alarm system agent
7593 on the effective date of this act, who has completed alarm
7594 system agent or burglar alarm system agent training before ~~prior~~
7595 ~~to~~ the effective date of this act in a department-certified
7596 ~~board-certified~~ program is not required to take additional
7597 training in order to comply with the initial training
7598 requirements of this section.

7599 (f) If a person holds a current National Institute of
7600 Certification in Engineering Technologies (NICET) Level II

7601 certification or higher in Fire Alarm Systems or Inspection and
7602 Testing of Fire Alarm Systems, a current certification as an
7603 Electronic Security Association (ESA) Certified Fire Alarm
7604 Technician, or a current certification as an ESA Certified Fire
7605 Alarm Designer, he or she is required to complete only the 2
7606 hours of training in the prevention of false alarms required by
7607 paragraph (1)(b) from a department-approved ~~board-approved~~
7608 sponsor of training and through a department-approved ~~board-~~
7609 ~~approved~~ training course.

7610 (4)

7611 (b) The card shall follow a department-approved ~~board-~~
7612 ~~approved~~ format, to include a picture of the agent; shall
7613 specify at least the name of the holder of the card and the name
7614 and license number of the certified unlimited electrical
7615 contractor or licensed fire alarm contractor; and shall be
7616 signed by both the contractor and the holder of the card. Each
7617 identification card shall be valid for a period of 2 years after
7618 the date of issuance. The identification card must be in the
7619 possession of the fire alarm system agent while engaged in fire
7620 alarm system agent duties.

7621 ~~(d) Each identification card must be renewed every 2 years~~
7622 ~~and in a board-approved format to show compliance with the 6~~
7623 ~~hours of continuing education necessary to maintain~~
7624 ~~certification as a fire alarm system agent.~~

7625 ~~(5)(a) Except as provided in paragraph (b), each fire~~

7626 ~~alarm system agent must receive 6 hours of continuing education~~
7627 ~~on fire alarm system installation and repair and false alarm~~
7628 ~~prevention every 2 years from a board-approved sponsor of~~
7629 ~~training and through a board-approved training course.~~

7630 ~~(b) A person holding a current NICET Level II~~
7631 ~~certification or higher in Fire Alarm Systems or Inspection and~~
7632 ~~Testing of Fire Alarm Systems, certification as an ESA Certified~~
7633 ~~Fire Alarm Technician, or certification as an ESA Certified Fire~~
7634 ~~Alarm Designer is required to complete only 2 hours of~~
7635 ~~continuing education training in the prevention of false alarms~~
7636 ~~every 2 years from a board-approved sponsor of training and~~
7637 ~~through a board-approved training course.~~

7638 **Section 219. Subsections (1) and (3) of section 489.519,**
7639 **Florida Statutes, are amended to read:**

7640 489.519 Inactive status.—

7641 (1) A certificate or registration that becomes inactive
7642 may be reactivated under s. 489.517 upon application to the
7643 department. ~~The board may not require a licensee to complete~~
7644 ~~more than one renewal cycle of continuing education to~~
7645 ~~reactivate a certificate or registration.~~

7646 ~~(3) The board shall impose, by rule, continuing education~~
7647 ~~requirements for inactive certificateholders, when inactive~~
7648 ~~status is sought by certificateholders who are also building~~
7649 ~~code administrators, plans examiners, or inspectors certified~~
7650 ~~pursuant to part XII of chapter 468.~~

7651 **Section 220. Section 489.520, Florida Statutes, is amended**
 7652 **to read:**

7653 489.520 Automated licensure status information system.—By
 7654 January 1, 1995, the department shall implement an automated
 7655 licensure status information system for electrical and alarm
 7656 system contracting. The system shall provide instant
 7657 notification to local building departments and other interested
 7658 parties, as determined by the ~~board~~ or department, regarding the
 7659 status of the certification or registration of any contractor
 7660 certified or registered pursuant to the provisions of this part.
 7661 The provision of such information shall consist, at a minimum,
 7662 of an indication of whether the certification or registration of
 7663 the contractor applying for a permit is active, of any current
 7664 failure of the contractor to make restitution according to the
 7665 terms of any final action by the department ~~board~~, of any
 7666 ongoing disciplinary cases against the contractor that are
 7667 subject to public disclosure, and whether there are any
 7668 outstanding fines against the contractor.

7669 **Section 221. Paragraphs (a) and (b) of subsection (2),**
 7670 **subsections (3), (4), and (5), paragraph (c) of subsection (7),**
 7671 **subsections (8) and (9), and paragraph (b) of subsection (10) of**
 7672 **section 489.521, Florida Statutes, are amended to read:**

7673 489.521 Business organizations; qualifying agents.—
 7674 (2) (a) 1. If the applicant proposing to engage in
 7675 contracting is a partnership, corporation, business trust, or

7676 other legal entity, other than a sole proprietorship, the
7677 application shall state the name of the partnership and its
7678 partners; the name of the corporation and its officers and
7679 directors and the name of each of its stockholders who is also
7680 an officer or director; the name of the business trust and its
7681 trustees; or the name of such other legal entity and its
7682 members. In addition, the applicant shall furnish evidence of
7683 statutory compliance if a fictitious name is used. A joint
7684 venture, including a joint venture composed of qualified
7685 business organizations, is itself a separate and distinct
7686 organization that shall be qualified in accordance with
7687 department ~~board~~ rules. The registration or certification, when
7688 issued upon application of a business organization, shall be in
7689 the name of the qualifying agent, and the name of the business
7690 organization shall be noted thereon. If there is a change in any
7691 information that is required to be stated on the application,
7692 the business organization shall, within 45 days after such
7693 change occurs, mail the correct information to the department.

7694 2. Any person certified or registered pursuant to this
7695 part who has had his or her license revoked may ~~shall~~ not be
7696 eligible for a 5-year period to be a partner, officer, director,
7697 or trustee of a business organization as defined by this
7698 section. Such person shall also be ineligible to reapply for
7699 certification or registration under this part for a period of 5
7700 years.

7701 (b) The applicant shall also show that the proposed
7702 qualifying agent is legally qualified to act for the business
7703 organization in all matters connected with its electrical or
7704 alarm system contracting business and concerning regulations by
7705 the department ~~board~~ and that he or she has authority to
7706 supervise electrical or alarm system contracting undertaken by
7707 the business organization.

7708 (3) (a) The applicant shall furnish evidence of financial
7709 responsibility, credit, and business reputation of the business
7710 organization, as well as the name of the qualifying agent. The
7711 department ~~board~~ shall adopt rules defining financial
7712 responsibility based upon the business organization's credit
7713 history, ability to be bonded, and any history of bankruptcy or
7714 assignment of receivers. Such rules shall specify the financial
7715 responsibility grounds on which the department ~~board~~ may
7716 determine that a business organization is not qualified to
7717 engage in contracting.

7718 (b) In the event a qualifying agent must take the
7719 certification examination, the department ~~board~~ shall, within 60
7720 days from the date of the examination, inform the business
7721 organization in writing whether or not its qualifying agent has
7722 qualified.

7723 (c) If the qualifying agent of a business organization
7724 applying to engage in contracting, after having been notified to
7725 do so, does not appear for examination within 1 year from the

7726 date of filing of the application, the examination fee paid by
7727 it shall be credited as an earned fee to the department. A new
7728 application to engage in contracting shall be accompanied by
7729 another application fee fixed pursuant to this act. Forfeiture
7730 of a fee may be waived by the department ~~board~~ for good cause.

7731 (d) Once the department ~~board~~ has determined that the
7732 business organization's proposed qualifying agent has qualified,
7733 the business organization shall be authorized to engage in the
7734 contracting business. The certificate, when issued, shall be in
7735 the name of the qualifying agent, and the name of the business
7736 organization shall be noted thereon.

7737 (4) As a prerequisite to the initial issuance of a
7738 certificate, the applicant or the business organization he or
7739 she qualifies shall submit evidence that he or she or the
7740 business organization has obtained public liability and property
7741 damage insurance for the safety and welfare of the public in an
7742 amount to be determined by department ~~board~~ rule.

7743 (5) At least one officer or supervising employee of the
7744 business organization must be qualified under this act in order
7745 for the business organization to be qualified to engage in
7746 contracting in the category of the business conducted. If any
7747 individual so qualified on behalf of the business organization
7748 ceases to qualify the business organization, he or she shall
7749 notify the ~~board and the~~ department thereof within 30 days after
7750 such occurrence. In addition, if the individual is the only

7751 individual who qualifies the business organization, the business
7752 organization shall notify the ~~board and the~~ department of the
7753 individual's termination, and it shall have a period of 60 days
7754 from the termination of the individual to qualify another person
7755 under the provision of this act, failing which, the department
7756 ~~board~~ shall determine that the business organization is no
7757 longer qualified to engage in contracting. The individual shall
7758 also inform the department ~~board~~ in writing when he or she
7759 proposes to engage in contracting in his or her own name or in
7760 affiliation with another business organization, and the
7761 individual, or such new business organization, shall supply the
7762 same information to the department ~~board~~ as required for
7763 applicants under this act. After an investigation of the
7764 financial responsibility, credit, and business reputation of the
7765 individual or the new business organization and upon a favorable
7766 determination, the department ~~board~~ shall certify the business
7767 organization as qualified, and the department shall issue,
7768 without examination, a new certificate in the individual's name,
7769 which shall include the name of the new business organization,
7770 as provided in this section.

7771 (7)

7772 (c) The department ~~board~~ shall assess a fine of not less
7773 than \$100 or issue a citation to any contractor who fails to
7774 include that contractor's certification or registration number
7775 when submitting an advertisement for publication, broadcast, or

7776 printing. In addition, any person who claims in any
7777 advertisement to be a certified or registered contractor, but
7778 who does not hold a valid state certification or registration,
7779 commits a misdemeanor of the second degree, punishable as
7780 provided in s. 775.082 or s. 775.083.

7781 (8) Each qualifying agent shall pay the department an
7782 amount equal to the original fee for certification or
7783 registration to qualify any additional business organizations.
7784 If the qualifying agent for a business organization desires to
7785 qualify additional business organizations, the department ~~board~~
7786 shall require him or her to present evidence of supervisory
7787 ability and financial responsibility of each such organization.
7788 Allowing a licensee to qualify more than one business
7789 organization shall be conditioned upon the licensee showing that
7790 the licensee has both the capacity and intent to adequately
7791 supervise each business organization in accordance with s.
7792 489.522(1). The department ~~may board shall~~ not limit the number
7793 of business organizations which the licensee may qualify except
7794 upon the licensee's failing to provide such information as is
7795 required under this subsection or upon a finding that such
7796 information or evidence as is supplied is incomplete or
7797 unpersuasive in showing the licensee's capacity and intent to
7798 comply with the requirements of this subsection. A qualification
7799 for an additional business organization may be revoked or
7800 suspended upon a finding by the department ~~board~~ that the

7801 licensee has failed in the licensee's responsibility to
7802 adequately supervise the operations of that business
7803 organization in accordance with s. 489.522(1). Failure of the
7804 responsibility to adequately supervise the operations of a
7805 business organization in accordance with s. 489.522(1) shall be
7806 grounds for denial to qualify additional business organizations.

7807 (9) If a business organization or any of its partners,
7808 officers, directors, trustees, or members is disciplined for
7809 violating s. 489.533(1), the department ~~board~~ may, on that basis
7810 alone, deny issuance of a certificate or registration to a
7811 qualifying agent on behalf of that business organization.

7812 (10)

7813 (b) Any business organization engaging in contracting
7814 under this subsection shall provide the department ~~board~~ with
7815 the name and license number of each registered or certified
7816 contractor employed by the business organization to supervise
7817 its contracting activities. The business organization is not
7818 required to post a bond or otherwise evidence any financial or
7819 credit information except as necessary to demonstrate compliance
7820 with paragraph (a).

7821 **Section 222. Subsection (2) and paragraph (a) of**
7822 **subsection (3) of section 489.522, Florida Statutes, are amended**
7823 **to read:**

7824 489.522 Qualifying agents; responsibilities.—

7825 (2) One of the qualifying agents for a business

7826 organization that has more than one qualifying agent may be
7827 designated as the sole primary qualifying agent for the business
7828 organization by a joint agreement that is executed, on a form
7829 provided by the department board, by all qualifying agents for
7830 the business organization. The joint agreement shall be
7831 submitted to the department board for approval. If the
7832 department board determines that the joint agreement is in good
7833 order, it shall approve the designation and immediately notify
7834 the qualifying agents of such approval. The designation made by
7835 the joint agreement is effective upon receipt of the notice by
7836 the qualifying agents. The qualifying agent designated for a
7837 business organization by a joint agreement is the sole primary
7838 qualifying agent for the business organization, and all other
7839 qualifying agents for the business organization are secondary
7840 qualifying agents.

7841 (a) A designated sole primary qualifying agent has all the
7842 responsibilities and duties of a primary qualifying agent,
7843 notwithstanding that there are secondary qualifying agents for
7844 specified jobs. The designated sole primary qualifying agent is
7845 jointly and equally responsible with secondary qualifying agents
7846 for field work supervision.

7847 (b) A secondary qualifying agent is responsible only for:
7848 1. The supervision of field work at sites where his or her
7849 license was used to obtain the building permit; and
7850 2. Any other work for which he or she accepts

7851 responsibility.

7852

7853 A secondary qualifying agent is not responsible for supervision
7854 of financial matters.

7855 (c) A primary qualifying agent shall have approval
7856 authority for checks, payments, drafts, and contracts issued by
7857 or entered into by the business organization.

7858 (3) (a) A qualifying agent who has been designated by a
7859 joint agreement as the sole primary qualifying agent for a
7860 business organization may terminate this status as such by
7861 giving actual notice to the business organization, to the
7862 department board, and to all secondary qualifying agents of his
7863 or her intention to terminate this status. The notice to the
7864 department board shall include proof satisfactory to the
7865 department board that he or she has given the notice required in
7866 this paragraph. The status of the qualifying agent shall cease
7867 upon the designation of a new primary qualifying agent or 60
7868 days after satisfactory notice of termination has been provided
7869 to the department board, whichever first occurs. If no new
7870 primary qualifying agent has been designated within 60 days, all
7871 secondary qualifying agents for the business organization shall
7872 become primary qualifying agents, unless the joint agreement
7873 specifies that one or more of them shall become sole qualifying
7874 agents under such circumstances, in which case only they shall
7875 become sole qualifying agents.

7876 **Section 223. Section 489.523, Florida Statutes, is amended**
 7877 **to read:**

7878 489.523 Emergency registration upon death of contractor.—
 7879 If an incomplete contract exists at the time of death of a
 7880 contractor, the contract may be completed by any person even
 7881 though not certified. The person shall notify the department
 7882 ~~appropriate board~~, within 30 days after the death of the
 7883 contractor, of his or her name and address, knowledge of the
 7884 contract, and ability to complete it. If the department ~~board~~
 7885 approves, he or she may proceed with the contract. The
 7886 department ~~board~~ shall then issue an emergency registration
 7887 which shall expire upon the completion of the contract. For
 7888 purposes of this section, and upon written approval of the
 7889 department ~~board~~, an incomplete contract may be one which has
 7890 been awarded to, or entered into by, the contractor before his
 7891 or her death, or on which he or she was the low bidder and the
 7892 contract is subsequently awarded to him or her, regardless of
 7893 whether any actual work has commenced under the contract before
 7894 the contractor's death.

7895 **Section 224. Section 489.525, Florida Statutes, is amended**
 7896 **to read:**

7897 489.525 Report to local building officials.—The department
 7898 may report to all building officials the contents of this part
 7899 and the contents of the rules of the department ~~board~~. Any
 7900 information that is available through the Internet or other

7901 | electronic means may be excluded from the report.

7902 | **Section 225. Subsections (2), (3), (4), (5), and (6) and**
 7903 | **paragraphs (b) and (e) of subsection (7) of section 489.533,**
 7904 | **Florida Statutes, are amended to read:**

7905 | 489.533 Disciplinary proceedings.—

7906 | (2) When the department ~~board~~ finds any applicant,
 7907 | contractor, or business organization for which the contractor is
 7908 | a primary qualifying agent or secondary qualifying agent
 7909 | responsible under s. 489.522 guilty of any of the grounds set
 7910 | forth in subsection (1), it may enter an order imposing one or
 7911 | more of the following penalties:

7912 | (a) Denial of an application for certification or
 7913 | registration.

7914 | (b) Revocation or suspension of a certificate or
 7915 | registration.

7916 | (c) Imposition of an administrative fine not to exceed
 7917 | \$10,000 for each count or separate offense.

7918 | (d) Issuance of a reprimand.

7919 | (e) Placement of the contractor on probation for a period
 7920 | of time and subject to such conditions as the department ~~board~~
 7921 | may specify, including requiring the contractor to attend
 7922 | continuing education courses or to work under the supervision of
 7923 | another contractor.

7924 | (f) Restriction of the authorized scope of practice by the
 7925 | contractor.

7926 (g) Require financial restitution to a consumer.

7927 (3) In recommending penalties in any proposed recommended

7928 final order, the department shall follow the penalty guidelines

7929 established by the department ~~board~~ by rule. The department

7930 shall advise the administrative law judge of the appropriate

7931 penalty, including mitigating and aggravating circumstances, and

7932 the specific rule citation.

7933 (4) The department ~~board~~ may not reinstate the certificate

7934 or registration of, or cause a certificate or registration to be

7935 issued to, a person who the department ~~board~~ has determined

7936 unqualified until it is satisfied that such person has complied

7937 with all the terms and conditions set forth in the final order

7938 and is capable of competently engaging in the business of

7939 contracting.

7940 (5) When the department ~~board~~ imposes administrative fines

7941 pursuant to subsection (2) resulting from violation of chapter

7942 633 or violation of the rules of the State Fire Marshal, 50

7943 percent of the fine shall be paid into the Insurance Regulatory

7944 Trust Fund to help defray the costs of investigating the

7945 violations and obtaining the corrective action. The State Fire

7946 Marshal may participate at its discretion, but not as a party,

7947 in any proceedings before the department ~~board~~ relating to

7948 violation of chapter 633 or the rules of the State Fire Marshal,

7949 in order to make recommendations as to the appropriate penalty

7950 in such case. However, the State Fire Marshal does ~~shall~~ not

7951 have standing to bring disciplinary proceedings regarding
7952 certification.

7953 (6) The department ~~board~~ may restrain any violation of
7954 this part by action in a court of competent jurisdiction.

7955 (7)

7956 (b) A ~~No~~ licensee may not avail himself or herself of the
7957 mediation process more than three times without the approval of
7958 the department ~~board~~. The department ~~board~~ may consider the
7959 subject and the dates of the earlier complaints in rendering its
7960 decision. The department's ~~board's~~ decision may ~~shall~~ not be
7961 considered a final agency action and is not appealable.

7962 (e) The department, ~~in conjunction with the board,~~ shall
7963 determine by rule the types of cases which may be included in
7964 the mediation process. The department may initiate or continue
7965 disciplinary action, pursuant to chapter 455 and this chapter
7966 against the licensee as determined by rule.

7967 **Section 226. Paragraph (a) of subsection (1) of section**
7968 **489.5335, Florida Statutes, is amended to read:**

7969 489.5335 Journeyman; reciprocity; standards.—

7970 (1) Counties and municipalities are authorized to issue
7971 journeyman licenses in the electrical and alarm system trades to
7972 an individual who:

7973 (a) Has scored at least 70 percent, or after October 1,
7974 1997, at least 75 percent, on a proctored journeyman Block and
7975 Associates examination or other proctored examination approved

7976 by the department ~~board~~ for the trade in which he or she is
 7977 licensed;

7978 **Section 227. Paragraph (e) of subsection (3) and**
 7979 **paragraphs (b) and (c) of subsection (5) of section 489.537,**
 7980 **Florida Statutes, are amended to read:**

7981 489.537 Application of this part.—

7982 (3) Nothing in this act limits the power of a municipality
 7983 or county:

7984 (e)1. To refuse to issue permits or issue permits with
 7985 specific conditions to a contractor who has committed multiple
 7986 violations, when he or she has been disciplined for each of them
 7987 by the department ~~board~~ and when each disciplinary action has
 7988 involved revocation or suspension of a license, imposition of an
 7989 administrative fine of at least \$1,000, or probation.

7990 2. To issue permits with specific conditions to a
 7991 contractor who, within the previous 12 months, has had final
 7992 action taken against him or her, by the department or by a local
 7993 board or agency which licenses contractors and has reported the
 7994 action pursuant to paragraph (5)(c), for engaging in the
 7995 business or acting in the capacity of a contractor without a
 7996 license.

7997 (5)

7998 (b) To engage in contracting in the territorial area, an
 7999 applicant shall also be registered with the department ~~board~~.

8000 (c) Each local board or agency which licenses contractors

8001 shall transmit monthly to the department ~~board~~ a report of any
 8002 disciplinary action taken against contractors and any
 8003 administrative or disciplinary action taken against unlicensed
 8004 persons for engaging in the business or acting in the capacity
 8005 of a contractor, including any cease and desist order issued
 8006 pursuant to s. 489.516(2) (b).

8007 **Section 228. Section 489.552, Florida Statutes, is amended**
 8008 **to read:**

8009 489.552 Registration required.—A person may ~~shall~~ not hold
 8010 himself or herself out as a septic tank contractor or a master
 8011 septic tank contractor in this state unless he or she is
 8012 registered by the department in accordance with the provisions
 8013 of this part. However, nothing in this part prohibits any person
 8014 licensed pursuant to s. 489.105(2) (m) ~~s. 489.105(3) (m)~~ in this
 8015 state from engaging in the profession for which he or she is
 8016 licensed.

8017 **Section 229. Subsection (1) of section 492.102, Florida**
 8018 **Statutes, is amended to read:**

8019 492.102 Definitions.—For the purposes of this chapter,
 8020 unless the context clearly requires otherwise:

8021 ~~(1) "Board" means the Board of Professional Geologists.~~

8022 **Section 230. Section 492.104, Florida Statutes, is amended**
 8023 **to read:**

8024 492.104 Rulemaking authority.—The department ~~Board of~~
 8025 ~~Professional Geologists~~ has authority to adopt rules pursuant to

8026 ss. 120.536(1) and 120.54 to implement this chapter. Every
 8027 licensee shall be governed and controlled by this chapter and
 8028 the rules adopted by the department ~~board~~. The department ~~board~~
 8029 is authorized to set, by rule, fees for application,
 8030 examination, late renewal, initial licensure, and license
 8031 renewal. These fees may not exceed the cost of implementing the
 8032 application, examination, initial licensure, and license renewal
 8033 or other administrative process and shall be established as
 8034 follows:

8035 (1) The application fee may ~~shall~~ not exceed \$150 and
 8036 shall be nonrefundable.

8037 (2) The examination fee may ~~shall~~ not exceed \$250, and the
 8038 fee may be apportioned to each part of a multipart examination.
 8039 The examination fee shall be refundable in whole or part if the
 8040 applicant is found to be ineligible to take any portion of the
 8041 licensure examination.

8042 (3) The initial license fee may ~~shall~~ not exceed \$100.

8043 (4) The biennial renewal fee may ~~shall~~ not exceed \$150.

8044 (5) The fee for reactivation of an inactive license may
 8045 not exceed \$50.

8046 (6) The fee for a provisional license may not exceed \$400.

8047 (7) The fee for application, examination, and licensure
 8048 for a license by endorsement is as provided in this section for
 8049 licenses in general.

8050 **Section 231. Subsection (1), paragraph (b) of subsection**

8051 **(2), and subsection (3) of section 492.105, Florida Statutes,**
8052 **are amended to read:**

8053 492.105 Licensure by examination; requirements; fees.—

8054 (1) Any person desiring to be licensed as a professional
8055 geologist shall apply to the department to take the licensure
8056 examination. The written licensure examination shall be designed
8057 to test an applicant's qualifications to practice professional
8058 geology, and shall include such subjects as will tend to
8059 ascertain the applicant's knowledge of the fundamentals, theory,
8060 and practice of professional geology and may include such
8061 subjects as are taught in curricula of accredited colleges and
8062 universities. The written licensure examination may be a
8063 multipart examination. The department shall examine each
8064 applicant who the department ~~board~~ certifies:

8065 (a) Has completed the application form and remitted a
8066 nonrefundable application fee and an examination fee which is
8067 refundable if the applicant is found to be ineligible to take
8068 the examination.

8069 (b) Is at least 18 years of age.

8070 (c) Has not committed any act or offense in any
8071 jurisdiction which would constitute the basis for disciplining a
8072 professional geologist licensed pursuant to this chapter.

8073 (d) Has fulfilled the following educational requirements
8074 at a college or university, the geological curricula of which
8075 meet the criteria established by an accrediting agency

8076 recognized by the United States Department of Education:

8077 1. Graduation from such college or university with a major
8078 in geology or other related science acceptable to the department
8079 ~~board~~; and

8080 2. Satisfactory completion of at least 30 semester hours
8081 or 45 quarter hours of geological coursework.

8082 (e) Has at least 5 years of verified professional
8083 geological work experience, which includes a minimum of 3 years
8084 of professional geological work under the supervision of a
8085 licensed or qualified geologist or professional engineer
8086 registered under chapter 471 as qualified in the field or
8087 discipline of professional engineering work performed; or has a
8088 minimum of 5 accumulative years of verified geological work
8089 experience in responsible charge of geological work as
8090 determined by the department ~~board~~.

8091 (2) The department shall issue a license to practice
8092 professional geology to any person who has:

8093 (b) Been certified by the department ~~board~~ as qualified to
8094 practice professional geology; and

8095 (3) The department may ~~shall~~ not issue a license to any
8096 applicant who is under investigation in any jurisdiction for an
8097 offense which would constitute a violation of this chapter. Upon
8098 completion of the investigation, the disciplinary provisions of
8099 s. 492.113 shall apply.

8100 **Section 232. Subsections (1) and (2) of section 492.1051,**

8101 **Florida Statutes, are amended to read:**

8102 492.1051 Registered geologist-in-training; requirements.-

8103 (1) A person desiring to register as a geologist-in-
 8104 training shall apply to the department to take a discrete
 8105 portion of the examination required for licensure as a
 8106 professional geologist in this state. This discrete portion
 8107 shall cover the fundamentals of geology. The department shall
 8108 examine each applicant who the department ~~board~~ certifies:

8109 (a) Has completed the application form and remitted a
 8110 nonrefundable application fee and an examination fee that is
 8111 refundable if the applicant is found to be ineligible to take
 8112 the examination.

8113 (b) Has not committed an act or offense in any
 8114 jurisdiction which constitutes grounds for disciplining a
 8115 professional geologist licensed under this chapter; and

8116 (c) Has successfully completed at least 30 semester hours
 8117 or 45 quarter hours of geological coursework at a college or
 8118 university, the geological curricula of which meet the criteria
 8119 established by an accrediting agency recognized by the United
 8120 States Department of Education and, if still enrolled, has
 8121 provided a letter of good academic standing from the college or
 8122 university.

8123 (2) The department shall register as a geologist-in-
 8124 training each applicant who the department ~~board~~ certifies has
 8125 passed the fundamentals of geology portion of the licensure

8126 examination.

8127 **Section 233. Section 492.106, Florida Statutes, is amended**
8128 **to read:**

8129 492.106 Provisional licenses.—The department may provide a
8130 provisional license to any person who is not a resident of and
8131 has not established a place of business in this state, and who
8132 is duly licensed in another state, territory, or possession of
8133 the United States, or in the District of Columbia, and who has
8134 qualifications which the department board, upon advice of a
8135 committee of the department board, deems comparable to those
8136 required of professional geologists in this state, upon written
8137 application accompanied by the proper application fee, offered
8138 before ~~prior to~~ the practice of professional geology in this
8139 state, under the following restrictions:

8140 (1) Satisfactory proof of licensure as required above
8141 shall include the name, residence address, business address, and
8142 certification of the license of the applicant from the issuing
8143 state, together with the name and address of the authority
8144 issuing such license.

8145 (2) The practice of professional geology under a
8146 provisional license may ~~shall~~ not exceed 1 year.

8147 (3) The practice of professional geology under a
8148 provisional license shall be confined to one specified project.
8149 Such license may not be renewed or reissued for 5 years from the
8150 date of original issuance.

8151 (4) A written statement shall be furnished to the
8152 department within 60 days of completion of the work, indicating
8153 the time engaged and the nature of the work. A person holding a
8154 provisional license shall exhibit such provisional license each
8155 time and on each occasion that an indication of licensure is
8156 required.

8157 **Section 234. Subsection (1) of section 492.107, Florida**
8158 **Statutes, is amended to read:**

8159 492.107 Seals.—

8160 (1) The department ~~board~~ shall prescribe, by rule, a form
8161 of seal, including its electronic form, to be used by persons
8162 holding valid licenses. All geological papers, reports, and
8163 documents prepared or issued by the licensee shall be signed,
8164 dated, and sealed by the licensee who performed or is
8165 responsible for the supervision, direction, or control of the
8166 work contained in the papers, reports, or documents. Such
8167 signature, date, and seal shall be evidence of the authenticity
8168 of that to which they are affixed. Geological papers, reports,
8169 and documents prepared or issued by the licensee may be
8170 transmitted electronically provided they have been signed by the
8171 licensee, dated, and electronically sealed. It is unlawful for
8172 any person to sign or seal any document as a professional
8173 geologist unless that person holds a current, active license as
8174 a professional geologist which has not expired or been revoked
8175 or suspended, unless reinstated or reissued.

8176 **Section 235. Subsection (1) of section 492.108, Florida**
 8177 **Statutes, is amended to read:**
 8178 492.108 Licensure by endorsement; requirements; fees.—
 8179 (1) The department shall issue a license by endorsement to
 8180 any applicant who, upon applying to the department and remitting
 8181 an application fee, has been certified by the department ~~board~~
 8182 that he or she:
 8183 (a) Has met the qualifications for licensure in s.
 8184 492.105(1)(b)-(e) and:
 8185 1. Is the holder of an active license in good standing in
 8186 a state, trust, territory, or possession of the United States.
 8187 2. Was licensed through written examination in at least
 8188 one state, trust, territory, or possession of the United States,
 8189 the examination requirements of which have been approved by the
 8190 department ~~board~~ as substantially equivalent to or more
 8191 stringent than those of this state, and has received a score on
 8192 such examination which is equal to or greater than the score
 8193 required by this state for licensure by examination.
 8194 3. Has taken and successfully passed the laws and rules
 8195 portion of the examination required for licensure as a
 8196 professional geologist in this state.
 8197 (b) Has held a valid license to practice geology in
 8198 another state, trust, territory, or possession of the United
 8199 States for at least 10 years before the date of application and
 8200 has successfully completed a state, regional, national, or other

8201 examination that is equivalent to or more stringent than the
 8202 examination required by the department. If such applicant has
 8203 met the requirements for a license by endorsement except
 8204 successful completion of an examination that is equivalent to or
 8205 more stringent than the examination required by the department
 8206 ~~board~~, such applicant may take the examination required by the
 8207 department ~~board~~. Such application must be submitted to the
 8208 department ~~board~~ while the applicant holds a valid license in
 8209 another state or territory or within 2 years after the
 8210 expiration of such license.

8211 **Section 236. Subsection (2) of section 492.1101, Florida**
 8212 **Statutes, is amended to read:**

8213 492.1101 Inactive status.—

8214 (2) The department ~~board~~ shall adopt ~~promulgate~~ rules
 8215 relating to the reactivation of inactive licenses and shall
 8216 prescribe by rule a fee for the reactivation of inactive
 8217 licenses.

8218 **Section 237. Subsection (1) of section 492.111, Florida**
 8219 **Statutes, is amended to read:**

8220 492.111 Practice of professional geology by a firm,
 8221 corporation, or partnership.—The practice of, or offer to
 8222 practice, professional geology by individual professional
 8223 geologists licensed under the provisions of this chapter through
 8224 a firm, corporation, or partnership offering geological services
 8225 to the public through individually licensed professional

8226 geologists as agents, employees, officers, or partners thereof
 8227 is permitted subject to the provisions of this chapter, if:

8228 (1) At all times that it offers geological services to the
 8229 public, the firm, corporation, or partnership is qualified by
 8230 one or more individuals who hold a current, active license as a
 8231 professional geologist in the state and are serving as a
 8232 geologist of record for the firm, corporation, or partnership. A
 8233 geologist of record may be any principal officer or employee of
 8234 such firm or corporation, or any partner or employee of such
 8235 partnership, who holds a current, active license as a
 8236 professional geologist in this state, or any other Florida-
 8237 licensed professional geologist with whom the firm, corporation,
 8238 or partnership has entered into a long-term, ongoing
 8239 relationship, as defined by rule of the department ~~board~~, to
 8240 serve as one of its geologists of record. The geologist of
 8241 record shall notify the department of any changes in the
 8242 relationship or identity of that geologist of record within 30
 8243 days after such change.

8244 **Section 238. Paragraph (k) of subsection (1) and**
 8245 **subsections (2), (3), and (4) of section 492.113, Florida**
 8246 **Statutes, are amended to read:**

8247 492.113 Disciplinary proceedings.—

8248 (1) The following acts constitute grounds for which the
 8249 disciplinary actions in subsection (3) may be taken:

8250 (k) Violating a rule of the department ~~or board~~ or any

8251 order of the department ~~or board~~ previously entered in a
 8252 disciplinary hearing.

8253 (2) The department ~~board~~ shall specify, by rule, what acts
 8254 or omissions constitute a violation of subsection (1).

8255 (3) When the department ~~board~~ finds any person guilty of
 8256 any of the grounds set forth in subsection (1), it may enter an
 8257 order imposing one or more of the following penalties:

8258 (a) Denial of an application for licensure.

8259 (b) Revocation or suspension of a license.

8260 (c) Imposition of an administrative fine not to exceed
 8261 \$1,000 for each count or separate offense.

8262 (d) Issuance of a reprimand.

8263 (e) Placement of the licensee on probation for a period of
 8264 time and subject to such conditions as the department ~~board~~ may
 8265 specify.

8266 (f) Restriction of the authorized scope of practice by the
 8267 licensee.

8268 (4) The department shall reissue the license of a
 8269 disciplined professional geologist upon certification by the
 8270 department ~~board~~ that the disciplined person has complied with
 8271 the terms and conditions set forth in the final order.

8272 **Section 239. Subsections (10) through (13) of section**
 8273 **493.6101, Florida Statutes, are amended to read:**

8274 493.6101 Definitions.—

8275 ~~(10) "Branch office" means each additional location of an~~

8276 ~~agency where business is actively conducted which advertises as~~
8277 ~~performing or is engaged in the business authorized by the~~
8278 ~~license.~~

8279 ~~(11) "Sponsor" means any Class "C," Class "MA," or Class~~
8280 ~~"M" licensee who supervises and maintains under his or her~~
8281 ~~direction and control a Class "CC" intern; or any Class "E" or~~
8282 ~~Class "MR" licensee who supervises and maintains under his or~~
8283 ~~her direction and control a Class "EE" intern.~~

8284 ~~(12) "Intern" means an individual who studies as a trainee~~
8285 ~~or apprentice under the direction and control of a designated~~
8286 ~~sponsoring licensee.~~

8287 ~~(13) "Manager" means any licensee who directs the~~
8288 ~~activities of licensees at any agency or branch office. The~~
8289 ~~manager shall be assigned to and shall primarily operate from~~
8290 ~~the agency or branch office location for which he or she has~~
8291 ~~been designated as manager. The manager of a private~~
8292 ~~investigative agency may, however, manage up to three offices~~
8293 ~~within a 150-mile radius of the location listed on the agency's~~
8294 ~~Class "A" license, provided that these three offices consist of~~
8295 ~~either:~~

8296 ~~(a) The location listed on the agency's Class "A" license~~
8297 ~~and up to two branch offices; or~~

8298 ~~(b) Up to three branch offices.~~

8299 **Section 240. Subsection (7) of section 493.6105, Florida**
8300 **Statutes, is amended to read:**

8301 493.6105 Initial application for license.—

8302 ~~(7) In addition to the application requirements for~~
 8303 ~~individuals, partners, or officers outlined under subsection~~
 8304 ~~(3), the application for an agency license must contain the~~
 8305 ~~following information:~~

8306 ~~(a) The proposed name under which the agency intends to~~
 8307 ~~operate.~~

8308 ~~(b) The street address, mailing address, and telephone~~
 8309 ~~numbers of the principal location at which business is to be~~
 8310 ~~conducted in this state.~~

8311 ~~(c) The street address, mailing address, and telephone~~
 8312 ~~numbers of all branch offices within this state.~~

8313 ~~(d) The names and titles of all partners or, in the case~~
 8314 ~~of a corporation, the names and titles of its principal~~
 8315 ~~officers.~~

8316 **Section 241. Subsection (2) of section 493.6106, Florida**
 8317 **Statutes, is amended to read:**

8318 493.6106 License requirements; posting.—

8319 (2) Each agency shall have a minimum of one physical
 8320 location within this state from which the normal business of the
 8321 agency is conducted, and this location shall be considered the
 8322 primary office for that agency in this state.

8323 ~~(a)~~ If an agency or branch office desires to change the
 8324 physical location of the business, as it appears on the license,
 8325 the department must be notified within 10 days after the change,

8326 and, except upon renewal, the fee prescribed in s. 493.6107 must
8327 be submitted for each license requiring revision. Each license
8328 requiring revision must be returned with such notification.

8329 ~~(b) The Class "A," Class "B," or Class "R" license and any~~
8330 ~~branch office or school license shall at all times be posted in~~
8331 ~~a conspicuous place at the licensed physical location in this~~
8332 ~~state where the business is conducted.~~

8333 ~~(c) Each Class "A," Class "B," Class "R," branch office,~~
8334 ~~or school licensee shall display, in a place that is in clear~~
8335 ~~and unobstructed public view, a notice on a form prescribed by~~
8336 ~~the department stating that the business operating at this~~
8337 ~~location is licensed and regulated by the Department of~~
8338 ~~Agriculture and Consumer Services and that any questions or~~
8339 ~~complaints should be directed to the department.~~

8340 ~~(d) A minimum of one properly licensed manager shall be~~
8341 ~~designated for each agency and branch office location.~~

8342 **Section 242. Subsections (4), (5), and (6) of section**
8343 **493.6111, Florida Statutes, are renumbered as subsections (3),**
8344 **(6), and (7), respectively, and subsection (2) and present**
8345 **subsection (3) are amended, to read:**

8346 493.6111 License; contents; identification card.—

8347 (2) Licenses shall be valid for a period of 2 years,
8348 except for Class "A," Class "B," Class "AB," Class "K₇," Class
8349 "R," and branch agency licenses, which shall be valid for a
8350 period of 3 years.

8351 ~~(3) The department shall, upon complete application and~~
8352 ~~payment of the appropriate fees, issue a separate license to~~
8353 ~~each branch office for which application is made.~~

8354 **Section 243. Subsection (1) of section 493.6113, Florida**
8355 **Statutes, is amended to read:**

8356 493.6113 Renewal application for licensure.—

8357 (1) A license granted under ~~the provisions of~~ this chapter
8358 shall be renewed biennially by the department, except for ~~Class~~
8359 ~~"A," Class "B," Class "AB," Class "K.7" Class "R," and branch~~
8360 ~~agency licenses, which shall be renewed every 3 years.~~

8361 **Section 244. Paragraphs (r) and (x) of subsection (1) of**
8362 **section 493.6118, Florida Statutes, are amended to read:**

8363 493.6118 Grounds for disciplinary action.—

8364 (1) The following constitute grounds for which
8365 disciplinary action specified in subsection (2) may be taken by
8366 the department against any licensee, agency, or applicant
8367 regulated by this chapter, or any unlicensed person engaged in
8368 activities regulated under this chapter:

8369 ~~(r) Failure or refusal by a sponsor to certify a biannual~~
8370 ~~written report on an intern or to certify completion or~~
8371 ~~termination of an internship to the department within 15 working~~
8372 ~~days.~~

8373 (x) In addition to the grounds for disciplinary action
8374 prescribed in paragraphs (a)-(t) and, ~~Class "R" recovery~~
8375 ~~agencies,~~ Class "E" recovery agents, and Class "EE" recovery

8376 ~~agent interns~~ are prohibited from committing the following acts:

8377 1. Recovering a motor vehicle, mobile home, motorboat,
8378 aircraft, personal watercraft, all-terrain vehicle, farm
8379 equipment, or industrial equipment that has been sold under a
8380 conditional sales agreement or under the terms of a chattel
8381 mortgage before authorization has been received from the legal
8382 owner or mortgagee.

8383 2. Charging for expenses not actually incurred in
8384 connection with the recovery, transportation, storage, or
8385 disposal of repossessed property or personal property obtained
8386 in a repossession.

8387 3. Using any repossessed property or personal property
8388 obtained in a repossession for the personal benefit of a
8389 licensee or an officer, director, partner, manager, or employee
8390 of a licensee.

8391 4. Selling property recovered under ~~the provisions of this~~
8392 chapter, except with written authorization from the legal owner
8393 or the mortgagee thereof.

8394 5. Failing to notify the police or sheriff's department of
8395 the jurisdiction in which the repossessed property is recovered
8396 within 2 hours after recovery.

8397 6. Failing to remit moneys collected in lieu of recovery
8398 of a motor vehicle, mobile home, motorboat, aircraft, personal
8399 watercraft, all-terrain vehicle, farm equipment, or industrial
8400 equipment to the client within 10 working days.

8401 7. Failing to deliver to the client a negotiable
 8402 instrument that is payable to the client, within 10 working days
 8403 after receipt of such instrument.

8404 8. Falsifying, altering, or failing to maintain any
 8405 required inventory or records regarding disposal of personal
 8406 property contained in or on repossessed property pursuant to s.
 8407 493.6404(1).

8408 9. Carrying any weapon or firearm when he or she is on
 8409 private property and performing duties under his or her license
 8410 whether or not he or she is licensed pursuant to s. 790.06.

8411 10. Soliciting from the legal owner the recovery of
 8412 property subject to repossession after such property has been
 8413 seen or located on public or private property if the amount
 8414 charged or requested for such recovery is more than the amount
 8415 normally charged for such a recovery.

8416 11. Wearing, presenting, or displaying a badge in the
 8417 course of performing a repossession regulated by this chapter.

8418 **Section 245. Subsection (6) of section 493.6120, Florida**
 8419 **Statutes, is amended to read:**

8420 493.6120 Violations; penalty.—

8421 ~~(6) A person who was an owner, officer, partner, or~~
 8422 ~~manager of a licensed agency or a Class "DS" or "RS" school or~~
 8423 ~~training facility at the time of any activity that is the basis~~
 8424 ~~for revocation of the agency or branch office license or the~~
 8425 ~~school or training facility license and who knew or should have~~

8426 ~~known of the activity shall have his or her personal licenses or~~
8427 ~~approval suspended for 3 years and may not have any financial~~
8428 ~~interest in or be employed in any capacity by a licensed agency~~
8429 ~~or a school or training facility during the period of~~
8430 ~~suspension.~~

8431 **Section 246. Subsection (2) of section 493.6123, Florida**
8432 **Statutes, is amended to read:**

8433 493.6123 Publication to industry.—

8434 (2) The department shall develop and make available to
8435 each Class "C," Class "D," and Class "E" licensee ~~and all~~
8436 ~~interns~~ a pamphlet detailing in plain language the legal
8437 authority, rights, and obligations of his or her class of
8438 licensure. Within the pamphlet, the department should endeavor
8439 to present situations that the licensee may be expected to
8440 commonly encounter in the course of doing business pursuant to
8441 his or her specific license, and provide to the licensee
8442 information on his or her legal options, authority, limits to
8443 authority, and obligations. The department shall supplement this
8444 with citations to statutes and legal decisions, as well as a
8445 selected bibliography that would direct the licensee to
8446 materials the study of which would enhance his or her
8447 professionalism. The department shall provide a single copy of
8448 the appropriate pamphlet without charge to each individual to
8449 whom a license is issued, but may charge for additional copies
8450 to recover its publication costs. The pamphlet shall be updated

8451 every 2 years as necessary to reflect rule or statutory changes,
8452 or court decisions. Intervening changes to the regulatory
8453 situation shall be noticed in the industry newsletter issued
8454 pursuant to subsection (1).

8455 **Section 247. Section 493.6201, Florida Statutes, is**
8456 **amended to read:**

8457 493.6201 Classes of licenses.—

8458 ~~(1) Any person, firm, company, partnership, or corporation~~
8459 ~~which engages in business as a private investigative agency~~
8460 ~~shall have a Class "A" license. A Class "A" license is valid for~~
8461 ~~only one location.~~

8462 ~~(2) Each branch office of a Class "A" agency shall have a~~
8463 ~~Class "AA" license. Where a person, firm, company, partnership,~~
8464 ~~or corporation holds both a Class "A" and Class "B" license,~~
8465 ~~each additional or branch office shall have a Class "AB"~~
8466 ~~license.~~

8467 ~~(3) Any individual who performs the services of a manager~~
8468 ~~for a:~~

8469 ~~(a) Class "A" private investigative agency or Class "AA"~~
8470 ~~branch office shall have a Class "MA" license. A Class "C" or~~
8471 ~~Class "M" licensee may be designated as the manager, in which~~
8472 ~~case the Class "MA" license is not required.~~

8473 ~~(b) Class "A" and "B" agency or a Class "AB" branch office~~
8474 ~~shall have a Class "M" license.~~

8475 ~~(4) Class "C" or Class "CC" licensees shall own or be an~~

8476 ~~employee of a Class "A" agency, a Class "A" and Class "B"~~
 8477 ~~agency, or a branch office. This does not include those who are~~
 8478 ~~exempt under s. 493.6102, but who possess a Class "C" license~~
 8479 ~~solely for the purpose of holding a Class "G" license.~~

8480 (1)~~(5)~~ Any individual who performs the services of a
 8481 private investigator shall have a Class "C" license.

8482 ~~(6) Any individual who performs private investigative work~~
 8483 ~~as an intern under the direction and control of a designated,~~
 8484 ~~sponsoring Class "C" licensee or a designated, sponsoring Class~~
 8485 ~~"MA" or Class "M" licensee must have a Class "CC" license.~~

8486 (2)~~(7)~~ Only Class "M," Class "MA," Class "C," or Class
 8487 "CC"-licensees are permitted to bear a firearm, and any such
 8488 licensee who bears a firearm shall also have a Class "G"
 8489 license.

8490 (3)~~(8)~~ A Class "C" or Class "CC" licensee may perform
 8491 bodyguard services without obtaining a Class "D" license.

8492 **Section 248. Section 493.6202, Florida Statutes, is**
 8493 **amended to read:**

8494 493.6202 Fees.—

8495 (1) The department shall establish by rule examination and
 8496 license fees for Class "C" license-private investigators, not to
 8497 exceed \$75. ~~the following:~~

8498 ~~(a) Class "A" license-private investigative agency: \$450.~~

8499 ~~(b) Class "AA" or "AB" license-branch office: \$125.~~

8500 ~~(c) Class "MA" license-private investigative agency~~

8501 ~~manager: \$75.~~

8502 ~~(d) Class "C" license private investigator: \$75.~~

8503 ~~(e) Class "CC" license private investigator intern: \$60.~~

8504 (2) The department may establish by rule a fee for the
 8505 replacement or revision of a license, which fee shall not exceed
 8506 \$30.

8507 (3) The fees set forth in this section must be paid by
 8508 check or money order or, at the discretion of the department, by
 8509 electronic funds transfer at the time the application is
 8510 approved, except that the applicant for a Class "G₇" or Class
 8511 "C₇" ~~Class "CC," Class "M," or Class "MA"~~ license must pay the
 8512 license fee at the time the application is made. If a license is
 8513 revoked or denied or if the application is withdrawn, the
 8514 license fee is nonrefundable.

8515 (4) The initial license fee for a veteran, as defined in
 8516 s. 1.01, shall be waived if he or she applies for a Class "C₇"
 8517 ~~Class "CC," or Class "MA"~~ license within 24 months after being
 8518 discharged from any branch of the United States Armed Forces. An
 8519 eligible veteran must include a copy of his or her DD Form 214,
 8520 as issued by the United States Department of Defense, or another
 8521 acceptable form of identification as specified by the Department
 8522 of Veterans' Affairs with his or her application in order to
 8523 obtain a waiver.

8524 **Section 249. Section 493.6203, Florida Statutes, is**
 8525 **amended to read:**

8526 493.6203 License requirements.—In addition to the license
 8527 requirements set forth elsewhere in this chapter, each
 8528 individual or agency shall comply with the following additional
 8529 requirements:

8530 ~~(1) Each agency or branch office shall designate a minimum~~
 8531 ~~of one appropriately licensed individual to act as manager,~~
 8532 ~~directing the activities of the Class "C" or Class "CC"~~
 8533 ~~employees.~~

8534 ~~(2) An applicant for a Class "MA" license must have 2~~
 8535 ~~years of lawfully gained, verifiable, full-time experience, or~~
 8536 ~~training in:~~

8537 ~~(a) Private investigative work or related fields of work~~
 8538 ~~that provided equivalent experience or training;~~

8539 ~~(b) Work as a Class "CC" licensed intern;~~

8540 ~~(c) Any combination of paragraphs (a) and (b);~~

8541 ~~(d) Experience described in paragraph (a) for 1 year and~~
 8542 ~~experience described in paragraph (c) for 1 year;~~

8543 ~~(e) No more than 1 year using:~~

8544 ~~1. College coursework related to criminal justice,~~
 8545 ~~criminology, or law enforcement administration; or~~

8546 ~~2. Successfully completed law enforcement-related training~~
 8547 ~~received from any federal, state, county, or municipal agency;~~
 8548 ~~or~~

8549 ~~(f) Experience described in paragraph (a) for 1 year and~~
 8550 ~~work in a managerial or supervisory capacity for 1 year.~~

8551
 8552 ~~However, experience in performing bodyguard services is not~~
 8553 ~~creditable toward the requirements of this subsection.~~
 8554 ~~(3) An applicant for a Class "M" license shall qualify for~~
 8555 ~~licensure as a Class "MA" manager as outlined under subsection~~
 8556 ~~(2) and as a Class "MB" manager as outlined under s.~~
 8557 ~~493.6303(2).~~
 8558 (1)(4) An applicant for a Class "C" license shall have 2
 8559 years of lawfully gained, verifiable, full-time experience, or
 8560 training in one, or a combination of more than one, of the
 8561 following:
 8562 (a) Private investigative work or related fields of work
 8563 that provided equivalent experience or training.
 8564 (b) College coursework related to criminal justice,
 8565 criminology, or law enforcement administration, or successful
 8566 completion of any law enforcement-related training received from
 8567 any federal, state, county, or municipal agency, except that no
 8568 more than 1 year may be used from this category.
 8569 ~~(c) Work as a Class "CC" licensed intern.~~
 8570
 8571 However, experience in performing bodyguard services is not
 8572 creditable toward the requirements of this subsection.
 8573 (2)(5) An applicant for a ~~Class "MA," Class "M," or Class~~
 8574 "C" license must pass an examination that covers the provisions
 8575 of this chapter and is administered by the department or by a

8576 provider approved by the department. The applicant must pass the
8577 examination before applying for licensure and must submit proof
8578 with the license application on a form approved by rule of the
8579 department that he or she has passed the examination. The
8580 administrator of the examination shall verify the identity of
8581 each applicant taking the examination.

8582 (a) The examination requirement in this subsection does
8583 not apply to an individual who holds a valid ~~Class "CC,"~~ Class
8584 "C," ~~Class "MA,"~~ or Class "M" license.

8585 (b) Notwithstanding the exemption provided in paragraph
8586 (a), if the license of an applicant for relicensure has been
8587 invalid for more than 1 year, the applicant must take and pass
8588 the examination.

8589 (c) The department shall establish by rule the content of
8590 the examination, the manner and procedure of its administration,
8591 and an examination fee that may not exceed \$100.

8592 ~~(6)(a) A Class "CC" licensee must serve an internship~~
8593 ~~under the direction and control of a designated sponsor, who is~~
8594 ~~a Class "C," Class "MA," or Class "M" licensee.~~

8595 ~~(b) Before submission of an application to the department,~~
8596 ~~the applicant for a Class "CC" license must have completed a~~
8597 ~~minimum of 40 hours of professional training pertaining to~~
8598 ~~general investigative techniques and this chapter, which course~~
8599 ~~is offered by a state university or by a school, community~~
8600 ~~college, college, or university under the purview of the~~

8601 ~~Department of Education, and the applicant must pass an~~
8602 ~~examination. The certificate evidencing satisfactory completion~~
8603 ~~of the 40 hours of professional training must be submitted with~~
8604 ~~the application for a Class "CC" license. The training specified~~
8605 ~~in this paragraph may be provided by face-to-face presentation,~~
8606 ~~online technology, or a home study course in accordance with~~
8607 ~~rules and procedures of the Department of Education. The~~
8608 ~~administrator of the examination must verify the identity of~~
8609 ~~each applicant taking the examination.~~

8610 ~~1. Upon an applicant's successful completion of each part~~
8611 ~~of the approved training and passage of any required~~
8612 ~~examination, the school, community college, college, or~~
8613 ~~university shall issue a certificate of completion to the~~
8614 ~~applicant. The certificates must be on a form established by~~
8615 ~~rule of the department.~~

8616 ~~2. The department shall establish by rule the general~~
8617 ~~content of the professional training and the examination~~
8618 ~~criteria.~~

8619 ~~3. If the license of an applicant for relicensure is~~
8620 ~~invalid for more than 1 year, the applicant must complete the~~
8621 ~~required training and pass any required examination.~~

8622 ~~(c) An individual licensed on or before August 31, 2008,~~
8623 ~~is not required to complete additional training hours in order~~
8624 ~~to renew an active license beyond the total required hours, and~~
8625 ~~the timeframe for completion in effect at the time he or she was~~

8626 ~~licensed applies.~~

8627 (3)~~(7)~~ In addition to any other requirement, an applicant
8628 for a Class "G" license shall satisfy the firearms training set
8629 forth in s. 493.6115.

8630 **Section 250. Subsections (1) through (6) of section**
8631 **493.6301, Florida Statutes, are amended to read:**

8632 493.6301 Classes of licenses.—

8633 ~~(1) Any person, firm, company, partnership, or corporation~~
8634 ~~which engages in business as a security agency shall have a~~
8635 ~~Class "B" license. A Class "B" license is valid for only one~~
8636 ~~location.~~

8637 ~~(2) Each branch office of a Class "B" agency shall have a~~
8638 ~~Class "BB" license. Where a person, firm, company, partnership,~~
8639 ~~or corporation holds both a Class "A" and Class "B" license,~~
8640 ~~each branch office shall have a Class "AB" license.~~

8641 ~~(3) Any individual who performs the services of a manager~~
8642 ~~for a:~~

8643 ~~(a) Class "B" security agency or Class "BB" branch office~~
8644 ~~shall have a Class "MB" license. A Class "M" licensee, or a~~
8645 ~~Class "D" licensee who has been so licensed for a minimum of 2~~
8646 ~~years, may be designated as the manager, in which case the Class~~
8647 ~~"MB" license is not required.~~

8648 ~~(b) Class "A" and Class "B" agency or a Class "AB" branch~~
8649 ~~office shall have a Class "M" license.~~

8650 ~~(4) A Class "D" licensee shall own or be an employee of a~~

8651 ~~Class "B" security agency or branch office. This does not~~
8652 ~~include those individuals who are exempt under s. 493.6102(4)~~
8653 ~~but who possess a Class "D" license solely for the purpose of~~
8654 ~~holding a Class "G" license.~~

8655 (1)~~(5)~~ Any individual who performs the services of a
8656 security officer shall have a Class "D" license. However, a
8657 Class "C" licensee ~~or a Class "CC" licensee~~ may perform
8658 bodyguard services without a Class "D" license.

8659 (2)~~(6)~~ Only ~~Class "M," Class "MB," or~~ Class "D" licensees
8660 are permitted to bear a firearm, and any such licensee who bears
8661 a firearm shall also have a Class "G" license.

8662 **Section 251. Section 493.6302, Florida Statutes, is**
8663 **amended to read:**

8664 493.6302 Fees.—

8665 (1) The department shall establish by rule license fees,
8666 not to exceed the following:

8667 ~~(a) Class "B" license security agency: \$450.~~

8668 ~~(b) Class "BB" or Class "AB" license branch office: \$125.~~

8669 ~~(c) Class "MB" license security agency manager: \$75.~~

8670 (a)~~(d)~~ Class "D" license security officer: \$45.

8671 (b)~~(e)~~ Class "DS" license security officer school or
8672 training facility: \$60.

8673 (c)~~(f)~~ Class "DI" license security officer school or
8674 training facility instructor: \$60.

8675 (2) The department may establish by rule a fee for the

8676 replacement or revision of a license, which fee shall not exceed
8677 \$30.

8678 (3) The fees set forth in this section must be paid by
8679 check or money order or, at the discretion of the department, by
8680 electronic funds transfer at the time the application is
8681 approved, except that the applicant for a Class "D~~7~~" or Class
8682 "G~~7~~" ~~Class "M," or Class "MB"~~ license must pay the license fee
8683 at the time the application is made. If a license is revoked or
8684 denied or if the application is withdrawn, the license fee is
8685 nonrefundable.

8686 (4) The initial license fee for a veteran, as defined in
8687 s. 1.01, shall be waived if he or she applies for a Class "D~~7~~"
8688 or Class "DI~~7~~" ~~or Class "MB"~~ license within 24 months after
8689 being discharged from any branch of the United States Armed
8690 Forces. An eligible veteran must include a copy of his or her DD
8691 Form 214, as issued by the United States Department of Defense,
8692 or another acceptable form of identification as specified by the
8693 Department of Veterans' Affairs with his or her application in
8694 order to obtain a waiver.

8695 **Section 252. Subsections (1), (2), and (3) of section**
8696 **493.6303, Florida Statutes, are amended to read:**

8697 493.6303 License requirements.—In addition to the license
8698 requirements set forth elsewhere in this chapter, each
8699 individual or agency must comply with the following additional
8700 requirements:

8701 ~~(1) Each agency or branch office shall designate a minimum~~
 8702 ~~of one appropriately licensed individual to act as manager,~~
 8703 ~~directing the activities of the Class "D" employees.~~

8704 ~~(2) An applicant for a Class "MB" license shall have 2~~
 8705 ~~years of lawfully gained, verifiable, full-time experience, or~~
 8706 ~~training in:~~

8707 ~~(a) Security work or related fields of work that provided~~
 8708 ~~equivalent experience or training;~~

8709 ~~(b) Experience described in paragraph (a) for 1 year and~~
 8710 ~~experience described in paragraph (c) for 1 year;~~

8711 ~~(c) No more than 1 year using:~~

8712 ~~1. Either college coursework related to criminal justice,~~
 8713 ~~criminology, or law enforcement administration; or~~

8714 ~~2. Successfully completed law enforcement-related training~~
 8715 ~~received from any federal, state, county, or municipal agency;~~
 8716 ~~or~~

8717 ~~(d) Experience described in paragraph (a) for 1 year and~~
 8718 ~~work in a managerial or supervisory capacity for 1 year.~~

8719 ~~(3) An applicant for a Class "M" license shall qualify for~~
 8720 ~~licensure as a Class "MA" manager as outlined under s.~~
 8721 ~~493.6203(2) and as a Class "MB" manager as outlined under~~
 8722 ~~subsection (2).~~

8723 **Section 253. Subsection (1) of section 493.6304, Florida**
 8724 **Statutes, is amended to read:**

8725 493.6304 Security officer school or training facility.—

8726 (1) Any school, training facility, or instructor who
8727 offers the training specified in s. 493.6303(1) ~~s. 493.6303(4)~~
8728 for Class "D" applicants shall, before licensure of such school,
8729 training facility, or instructor, file with the department an
8730 application accompanied by an application fee in an amount to be
8731 determined by rule, not to exceed \$60. The fee is not
8732 refundable.

8733 **Section 254. Subsection (2) of section 493.631, Florida**
8734 **Statutes, is amended to read:**

8735 493.631 Temporary detention by a licensed security officer
8736 or licensed security agency manager at critical infrastructure
8737 facilities.—

8738 (2) As used in this section, the terms "security officer"
8739 and "security agency manager" mean a security officer or
8740 security agency manager who possess a valid Class "D" ~~or Class~~
8741 ~~"MB"~~ license pursuant to s. 493.6301 and a valid Class "G"
8742 license pursuant to s. 493.6115.

8743 **Section 255. Subsections (1), (2), (3), (5), and (6) of**
8744 **section 493.6401, Florida Statutes, are amended to read:**

8745 493.6401 Classes of licenses.—

8746 ~~(1) Any person, firm, company, partnership, or corporation~~
8747 ~~which engages in business as a recovery agency shall have a~~
8748 ~~Class "R" license. A Class "R" license is valid for only one~~
8749 ~~location.~~

8750 ~~(2) Each branch office of a Class "R" agency shall have a~~

8751 ~~Class "RR" license.~~

8752 ~~(3) Any individual who performs the services of a manager~~
 8753 ~~for a Class "R" recovery agency or a Class "RR" branch office~~
 8754 ~~must have a Class "MR" license. A Class "E" licensee may be~~
 8755 ~~designated as the manager, in which case the Class "MR" license~~
 8756 ~~is not required.~~

8757 ~~(5) Any individual who performs repossession as an intern~~
 8758 ~~under the direction and control of a designated, sponsoring~~
 8759 ~~Class "E" licensee or a designated, sponsoring Class "MR"~~
 8760 ~~licensee shall have a Class "EE" license.~~

8761 ~~(6) Class "E" or Class "EE" licensees shall own or be an~~
 8762 ~~employee of a Class "R" agency or branch office.~~

8763 **Section 256. Section 493.6402, Florida Statutes, is**
 8764 **amended to read:**

8765 493.6402 Fees.—

8766 (1) The department shall establish by rule license fees
 8767 not to exceed the following:

8768 ~~(a) Class "R" license-recovery agency: \$450.~~

8769 ~~(b) Class "RR" license-branch office: \$125.~~

8770 ~~(c) Class "MR" license-recovery agency manager: \$75.~~

8771 (a) ~~(d)~~ Class "E" license-recovery agent: \$75.

8772 ~~(e) Class "EE" license-recovery agent intern: \$60.~~

8773 (b) ~~(f)~~ Class "RS" license-recovery agent school or
 8774 training facility: \$60.

8775 (c) ~~(g)~~ Class "RI" license-recovery agent school or

8776 training facility instructor: \$60.

8777 (2) The department may establish by rule a fee for the
8778 replacement or revision of a license, which fee shall not exceed
8779 \$30.

8780 (3) The fees set forth in this section must be paid by
8781 check or money order, or, at the discretion of the department,
8782 by electronic funds transfer at the time the application is
8783 approved, except that the applicant for a Class "E~~7~~" ~~Class "EE,"~~
8784 ~~or Class "MR"~~ license must pay the license fee at the time the
8785 application is made. If a license is revoked or denied, or if an
8786 application is withdrawn, the license fee is nonrefundable.

8787 (4) The initial license fee for a veteran, as defined in
8788 s. 1.01, shall be waived if he or she applies for a Class "E~~7~~"
8789 ~~Class "EE," Class "MR,"~~ or Class "RI" license within 24 months
8790 after being discharged from any branch of the United States
8791 Armed Forces. An eligible veteran must include a copy of his or
8792 her DD Form 214, as issued by the United States Department of
8793 Defense, or another acceptable form of identification as
8794 specified by the Department of Veterans' Affairs with his or her
8795 application in order to obtain a waiver.

8796 **Section 257. Section 493.6403, Florida Statutes, is**
8797 **amended to read:**

8798 493.6403 License requirements.—

8799 (1) In addition to the license requirements set forth in
8800 this chapter, ~~each individual or agency shall comply with the~~

8801 ~~following additional requirements:~~

8802 ~~(a) Each agency or branch office must designate a minimum~~
8803 ~~of one appropriately licensed individual to act as manager,~~
8804 ~~directing the activities of the Class "E" or Class "EE"~~
8805 ~~employees. A Class "E" licensee may be designated to act as~~
8806 ~~manager of a Class "R" agency or branch office in which case the~~
8807 ~~Class "MR" license is not required.~~

8808 ~~(b) An applicant for Class "MR" license shall have at~~
8809 ~~least 1 year of lawfully gained, verifiable, full-time~~
8810 ~~experience as a Class "E" licensee performing repossessions of~~
8811 ~~motor vehicles, mobile homes, motorboats, aircraft, personal~~
8812 ~~watercraft, all-terrain vehicles, farm equipment, or industrial~~
8813 ~~equipment.~~

8814 ~~(c) an applicant for a Class "E" license shall have at~~
8815 ~~least 1 year of lawfully gained, verifiable, full-time~~
8816 ~~experience in one, or a combination of more than one, of the~~
8817 ~~following:~~

8818 ~~1. repossession of motor vehicles as defined in s.~~
8819 ~~320.01(1), mobile homes as defined in s. 320.01(2), motorboats~~
8820 ~~as defined in s. 327.02, aircraft as defined in s. 330.27(1),~~
8821 ~~personal watercraft as defined in s. 327.02, all-terrain~~
8822 ~~vehicles as defined in s. 316.2074, farm equipment as defined~~
8823 ~~under s. 686.402, or industrial equipment as defined in s.~~
8824 ~~493.6101(19) ~~s. 493.6101(22).~~~~

8825 ~~2. Work as a Class "EE" licensed intern.~~

8826 (2) An applicant for a Class "E" ~~or a Class "EE"~~ license
8827 must submit proof of successful completion of 40 hours of
8828 professional training at a school or training facility licensed
8829 by the department. The department shall by rule establish the
8830 general content for the training.

8831 **Section 258. Subsection (1) of section 493.6406, Florida**
8832 **Statutes, is amended to read:**

8833 493.6406 Recovery agent school or training facility.—

8834 (1) Any school, training facility, or instructor who
8835 offers the training outlined in s. 493.6403(2) for Class "E" ~~or~~
8836 ~~Class "EE"~~ applicants shall, before licensure of such school,
8837 training facility, or instructor, file with the department an
8838 application accompanied by an application fee in an amount to be
8839 determined by rule, not to exceed \$60. The fee shall not be
8840 refundable. This training may be offered as face-to-face
8841 training, Internet-based training, or correspondence training.

8842 **Section 259. Subsection (3) of section 514.0315, Florida**
8843 **Statutes, is amended to read:**

8844 514.0315 Required safety features for public swimming
8845 pools and spas.—

8846 (3) The determination and selection of a feature under
8847 subsection (2) for a public swimming pool or spa constructed
8848 before January 1, 1993, is at the sole discretion of the owner
8849 or operator of the public swimming pool or spa. A licensed
8850 contractor described in s. 489.105(2)(j), (k), or (l) ~~s.~~

8851 ~~489.105(3)(j), (k), or (l)~~ must install the feature.

8852 **Section 260. Section 514.075, Florida Statutes, is amended**
8853 **to read:**

8854 514.075 Public pool service technician; certification.—The
8855 department may require that a public pool, as defined in s.
8856 514.011, be serviced by a person certified as a pool service
8857 technician. To be certified, an individual must demonstrate
8858 knowledge of public pools which includes, but is not limited to:
8859 pool cleaning; general pool maintenance; source of the water
8860 supply; bacteriological, chemical, and physical quality of
8861 water; and water purification, testing, treatment, and
8862 disinfection procedures. The department may, by rule, establish
8863 the requirement for the certification course and course
8864 approval. The department shall deem certified any individual who
8865 is certified by a course of national recognition or any person
8866 licensed under s. 489.105(2)(j), (k), or (l) ~~s. 489.105(3)(j),~~
8867 ~~(k), or (l)~~. This requirement does not apply to a person, or the
8868 direct employee of a person, permitted as a public pool operator
8869 under s. 514.031.

8870 **Section 261. Paragraph (d) of subsection (1) of section**
8871 **553.791, Florida Statutes, is amended to read:**

8872 553.791 Alternative plans review and inspection.—

8873 (1) As used in this section, the term:

8874 (d) "Building code inspection services" means those
8875 services described in s. 468.603(4) and (7) ~~s. 468.603(5) and~~

8876 ~~(8)~~ involving the review of building plans as well as those
 8877 services involving the review of site plans and site work
 8878 engineering plans or their functional equivalent, to determine
 8879 compliance with applicable codes and those inspections required
 8880 by law, conducted either in person or virtually, of each phase
 8881 of construction for which permitting by a local enforcement
 8882 agency is required to determine compliance with applicable
 8883 codes.

8884 **Section 262. Section 553.998, Florida Statutes, is amended**
 8885 **to read:**

8886 553.998 Compliance.—All ratings must be determined using
 8887 tools and procedures developed by the systems recognized under
 8888 this part and must be certified by the rater as accurate and
 8889 correct and in compliance with procedures of the system under
 8890 which the rater is certified. The local enforcement agency shall
 8891 accept duct and air infiltration tests conducted in accordance
 8892 with the Florida Building Code, 5th Edition (2014) Energy
 8893 Conservation, by individuals as defined in s. 553.993(5) or (7)
 8894 or individuals licensed as set forth in s. 489.105(2) (f), (g),
 8895 or (i) ~~s. 489.105(3) (f), (g), or (i)~~. The local enforcement
 8896 agency may accept inspections in whole or in part by individuals
 8897 as defined in s. 553.993(5) or (7).

8898 **Section 263. Subsection (2) of section 569.34, Florida**
 8899 **Statutes, is amended to read:**

8900 569.34 Operating without a retail nicotine products dealer

8901 permit; penalty.—

8902 (2) A retail tobacco products dealer, as defined in s.
 8903 569.002 ~~s. 569.002(4)~~, is not required to have a separate or
 8904 additional retail nicotine products dealer permit to deal, at
 8905 retail, in nicotine products within this ~~the~~ state, or allow a
 8906 nicotine products vending machine to be located on its premises
 8907 in this ~~the~~ state. Any retail tobacco products dealer that
 8908 deals, at retail, in nicotine products or allows a nicotine
 8909 products vending machine to be located on its premises in this
 8910 ~~the~~ state, is subject to, and must be in compliance with, this
 8911 part.

8912 **Section 264. Paragraph (a) of subsection (2) of section**
 8913 **627.192, Florida Statutes, is amended to read:**

8914 627.192 Workers' compensation insurance; employee leasing
 8915 arrangements.—

8916 (2) For purposes of the Florida Insurance Code:

8917 (a) "Employee leasing" shall have the same meaning as
 8918 provided in s. 468.520(3) ~~set forth in s. 468.520(4)~~.

8919 **Section 265. Subsection (6) of section 633.216, Florida**
 8920 **Statutes, is amended to read:**

8921 633.216 Inspection of buildings and equipment; orders;
 8922 firesafety inspection training requirements; certification;
 8923 disciplinary action.—The State Fire Marshal and her or his
 8924 agents or persons authorized to enforce laws and rules of the
 8925 State Fire Marshal shall, at any reasonable hour, when the State

8926 Fire Marshal has reasonable cause to believe that a violation of
 8927 this chapter or s. 509.215, or a rule adopted thereunder, or a
 8928 minimum firesafety code adopted by the State Fire Marshal or a
 8929 local authority, may exist, inspect any and all buildings and
 8930 structures which are subject to the requirements of this chapter
 8931 or s. 509.215 and rules adopted thereunder. The authority to
 8932 inspect shall extend to all equipment, vehicles, and chemicals
 8933 which are located on or within the premises of any such building
 8934 or structure.

8935 ~~(6) The division and the Florida Building Code~~
 8936 ~~Administrators and Inspectors Board, established pursuant to s.~~
 8937 ~~468.605, shall enter into a reciprocity agreement to facilitate~~
 8938 ~~joint recognition of continuing education recertification hours~~
 8939 ~~for certificateholders licensed under s. 468.609 and firesafety~~
 8940 ~~inspectors certified under subsection (2).~~

8941 **Section 266. Subsection (8) of section 713.01, Florida**
 8942 **Statutes, is amended to read:**

8943 713.01 Definitions.—As used in this part, the term:

8944 (8) "Contractor" means a person other than a materialman
 8945 or laborer who enters into a contract with the owner of real
 8946 property for improving it or who takes over from a contractor as
 8947 so defined the entire remaining work under such contract. The
 8948 term "contractor" includes an architect, landscape architect, or
 8949 engineer who improves real property pursuant to a design-build
 8950 contract authorized by s. 489.103(16). The term also includes a

8951 licensed general contractor or building contractor, as those
 8952 terms are defined in s. 489.105(2)(a) and (b) ~~s. 489.105(3)(a)~~
 8953 ~~and (b)~~, respectively, who provides construction management
 8954 services, which include scheduling and coordinating
 8955 preconstruction and construction phases for the construction
 8956 project, or who provides program management services, which
 8957 include schedule control, cost control, and coordinating the
 8958 provision or procurement of planning, design, and construction
 8959 for the construction project.

8960 **Section 267. Subsection (4) of section 1006.12, Florida**
 8961 **Statutes, is amended to read:**

8962 1006.12 Safe-school officers at each public school.—For
 8963 the protection and safety of school personnel, property,
 8964 students, and visitors, each district school board and school
 8965 district superintendent shall partner with law enforcement
 8966 agencies or security agencies to establish or assign one or more
 8967 safe-school officers at each school facility within the
 8968 district, including charter schools. A district school board
 8969 must collaborate with charter school governing boards to
 8970 facilitate charter school access to all safe-school officer
 8971 options available under this section. The school district may
 8972 implement any combination of the options in subsections (1)-(4)
 8973 to best meet the needs of the school district and charter
 8974 schools.

8975 (4) SCHOOL SECURITY GUARD.—A school district or charter

8976 school governing board may contract with a security agency as
 8977 defined in s. 493.6101(15) ~~s. 493.6101(18)~~ to employ as a school
 8978 security guard an individual who holds a Class "D" and Class "G"
 8979 license pursuant to chapter 493, provided the following training
 8980 and contractual conditions are met:

8981 (a) An individual who serves as a school security guard,
 8982 for purposes of satisfying the requirements of this section,
 8983 must:

8984 1. Demonstrate completion of 144 hours of required
 8985 training pursuant to s. 30.15(1)(k)2.

8986 2. Pass a psychological evaluation administered by a
 8987 psychologist licensed under chapter 490 and designated by the
 8988 Department of Law Enforcement and submit the results of the
 8989 evaluation to the sheriff's office, school district, or charter
 8990 school governing board, as applicable. The Department of Law
 8991 Enforcement is authorized to provide the sheriff's office,
 8992 school district, or charter school governing board with mental
 8993 health and substance abuse data for compliance with this
 8994 paragraph.

8995 3. Submit to and pass an initial drug test and subsequent
 8996 random drug tests in accordance with the requirements of s.
 8997 112.0455 and the sheriff's office, school district, or charter
 8998 school governing board, as applicable.

8999 4. Successfully complete ongoing training, weapon
 9000 inspection, and firearm qualification on at least an annual

9001 basis and provide documentation to the sheriff's office, school
9002 district, or charter school governing board, as applicable.

9003 (b) The contract between a security agency and a school
9004 district or a charter school governing board regarding
9005 requirements applicable to school security guards serving in the
9006 capacity of a safe-school officer for purposes of satisfying the
9007 requirements of this section shall define the entity or entities
9008 responsible for training and the responsibilities for
9009 maintaining records relating to training, inspection, and
9010 firearm qualification.

9011 (c) School security guards serving in the capacity of a
9012 safe-school officer pursuant to this subsection are in support
9013 of school-sanctioned activities for purposes of s. 790.115, and
9014 must aid in the prevention or abatement of active assailant
9015 incidents on school premises.

9016
9017 If a district school board, through its adopted policies,
9018 procedures, or actions, denies a charter school access to any
9019 safe-school officer options pursuant to this section, the school
9020 district must assign a school resource officer or school safety
9021 officer to the charter school. Under such circumstances, the
9022 charter school's share of the costs of the school resource
9023 officer or school safety officer may not exceed the safe school
9024 allocation funds provided to the charter school pursuant to s.
9025 1011.62(12) and shall be retained by the school district.

9026 **Section 268. Subsections (5) and (6) of section 259.1053,**
 9027 **Florida Statutes, are renumbered as subsections (4) and (5),**
 9028 **respectively, and subsection (4) of that section is amended, to**
 9029 **read:**

9030 259.1053 Babcock Ranch Preserve; Babcock Ranch Advisory
 9031 Group.—

9032 ~~(4) BABCOCK RANCH ADVISORY GROUP.—~~

9033 ~~(a) The purpose of the Babcock Ranch Advisory Group is to~~
 9034 ~~assist the department by providing guidance and advice~~
 9035 ~~concerning the management and stewardship of the Babcock Ranch~~
 9036 ~~Preserve.~~

9037 ~~(b) The Babcock Ranch Advisory Group shall be comprised of~~
 9038 ~~nine members appointed to 5-year terms. Based on recommendations~~
 9039 ~~from the Governor and Cabinet, the commission, and the governing~~
 9040 ~~boards of Charlotte County and Lee County, the commissioner~~
 9041 ~~shall appoint members as follows:~~

9042 ~~1. One member with experience in sustainable management of~~
 9043 ~~forest lands for commodity purposes.~~

9044 ~~2. One member with experience in financial management,~~
 9045 ~~budget and program analysis, and small business operations.~~

9046 ~~3. One member with experience in management of game and~~
 9047 ~~nongame wildlife and fish populations, including hunting,~~
 9048 ~~fishing, and other recreational activities.~~

9049 ~~4. One member with experience in domesticated livestock~~
 9050 ~~management, production, and marketing, including range~~

9051 ~~management and livestock business management.~~

9052 ~~5. One member with experience in agriculture operations or~~

9053 ~~forestry management.~~

9054 ~~6. One member with experience in hunting, fishing, nongame~~

9055 ~~species management, or wildlife habitat management, restoration,~~

9056 ~~and conservation.~~

9057 ~~7. One member with experience in public outreach and~~

9058 ~~education.~~

9059 ~~8. One member who is a resident of Lee County, to be~~

9060 ~~designated by the Board of County Commissioners of Lee County.~~

9061 ~~9. One member who is a resident of Charlotte County, to be~~

9062 ~~designated by the Board of County Commissioners of Charlotte~~

9063 ~~County.~~

9064

9065 ~~Vacancies will be filled in the same manner in which the~~

9066 ~~original appointment was made. A member appointed to fill a~~

9067 ~~vacancy shall serve for the remainder of that term.~~

9068 ~~(c) Members of the Babcock Ranch Advisory Group shall:~~

9069 ~~1. Elect a chair and vice chair from among the group~~

9070 ~~members.~~

9071 ~~2. Meet regularly as determined by the chair.~~

9072 ~~3. Serve without compensation but shall receive~~

9073 ~~reimbursement for travel and per diem expenses as provided in s.~~

9074 ~~112.061.~~

9075 **Section 269. Subsection (2) of section 399.035, Florida**

9076 **Statutes, is amended to read:**

9077 399.035 Elevator accessibility requirements for the
9078 physically handicapped.—

9079 (2) Any building that is more than three stories high or
9080 in which the vertical distance between the bottom terminal
9081 landing and the top terminal landing exceeds 25 feet must be
9082 constructed to contain at least one passenger elevator that is
9083 operational and will accommodate an ambulance stretcher size
9084 specified in the edition of the Florida Building Code that was
9085 in effect at the time of receipt of an application for
9086 construction permit for the elevator ~~76 inches long and 24~~
9087 ~~inches wide in the horizontal position.~~

9088 **Section 270. Subsection (1) of section 373.219, Florida**
9089 **Statutes, is amended to read:**

9090 373.219 Permits required.—

9091 (1) The ~~governing board or~~ the department may require such
9092 permits for consumptive use of water and may impose such
9093 reasonable conditions as are necessary to assure that such use
9094 is consistent with the overall objectives of the district or
9095 department and is not harmful to the water resources of the
9096 area. However, a ~~no~~ permit is not ~~shall be~~ required for:

9097 (a) Domestic consumption of water by individual users.

9098 (b) Landscape irrigation water use by a property owner of
9099 a residential single-family home.

9100 **Section 271. Paragraph (a) of subsection (3) of section**

9101 **455.02, Florida Statutes, is amended, and subsections (1) and**
9102 **(2) of that section are republished, to read:**

9103 455.02 Licensure of members of the Armed Forces in good
9104 standing and their spouses or surviving spouses with
9105 administrative ~~boards or~~ programs.—

9106 (1) Any member of the United States Armed Forces now or
9107 hereafter on active duty who, at the time of becoming such a
9108 member, was in good standing with any of the ~~boards or~~ programs
9109 listed in s. 20.165 and was entitled to practice or engage in
9110 his or her profession or occupation in the state shall be kept
9111 in good standing by the applicable ~~board or~~ program, without
9112 registering, paying dues or fees, or performing any other act on
9113 his or her part to be performed, as long as he or she is a
9114 member of the United States Armed Forces on active duty and for
9115 a period of 2 years after discharge from active duty. A member,
9116 during active duty and for a period of 2 years after discharge
9117 from active duty, engaged in his or her licensed profession or
9118 occupation in the private sector for profit in this state must
9119 complete all license renewal provisions except remitting the
9120 license renewal fee, which shall be waived by the department.

9121 (2) A spouse of a member of the United States Armed Forces
9122 who is married to a member during a period of active duty, or a
9123 surviving spouse of a member who at the time of death was
9124 serving on active duty, who is in good standing with any of the
9125 ~~boards or~~ programs listed in s. 20.165 shall be kept in good

9126 standing by the applicable ~~board or~~ program as described in
9127 subsection (1) and shall be exempt from licensure renewal
9128 provisions, but only in cases of his or her absence from the
9129 state because of his or her spouse's duties with the United
9130 States Armed Forces. The department or the appropriate ~~board or~~
9131 program shall waive any license renewal fee for such spouse when
9132 he or she is present in this state because of such member's
9133 active duty and for a surviving spouse of a member who at the
9134 time of death was serving on active duty and died within the 2
9135 years preceding the date of renewal.

9136 (3) (a) The department shall issue a professional license
9137 to an applicant who is or was an active duty member of the Armed
9138 Forces of the United States, or who is a spouse or surviving
9139 spouse of such member, upon application to the department in a
9140 format prescribed by the department. An application must include
9141 proof that:

9142 1. The applicant is or was an active duty member of the
9143 Armed Forces of the United States or is married to a member of
9144 the Armed Forces of the United States and was married to the
9145 member during any period of active duty or was married to such a
9146 member who at the time of the member's death was serving on
9147 active duty. An applicant who was an active duty member of the
9148 Armed Forces of the United States must have received an
9149 honorable discharge upon separation or discharge from the Armed
9150 Forces of the United States.

9151 2. The applicant holds a valid license for the profession
9152 issued by another state, the District of Columbia, any
9153 possession or territory of the United States, or any foreign
9154 jurisdiction.

9155 3. The applicant, where required by the specific practice
9156 act, has complied with insurance or bonding requirements.

9157 4.a. A complete set of the applicant's fingerprints is
9158 submitted to the Department of Law Enforcement for a statewide
9159 criminal history check for those professions that require
9160 fingerprints for initial licensure.

9161 b. The Department of Law Enforcement shall forward the
9162 fingerprints submitted pursuant to sub-subparagraph a. to the
9163 Federal Bureau of Investigation for a national criminal history
9164 check. The department shall, ~~and the board may,~~ review the
9165 results of the criminal history checks according to the level 2
9166 screening standards in s. 435.04 and determine whether the
9167 applicant meets the licensure requirements. The costs of
9168 fingerprint processing shall be borne by the applicant. If the
9169 applicant's fingerprints are submitted through an authorized
9170 agency or vendor, the agency or vendor must ~~shall~~ collect the
9171 required processing fees and remit the fees to the Department of
9172 Law Enforcement.

9173 **Section 272. Paragraph (a) of subsection (3) of section**
9174 **455.213, Florida Statutes, is amended to read:**

9175 455.213 General licensing provisions.—

9176 (3) (a) Notwithstanding any other law, the department
 9177 ~~applicable board~~ shall use the process in this subsection for
 9178 review of an applicant's criminal record to determine his or her
 9179 eligibility for licensure as:

- 9180 1. A barber under chapter 476;
- 9181 ~~2. A cosmetologist or cosmetology specialist under chapter~~
 9182 ~~477;~~

9183 ~~2.3.~~ Any of the following construction professions under
 9184 chapter 489:

- 9185 a. Air-conditioning contractor;
- 9186 b. Electrical contractor;
- 9187 c. Mechanical contractor;
- 9188 d. Plumbing contractor;
- 9189 e. Pollutant storage systems contractor;
- 9190 f. Roofing contractor;
- 9191 g. Sheet metal contractor;
- 9192 h. Solar contractor;
- 9193 i. Swimming pool and spa contractor;
- 9194 j. Underground utility and excavation contractor; or
- 9195 k. Other specialty contractors; or

9196 ~~3.4.~~ Any other profession for which the department issues
 9197 a license, provided the profession is offered to inmates in any
 9198 correctional institution or correctional facility as vocational
 9199 training or through an industry certification program.

9200 **Section 273. Subsection (1) of section 468.386, Florida**

9201 **Statutes, is amended to read:**

9202 468.386 Fees; local licensing requirements.—

9203 (1) (a) The department ~~board~~ by rule may establish
 9204 application, examination, licensure, renewal, and other
 9205 reasonable and necessary fees, based upon the department's
 9206 estimate of the costs ~~to the board~~ in administering this act.

9207 (b) Effective July 1, 2026, all fees established by the
 9208 department in administering this act shall be reduced by 50
 9209 percent.

9210 **Section 274. Subsection (1), paragraph (c) of subsection**
 9211 **(2), subsections (4) and (5), paragraphs (b) and (e) of**
 9212 **subsection (6), paragraphs (a) and (c) of subsection (7), and**
 9213 **subsections (8) and (10) of section 468.609, Florida Statutes,**
 9214 **are amended to read:**

9215 468.609 Administration of this part; standards for
 9216 certification; additional categories of certification.—

9217 (1) Except as provided in this part, any person who
 9218 desires to be certified shall apply to the department ~~board~~, in
 9219 writing upon forms approved and furnished by the department
 9220 ~~board~~, to take the certification examination.

9221 (2) A person may take the examination for certification as
 9222 a building code inspector or plans examiner pursuant to this
 9223 part if the person:

9224 (c) Meets eligibility requirements according to one of the
 9225 following criteria:

9226 1. Demonstrates 4 years' combined experience in the field
 9227 of construction or a related field, building code inspection, or
 9228 plans review corresponding to the certification category sought;
 9229 2. Demonstrates a combination of postsecondary education
 9230 in the field of construction or a related field and experience
 9231 which totals 3 years, with at least 1 year of such total being
 9232 experience in construction, building code inspection, or plans
 9233 review;
 9234 3. Demonstrates a combination of technical education in
 9235 the field of construction or a related field and experience
 9236 which totals 3 years, with at least 1 year of such total being
 9237 experience in construction, building code inspection, or plans
 9238 review;
 9239 4. Currently holds a standard certificate issued by the
 9240 department ~~board~~ or a firesafety inspector license issued under
 9241 chapter 633, with a minimum of 3 years' verifiable full-time
 9242 experience in firesafety inspection or firesafety plan review,
 9243 and has satisfactorily completed a building code inspector or
 9244 plans examiner training program that provides at least 100 hours
 9245 but not more than 200 hours of cross-training in the
 9246 certification category sought. The department ~~board~~ shall
 9247 establish by rule criteria for the development and
 9248 implementation of the training programs. The department ~~board~~
 9249 must accept all classroom training offered by an approved
 9250 provider if the content substantially meets the intent of the

9251 | classroom component of the training program;

9252 | 5. Demonstrates a combination of the completion of an

9253 | approved training program in the field of building code

9254 | inspection or plan review and a minimum of 2 years' experience

9255 | in the field of building code inspection, plan review, fire code

9256 | inspections and fire plans review of new buildings as a

9257 | firesafety inspector certified under s. 633.216, or

9258 | construction. The approved training portion of this requirement

9259 | must include proof of satisfactory completion of a training

9260 | program that provides at least 200 hours but not more than 300

9261 | hours of cross-training that is approved by the department ~~board~~

9262 | in the chosen category of building code inspection or plan

9263 | review in the certification category sought with at least 20

9264 | hours but not more than 30 hours of instruction in state laws,

9265 | rules, and ethics relating to professional standards of

9266 | practice, duties, and responsibilities of a certificateholder.

9267 | The department ~~board~~ shall coordinate with the Building

9268 | Officials Association of Florida, Inc., to establish by rule the

9269 | development and implementation of the training program. However,

9270 | the department ~~board~~ must accept all classroom training offered

9271 | by an approved provider if the content substantially meets the

9272 | intent of the classroom component of the training program;

9273 | 6. Currently holds a standard certificate issued by the

9274 | department ~~board~~ or a firesafety inspector license issued under

9275 | chapter 633 and:

9276 a. Has at least 4 years' verifiable full-time experience
9277 as an inspector or plans examiner in a standard certification
9278 category currently held or has a minimum of 4 years' verifiable
9279 full-time experience as a firesafety inspector licensed under
9280 chapter 633.

9281 b. Has satisfactorily completed a building code inspector
9282 or plans examiner classroom training course or program that
9283 provides at least 200 but not more than 300 hours in the
9284 certification category sought, except for residential training
9285 programs, which must provide at least 500 but not more than 800
9286 hours of training as prescribed by the department ~~board~~. The
9287 department ~~board~~ shall establish by rule criteria for the
9288 development and implementation of classroom training courses and
9289 programs in each certification category; or

9290 7.a. Has completed a 4-year internship certification
9291 program as a building code inspector or plans examiner,
9292 including an internship program for residential inspectors,
9293 while also employed full time by a municipality, county, or
9294 other governmental jurisdiction, under the direct supervision of
9295 a certified building official. A person may also complete the
9296 internship certification program, including an internship
9297 program for residential inspectors, while employed full time by
9298 a private provider or a private provider's firm that performs
9299 the services of a building code inspector or plans examiner,
9300 while under the direct supervision of a certified building

9301 official. Proof of graduation with a related vocational degree
9302 or college degree ~~or of verifiable work experience~~ may be
9303 exchanged for the internship experience requirement year-for-
9304 year, but may reduce the requirement to no less than 1 year.
9305 Proof of verifiable work experience as an inspector or plans
9306 examiner of any other type may be exchanged for the internship
9307 experience requirement year-for-year, but may reduce the
9308 requirement to no less than 1 year.

9309 b. Has passed an examination administered by the
9310 International Code Council in the certification category sought.
9311 Such examination must be passed before beginning the internship
9312 certification program.

9313 c. Has passed the principles and practice examination
9314 before completing the internship certification program.

9315 d. Has passed a department-approved ~~board-approved~~ 40-hour
9316 code training course in the certification category sought before
9317 completing the internship certification program.

9318 e. Has obtained a favorable recommendation from the
9319 supervising building official after completion of the internship
9320 certification program.

9321 (4) No person may engage in the duties of a building code
9322 administrator, plans examiner, or building code inspector
9323 pursuant to this part after October 1, 1993, unless such person
9324 possesses one of the following types of certificates, currently
9325 valid, issued by the department ~~board~~ attesting to the person's

9326 | qualifications to hold such position:

9327 | (a) A standard certificate.

9328 | (b) A limited certificate.

9329 | (c) A provisional certificate.

9330 | (5) (a) To obtain a standard certificate, an individual

9331 | must pass an examination approved by the department ~~board~~ which

9332 | demonstrates that the applicant has fundamental knowledge of the

9333 | state laws and codes relating to the construction of buildings

9334 | for which the applicant has building code administration, plans

9335 | examination, or building code inspection responsibilities. It is

9336 | the intent of the Legislature that the examination approved for

9337 | certification pursuant to this part be substantially equivalent

9338 | to the examinations administered by the International Code

9339 | Council.

9340 | (b) A standard certificate shall be issued to each

9341 | applicant who successfully completes the examination, which

9342 | certificate authorizes the individual named thereon to practice

9343 | throughout the state as a building code administrator, plans

9344 | examiner, or building code inspector within such class and level

9345 | as is specified by the department ~~board~~.

9346 | (c) The department ~~board~~ may accept proof that the

9347 | applicant has passed an examination which is substantially

9348 | equivalent to the department-approved ~~board-approved~~ examination

9349 | set forth in this section.

9350 | (6)

9351 (b) By October 1, 1993, individuals who were employed on
9352 July 1, 1993, as building code administrators, plans examiners,
9353 or building code inspectors, who are not eligible for a standard
9354 certificate, but who wish to continue in such employment, shall
9355 submit to the department ~~board~~ the appropriate application and
9356 certification fees and shall receive a limited certificate
9357 qualifying them to engage in building code administration, plans
9358 examination, or building code inspection in the class, at the
9359 performance level, and within the governmental jurisdiction in
9360 which such person is employed.

9361 (e) By March 1, 2003, or 1 year after the Florida Building
9362 Code is implemented, whichever is later, individuals who were
9363 employed by an educational board, the Department of Education,
9364 or the State University System as building code administrators,
9365 plans examiners, or inspectors, who do not wish to apply for a
9366 standard certificate but who wish to continue in such
9367 employment, shall submit to the department ~~board~~ the appropriate
9368 application and certification fees and shall receive a limited
9369 certificate qualifying such individuals to engage in building
9370 code administration, plans examination, or inspection in the
9371 class, at the performance level, and within the governmental
9372 jurisdiction in which such person is employed.

9373 (7) (a) The department ~~board~~ shall provide for the issuance
9374 of provisional certificates valid for 2 years, as specified by
9375 department ~~board~~ rule, to any building code inspector or plans

9376 examiner who meets the eligibility requirements described in
 9377 subsection (2) and any newly employed or promoted building code
 9378 administrator who meets the eligibility requirements described
 9379 in subsection (3). The provisional license may be renewed by the
 9380 department ~~board~~ for just cause; however, a provisional license
 9381 is not valid for longer than 3 years.

9382 (c) The department ~~board~~ shall provide for appropriate
 9383 levels of provisional certificates and may issue these
 9384 certificates with such special conditions or requirements as the
 9385 department ~~board~~ deems necessary to protect the public safety
 9386 and health. The department ~~board~~ may not place a special
 9387 condition or requirement on a provisional certificate with
 9388 respect to the requirement of employment by a municipality,
 9389 county, or other local governmental agency.

9390 (8) Any individual applying to the department ~~board~~ may be
 9391 issued a certificate valid for multiple building code inspection
 9392 classes, as deemed appropriate by the department ~~board~~.

9393 (10) (a) The department ~~board~~ may by rule create categories
 9394 of certification in addition to those defined in s. 468.603(4)
 9395 and (7) ~~s. 468.603(5) and (8)~~. Such certification categories may
 9396 ~~shall~~ not be mandatory and may ~~shall~~ not act to diminish the
 9397 scope of any certificate created by statute.

9398 (b) The department ~~board~~ shall by rule establish:
 9399 1. Reciprocity of certification with any other state that
 9400 requires an examination administered by the International Code

9401 Council.

9402 2. That an applicant for certification as a building code
 9403 inspector or plans examiner may apply for a provisional
 9404 certificate valid for the duration of the internship period.

9405 3. That partial completion of an internship program is
 9406 transferable among jurisdictions, private providers, and firms
 9407 of private providers on a form prescribed by the department
 9408 ~~board~~.

9409 4. That an applicant may apply for a standard certificate
 9410 on a form prescribed by the department ~~board~~ upon successful
 9411 completion of an internship certification program.

9412 5. That an applicant may apply for a standard certificate
 9413 at least 30 days but no more than 60 days before completing the
 9414 internship certification program.

9415 6. That a building code inspector or plans examiner who
 9416 has standard certification may seek an additional certification
 9417 in another category by completing an additional nonconcurrent 1-
 9418 year internship program in the certification category sought and
 9419 passing an examination administered by the International Code
 9420 Council and a department-approved ~~board-approved~~ 40-hour code
 9421 training course.

9422 **Section 275. Section 471.015, Florida Statutes, is amended**
 9423 **to read:**

9424 471.015 Licensure.—

9425 (1) The department ~~management corporation~~ shall issue a

9426 | license to any applicant who the department ~~board~~ certifies is
9427 | qualified to practice engineering and who has passed the
9428 | fundamentals examination and the principles and practice
9429 | examination.

9430 | (2) (a) The department ~~board~~ shall certify for licensure
9431 | any applicant who has submitted proof satisfactory to the
9432 | department ~~board~~ that he or she is at least 18 years of age and
9433 | who:

9434 | 1. Satisfies the requirements of s. 471.013(1)(a)1. and
9435 | has a record of at least 4 years of active engineering
9436 | experience of a character indicating competence to be in
9437 | responsible charge of engineering; or

9438 | 2. Satisfies the requirements of s. 471.013(1)(a)2. and
9439 | has a record of at least 6 years of active engineering
9440 | experience of a character indicating competence to be in
9441 | responsible charge of engineering.

9442 | (b) The department ~~board~~ may refuse to certify any
9443 | applicant who has violated s. 471.031.

9444 | (3) The department ~~board~~ shall certify as qualified for a
9445 | license by endorsement an applicant who:

9446 | (a) Qualifies to take the fundamentals examination and the
9447 | principles and practice examination as set forth in s. 471.013,
9448 | has passed a United States national, regional, state, or
9449 | territorial licensing examination that is substantially
9450 | equivalent to the fundamentals examination and principles and

9451 practice examination required by s. 471.013, and has satisfied
9452 the experience requirements set forth in paragraph (2)(a) and s.
9453 471.013; ~~or~~

9454 (b) Holds a valid license to practice engineering issued
9455 by another state or territory of the United States, or a foreign
9456 jurisdiction if the criteria for issuance of the license were
9457 substantially the same as the licensure criteria that existed in
9458 this state at the time the license was issued; or

9459 (c) Holds a valid license to practice engineering issued
9460 by a foreign jurisdiction approved by the board and holds an
9461 active Council Record with the National Council of Examiners for
9462 Engineering and Surveying.

9463 (4) The department may ~~management corporation shall~~ not
9464 issue a license by endorsement to any applicant who is under
9465 investigation in another state for any act that would constitute
9466 a violation of this chapter or of chapter 455 until such time as
9467 the investigation is complete and disciplinary proceedings have
9468 been terminated.

9469 (5)(a) The department ~~board~~ shall deem that an applicant
9470 who seeks licensure by endorsement has passed an examination
9471 substantially equivalent to the fundamentals examination when
9472 such applicant has held a valid professional engineer's license
9473 in another state for 10 years.

9474 (b) The department ~~board~~ shall deem that an applicant who
9475 seeks licensure by endorsement has passed an examination

9476 substantially equivalent to the fundamentals examination and the
9477 principles and practices examination when such applicant has
9478 held a valid professional engineer's license in another state
9479 for 15 years.

9480 (6) The department ~~board~~ may require a personal appearance
9481 by any applicant for licensure under this chapter. Any applicant
9482 of whom a personal appearance is required must be given adequate
9483 notice of the time and place of the appearance and provided with
9484 a statement of the purpose of and reasons requiring the
9485 appearance. If an applicant is required to appear, the time
9486 period within which a licensure application must be granted or
9487 denied is tolled until such time as the applicant appears.
9488 However, if the applicant fails to appear before the department
9489 ~~board~~ at either of the next two regularly scheduled department
9490 ~~board~~ meetings, the application for licensure may be denied.

9491 (7) The department ~~board~~ shall, by rule, establish
9492 qualifications for certification of licensees as special
9493 inspectors of threshold buildings, as defined in ss. 553.71 and
9494 553.79, and shall compile a list of persons who are certified. A
9495 special inspector is not required to meet standards for
9496 certification other than those established by the department
9497 ~~board~~, and the fee owner of a threshold building may not be
9498 prohibited from selecting any person certified by the department
9499 ~~board~~ to be a special inspector. The department ~~board~~ shall
9500 develop minimum qualifications for the qualified representative

9501 of the special inspector who is authorized to perform
 9502 inspections of threshold buildings on behalf of the special
 9503 inspector under s. 553.79.

9504 **Section 276. Effective January 1, 2026, section 473.308,**
 9505 **Florida Statutes, is amended to read:**

9506 473.308 Licensure.—

9507 (1) A person desiring to be licensed as a Florida
 9508 certified public accountant in this state shall apply to the
 9509 department for licensure, and the department shall license any
 9510 applicant who the department ~~board~~ certifies is qualified to
 9511 practice public accounting.

9512 (2) The department ~~board~~ shall certify for licensure any
 9513 applicant who successfully passes the licensure examination and
 9514 satisfies the requirements of subsections (4), (5), and (6), and
 9515 shall certify for licensure any firm that satisfies the
 9516 requirements of ss. 473.309 and 473.3101. The department ~~board~~
 9517 may refuse to certify any applicant or firm that has violated
 9518 any of the provisions of s. 473.322.

9519 (3) A person desiring to be licensed as a Florida
 9520 certified public accountant or a firm desiring to engage in the
 9521 practice of public accounting must create and maintain an online
 9522 account with the department and provide an e-mail address to
 9523 function as the primary means of contact for all communication
 9524 from the department. Certified public accountants and firms are
 9525 responsible for maintaining accurate contact information on file

9526 with the department and must submit any change in an e-mail
9527 address or street address within 30 days after the change. All
9528 changes must be submitted through the department's online
9529 system.

9530 (4) (a) An applicant for licensure must:

9531 1. Complete ~~have~~ at least 150 semester hours of college
9532 education, including a baccalaureate or higher degree conferred
9533 by an accredited college or university, with a concentration in
9534 accounting and business as prescribed by the department; in the
9535 ~~total educational program to the extent specified by the board.~~

9536 2. Hold a master's degree in accounting or finance
9537 conferred by an accredited college or university with a
9538 concentration in accounting and business as prescribed by the
9539 department;

9540 3. Hold a baccalaureate degree in accounting or finance
9541 conferred by an accredited college or university with a
9542 concentration in accounting and business as prescribed by the
9543 department; or

9544 4. Hold a baccalaureate degree in any major course of
9545 study conferred by an accredited college or university and have
9546 completed coursework required for a concentration in accounting
9547 and business as prescribed by the department.

9548 (b) The department shall prescribe the coursework required
9549 for a concentration in accounting and business. The department
9550 may deem that an applicant has satisfied requirements for such

9551 coursework if the applicant receives a baccalaureate or higher
9552 degree in accounting or finance conferred by an accredited
9553 college or university in a state or territory of the United
9554 States. An applicant receiving a baccalaureate or higher degree
9555 with a major course of study other than accounting or finance
9556 must complete the coursework required for a concentration in
9557 accounting and business as prescribed by the department.

9558 (5) (a) An applicant for licensure who completes the
9559 education requirements under subparagraph (4) (a)1. or
9560 subparagraph (4) (a)2. after December 31, 2008, must show ~~that he~~
9561 ~~or she has had~~ 1 year of work experience. An applicant who
9562 completes the education requirements under subparagraph (4) (a)3.
9563 or subparagraph (4) (a)4. must show 2 years of work experience.

9564 (b) The work experience under paragraph (a) ~~This~~
9565 ~~experience~~ shall include providing any type of service or advice
9566 involving the use of accounting, attest, compilation, management
9567 advisory, financial advisory, tax, or consulting skills, all of
9568 which must be verified by a certified public accountant who is
9569 licensed by a state or territory of the United States. This
9570 experience is acceptable if it was gained through employment in
9571 government, industry, academia, or public practice; constituted
9572 a substantial part of the applicant's duties; and was verified
9573 by a certified public accountant licensed by a state or
9574 territory of the United States.

9575 (c) The department ~~board~~ shall adopt rules specifying

9576 standards and providing for the review and approval of the work
9577 experience required by this subsection ~~section~~.

9578 ~~(d)-(b)~~ However, an applicant who completed the
9579 requirements of subsection (4) on or before December 31, 2008,
9580 and who passes the licensure examination on or before June 30,
9581 2010, is exempt from the requirements of this subsection.

9582 (6) (a) An applicant for licensure must ~~shall~~ show that she
9583 or he ~~the applicant~~ has good moral character. For purposes of
9584 this paragraph, the term

9585 ~~(7)-(a)~~ "good moral character" means a personal history of
9586 honesty, fairness, and respect for the rights of others and for
9587 the laws of this state and nation.

9588 (b) The department ~~board~~ may refuse to certify an
9589 applicant for failure to satisfy this requirement if:

9590 1. The department ~~board~~ finds a reasonable relationship
9591 between the lack of good moral character of the applicant and
9592 the professional responsibilities of a certified public
9593 accountant; and

9594 2. The finding by the department ~~board~~ of lack of good
9595 moral character is supported by competent substantial evidence.

9596 (c) When an applicant is found to be unqualified for a
9597 license because of a lack of good moral character, the
9598 department ~~board~~ shall furnish to the applicant a statement
9599 containing the findings of the department ~~board~~, a complete
9600 record of the evidence upon which the determination was based,

9601 and a notice of the rights of the applicant to a rehearing and
 9602 appeal.

9603 ~~(7)-(8)~~ The department ~~board~~ shall certify as qualified for
 9604 a license by endorsement an applicant who:

9605 (a) Is not licensed and has not been licensed in any state
 9606 or territory and who has met the requirements of this section
 9607 for education, work experience, and good moral character and has
 9608 passed a national, regional, state, or territorial licensing
 9609 examination that is substantially equivalent to the examination
 9610 required by s. 473.306; or

9611 ~~(b)1.~~ holds an active a valid license as a certified
 9612 public accountant to practice public accounting issued by
 9613 another state or a territory of the United States, if the
 9614 applicant has maintained good moral character and, at the time
 9615 of licensure by such other state or territory, the applicant was
 9616 required to show evidence of having obtained at least a
 9617 baccalaureate degree from an accredited college or university
 9618 and having passed the Uniform CPA Examination ~~criteria for~~
 9619 ~~issuance of such license were substantially equivalent to the~~
 9620 ~~licensure criteria that existed in this state at the time the~~
 9621 ~~license was issued;~~

9622 ~~2. Holds a valid license to practice public accounting~~
 9623 ~~issued by another state or territory of the United States but~~
 9624 ~~the criteria for issuance of such license did not meet the~~
 9625 ~~requirements of subparagraph 1.; has met the requirements of~~

9626 ~~this section for education, work experience, and good moral~~
9627 ~~character; and has passed a national, regional, state, or~~
9628 ~~territorial licensing examination that is substantially~~
9629 ~~equivalent to the examination required by s. 473.306; or~~

9630 ~~3. Holds a valid license to practice public accounting~~
9631 ~~issued by another state or territory of the United States for at~~
9632 ~~least 10 years before the date of application; has passed a~~
9633 ~~national, regional, state, or territorial licensing examination~~
9634 ~~that is substantially equivalent to the examination required by~~
9635 ~~s. 473.306; and has met the requirements of this section for~~
9636 ~~good moral character.~~

9637 ~~(9) If the applicant has at least 5 years of experience in~~
9638 ~~the practice of public accountancy in the United States or in~~
9639 ~~the practice of public accountancy or its equivalent in a~~
9640 ~~foreign country that the International Qualifications Appraisal~~
9641 ~~Board of the National Association of State Boards of Accountancy~~
9642 ~~has determined has licensure standards that are substantially~~
9643 ~~equivalent to those in the United States, or has at least 5~~
9644 ~~years of work experience that meets the requirements of~~
9645 ~~subsection (5), the board must waive the requirements of~~
9646 ~~subsection (4) which are in excess of a baccalaureate degree.~~
9647 ~~All experience that is used as a basis for waiving the~~
9648 ~~requirements of subsection (4) must be while licensed as a~~
9649 ~~certified public accountant by another state or territory of the~~
9650 ~~United States or while licensed in the practice of public~~

9651 ~~accountancy or its equivalent in a foreign country that the~~
9652 ~~International Qualifications Appraisal Board of the National~~
9653 ~~Association of State Boards of Accountancy has determined has~~
9654 ~~licensure standards that are substantially equivalent to those~~
9655 ~~in the United States. The board shall have the authority to~~
9656 ~~establish the standards for experience that meet this~~
9657 ~~requirement.~~

9658 (8)~~(10)~~ The department board may refuse to certify for
9659 licensure any applicant who is under investigation in another
9660 state for any act that would constitute a violation of this act
9661 or chapter 455, until such time as the investigation is complete
9662 and disciplinary proceedings are ~~have been~~ terminated.

9663 **Section 277. Section 473.3085, Florida Statutes, is**
9664 **created to read:**

9665 473.3085 Licensure of international applicants.—

9666 (1) An international applicant who seeks licensure as a
9667 certified public accountant in this state must meet the
9668 requirements for education, work experience, and good moral
9669 character under s. 473.308.

9670 (2) An applicant must apply to the department for
9671 licensure.

9672 (3) An international applicant must create and maintain an
9673 online account with the department and provide an e-mail address
9674 to function as the primary means of contact for all
9675 communication from the department. An applicant must submit any

9676 change in e-mail address within 30 days after the change. All
 9677 changes must be submitted through the department's online
 9678 system.

9679 (4) The department shall certify for licensure any
 9680 applicant who satisfies the requirements of subsections (1) and
 9681 (2), except the department may refuse to certify an applicant
 9682 who has violated s. 473.322.

9683 (5) The department shall adopt rules to implement this
 9684 section.

9685 **Section 278. Effective January 1, 2026, subsections (1),**
 9686 **(3), and (4) of section 473.3141, Florida Statutes, are amended**
 9687 **to read:**

9688 473.3141 Certified public accountants licensed in other
 9689 states.—

9690 ~~(1) Except as otherwise provided in this chapter, An~~
 9691 individual who holds an active license in good standing as a
 9692 certified public accountant in another state or a territory of
 9693 the United States and who does not have an office in this state
 9694 has the privileges of Florida certified public accountants and
 9695 may provide public accounting services in this state without
 9696 obtaining a license under this chapter or notifying or
 9697 registering with the department board or paying a fee if, at the
 9698 time of licensure by such other state or territory, the
 9699 individual was required to show evidence of having obtained at
 9700 least a baccalaureate degree and having passed the Uniform CPA

9701 Examination†

9702 ~~(a) Holds a valid license as a certified public accountant~~
9703 ~~from a state that the board or its designee has determined by~~
9704 ~~rule to have adopted standards that are substantially equivalent~~
9705 ~~to the certificate requirements in s. 5 of the Uniform~~
9706 ~~Accountancy Act in the issuance of licenses; or~~

9707 ~~(b) Holds a valid license as a certified public accountant~~
9708 ~~from a state that has not been approved by the board as having~~
9709 ~~adopted standards in substantial equivalence with s. 5 of the~~
9710 ~~Uniform Accountancy Act, but obtains verification from the~~
9711 ~~board, or its designee, as determined by rule, that the~~
9712 ~~individual's certified public accountant qualifications are~~
9713 ~~substantially equivalent to the certificate requirements in s. 5~~
9714 ~~of the Uniform Accountancy Act.~~

9715
9716 The department ~~board~~ shall define by rule what constitutes an
9717 office.

9718 (3) An individual certified public accountant from another
9719 state or a territory of the United States who practices pursuant
9720 to this section, and the firm that employs that individual,
9721 shall both consent, as a condition of the privilege of
9722 practicing in this state:

9723 (a) To the ~~personal and subject matter~~ jurisdiction and
9724 disciplinary authority of the department ~~board~~;

9725 (b) To comply with this chapter and the applicable

9726 | department board rules;

9727 | (c) That if the individual's license as a certified public
 9728 | accountant from another the state or a territory of the United
 9729 | States becomes invalid of the individual's principal place of
 9730 | business is no longer valid, the individual must ~~will~~ cease
 9731 | offering or rendering public accounting services in this state,
 9732 | individually and on behalf of a firm; and

9733 | (d) To the appointment of the department ~~state board~~ that
 9734 | issued the individual's license as the agent upon whom process
 9735 | may be served in any action or proceeding by the ~~board or~~
 9736 | department against the individual or firm.

9737 | (4) An individual who qualifies to practice under this
 9738 | section may perform the services identified in s. 473.302(7)(a)
 9739 | ~~s. 473.302(8)(a)~~ only through a firm that has obtained a license
 9740 | issued under s. 473.3101 or is authorized by s. 473.3101 to
 9741 | provide such services.

9742 | **Section 279. Subsections (2), (8), and (9) of section**
 9743 | **476.184, Florida Statutes, are amended, and subsection (11) is**
 9744 | **added to that section, to read:**

9745 | 476.184 Barbershop licensure; requirements; fee;
 9746 | inspection; license display.—

9747 | (2) The department ~~board~~ shall adopt rules governing the
 9748 | licensure and operation of a barbershop and its facilities,
 9749 | personnel, safety and sanitary requirements, and the license
 9750 | application and granting process.

9751 (8) Renewal of license registration for barbershops shall
9752 be accomplished pursuant to rules adopted by the department
9753 ~~board~~. The department board is further authorized to adopt rules
9754 governing delinquent renewal of licenses and may impose penalty
9755 fees for delinquent renewal.

9756 (9) The department board is authorized to adopt rules
9757 governing the operation and periodic inspection of barbershops
9758 licensed under this chapter.

9759 (11) (a) The department shall adopt rules governing the
9760 licensure, operation, and inspection of mobile barbershops,
9761 including their facilities, personnel, and safety and sanitary
9762 requirements.

9763 (b) Each mobile barbershop must comply with all licensure
9764 and operating requirements specified in this chapter, chapter
9765 455, or rules of the department that apply to barbershops at
9766 fixed locations, except to the extent that such requirements
9767 conflict with this subsection or rules adopted pursuant to this
9768 subsection.

9769 (c) A mobile barbershop must maintain a permanent business
9770 address, located in the inspection area of the local department
9771 office, at which records of appointments, itineraries, license
9772 numbers of employees, and vehicle identification numbers of the
9773 licenseholder's mobile barbershop shall be kept and made
9774 available for verification purposes by department personnel, and
9775 at which correspondence from the department can be received.

9776 (d) To facilitate periodic inspections of a mobile
 9777 barbershop, before the beginning of each month each mobile
 9778 barbershop licenseholder must file with the department a written
 9779 monthly itinerary listing the locations where and the dates and
 9780 hours when the mobile barbershop will be operating.

9781 (e) The licenseholder must comply with all local laws and
 9782 ordinances regulating business establishments, with all
 9783 applicable requirements of the Americans with Disabilities Act
 9784 relating to accommodations for persons with disabilities, and
 9785 with all applicable requirements of the Occupational Safety and
 9786 Health Administration.

9787 **Section 280. Section 476.188, Florida Statutes, is amended**
 9788 **to read:**

9789 476.188 Barber services to be performed in a licensed
 9790 ~~registered~~ barbershop; exception.—

9791 (1) Barber services shall be performed only by licensed
 9792 barbers in licensed ~~registered~~ barbershops, except as otherwise
 9793 provided in this section.

9794 (2) Pursuant to rules established by the department ~~board~~,
 9795 barber services may be performed by a licensed barber in a
 9796 location other than a licensed ~~registered~~ barbershop, including,
 9797 but not limited to, a nursing home, hospital, or residence, when
 9798 a client for reasons of ill health is unable to go to a licensed
 9799 ~~registered~~ barbershop. Arrangements for the performance of
 9800 barber services in a location other than a licensed ~~registered~~

9801 barbershop ~~may shall~~ be made only through a licensed ~~registered~~
9802 barbershop. However, a barber may shampoo, cut, or arrange hair
9803 in a location other than a licensed ~~registered~~ barbershop
9804 without such arrangements.

9805 (3) Any person who holds a valid barber's license in any
9806 state or who is authorized to practice barbering in any country,
9807 territory, or jurisdiction of the United States may perform
9808 barber services in a location other than a licensed ~~registered~~
9809 barbershop when such services are performed in connection with
9810 the motion picture, fashion photography, theatrical, or
9811 television industry; a manufacturer trade show demonstration; or
9812 an educational seminar.

9813 (4) Pursuant to rules adopted by the department, the
9814 practice of barbering may be performed in a location other than
9815 a licensed barbershop when performed in connection with a
9816 special event and by a person who holds the proper license.

9817 **Section 281. Subsections (1) through (7) of section**
9818 **481.213, Florida Statutes, are amended to read:**

9819 481.213 Licensure and registration.—

9820 (1) The department shall license or register any applicant
9821 who ~~the board certifies~~ is certified and qualified for licensure
9822 or registration and who has paid the initial licensure or
9823 registration fee. Licensure as an architect under this section
9824 shall be deemed to include all the rights and privileges of
9825 registration as an interior designer under this section.

9826 (2) The department board shall certify for licensure ~~or~~
 9827 ~~registration~~ by examination any applicant who passes the
 9828 prescribed licensure or registration examination and satisfies
 9829 the requirements of ss. 481.209 and 481.211, for architects, or
 9830 the requirements of s. 481.209, for interior designers.

9831 (3) The department board shall certify as qualified for a
 9832 license by endorsement as an architect or registration as a
 9833 registered interior designer an applicant who:

9834 (a) Qualifies to take the prescribed licensure or
 9835 registration examination, and has passed the prescribed
 9836 licensure or registration examination or a substantially
 9837 equivalent examination in another jurisdiction, as set forth in
 9838 s. 481.209 for architects or registered interior designers, as
 9839 applicable, and has satisfied the internship requirements set
 9840 forth in s. 481.211 for architects;

9841 (b) Holds a valid license to practice architecture or a
 9842 license, registration, or certification to practice interior
 9843 design issued by another jurisdiction of the United States, if
 9844 the criteria for issuance of such license were substantially
 9845 equivalent to the licensure criteria that existed in this state
 9846 at the time the license was issued; or

9847 (c) Has passed the prescribed licensure examination and
 9848 Holds a valid certificate issued by the National Council of
 9849 Architectural Registration Boards, and holds a valid license to
 9850 practice architecture issued by another state, another ~~or~~

9851 jurisdiction of the United States, or a foreign jurisdiction
9852 approved by the department.

9853

9854 An architect who is licensed in another state, another
9855 jurisdiction of the United States, or a foreign jurisdiction
9856 approved by the department who seeks qualification for licensure
9857 license by endorsement under this subsection must complete a 2-
9858 hour class approved by the department ~~board~~ on wind mitigation
9859 techniques.

9860 (4) The department ~~board~~ may refuse to certify any
9861 applicant who has violated any of the provisions of s. 481.223,
9862 s. 481.225, ~~s. 481.223,~~ ~~s. 481.225,~~ or s. 481.2251, as
9863 applicable.

9864 (5) The department ~~board~~ may refuse to certify any
9865 applicant who is under investigation in any jurisdiction for any
9866 act which would constitute a violation of this part or of
9867 chapter 455 until such time as the investigation is complete and
9868 disciplinary proceedings have been terminated.

9869 (6) The department ~~board~~ shall adopt rules to implement
9870 the provisions of this part relating to the examination,
9871 internship, and licensure of applicants.

9872 (7) For persons whose licensure requires satisfaction of
9873 the requirements of ss. 481.209 and 481.211, the department
9874 ~~board~~ shall, by rule, establish qualifications for certification
9875 of such persons as special inspectors of threshold buildings, as

9876 defined in ss. 553.71 and 553.79, and shall compile a list of
9877 persons who are certified. A special inspector is not required
9878 to meet standards for certification other than those established
9879 by the department board, and the fee owner of a threshold
9880 building may not be prohibited from selecting any person
9881 certified by the department board to be a special inspector. The
9882 department board shall develop minimum qualifications for the
9883 qualified representative of the special inspector who is
9884 authorized under s. 553.79 to perform inspections of threshold
9885 buildings on behalf of the special inspector.

9886 **Section 282. Paragraph (b) of subsection (6), paragraph**
9887 **(1) of subsection (8), paragraphs (a) and (d) of subsection (9),**
9888 **and subsection (15) of section 499.012, Florida Statutes, are**
9889 **amended, to read:**

9890 499.012 Permit application requirements.—

9891 (6) A permit issued by the department is nontransferable.
9892 Each permit is valid only for the person or governmental unit to
9893 which it is issued and is not subject to sale, assignment, or
9894 other transfer, voluntarily or involuntarily; nor is a permit
9895 valid for any establishment other than the establishment for
9896 which it was originally issued.

9897 (b)1. An application for a new permit is required when a
9898 majority of the ownership or controlling interest of a permitted
9899 establishment is transferred or assigned or when a lessee agrees
9900 to undertake or provide services to the extent that legal

9901 liability for operation of the establishment will rest with the
 9902 lessee. The application for the new permit must be made within
 9903 30 days after ~~before~~ the date of the sale, transfer, assignment,
 9904 or lease.

9905 2. A permittee that is authorized to distribute
 9906 prescription drugs may transfer such drugs to the new owner or
 9907 lessee under subparagraph 1. only after the new owner or lessee
 9908 has been approved for a permit to distribute prescription drugs.

9909
 9910 The department may revoke the permit of any person that fails to
 9911 comply with the requirements of this subsection.

9912 (8) An application for a permit or to renew a permit for a
 9913 prescription drug wholesale distributor or an out-of-state
 9914 prescription drug wholesale distributor submitted to the
 9915 department must include:

9916 (1) ~~The name of each of the applicant's designated~~
 9917 ~~representatives as required by subsection (15), together with~~
 9918 The personal information statement and fingerprints required
 9919 pursuant to subsection (9) for each such person.

9920 (9) (a) Each person required by subsection (8) ~~or~~
 9921 ~~subsection (15)~~ to provide a personal information statement and
 9922 fingerprints shall provide the following information to the
 9923 department on forms prescribed by the department:

- 9924 1. The person's places of residence for the past 7 years.
 9925 2. The person's date and place of birth.

9926 3. The person's occupations, positions of employment, and
9927 offices held during the past 7 years.

9928 4. The principal business and address of any business,
9929 corporation, or other organization in which each such office of
9930 the person was held or in which each such occupation or position
9931 of employment was carried on.

9932 5. Whether the person has been, during the past 7 years,
9933 the subject of any proceeding for the revocation of any license
9934 and, if so, the nature of the proceeding and the disposition of
9935 the proceeding.

9936 6. Whether, during the past 7 years, the person has been
9937 enjoined, temporarily or permanently, by a court of competent
9938 jurisdiction from violating any federal or state law regulating
9939 the possession, control, or distribution of prescription drugs,
9940 together with details concerning any such event.

9941 7. A description of any involvement by the person with any
9942 business, including any investments, other than the ownership of
9943 stock in a publicly traded company or mutual fund, during the
9944 past 4 years, which manufactured, administered, prescribed,
9945 distributed, or stored pharmaceutical products and any lawsuits
9946 in which such businesses were named as a party.

9947 8. A description of any felony criminal offense of which
9948 the person, as an adult, was found guilty, regardless of whether
9949 adjudication of guilt was withheld or whether the person pled
9950 guilty or nolo contendere. A criminal offense committed in

9951 another jurisdiction which would have been a felony in this
9952 state must be reported. If the person indicates that a criminal
9953 conviction is under appeal and submits a copy of the notice of
9954 appeal of that criminal offense, the applicant must, within 15
9955 days after the disposition of the appeal, submit to the
9956 department a copy of the final written order of disposition.

9957 9. A photograph of the person taken in the previous 180
9958 days.

9959 10. A set of fingerprints for the person on a form and
9960 under procedures specified by the department, together with
9961 payment of an amount equal to the costs incurred by the
9962 department for the criminal record check of the person.

9963 11. The name, address, occupation, and date and place of
9964 birth for each member of the person's immediate family who is 18
9965 years of age or older. As used in this subparagraph, the term
9966 "member of the person's immediate family" includes the person's
9967 spouse, children, parents, siblings, the spouses of the person's
9968 children, and the spouses of the person's siblings.

9969 12. Any other relevant information that the department
9970 requires.

9971 (d) For purposes of applying for renewal of a permit under
9972 subsection (8) ~~or certification under subsection (15)~~, a person
9973 may submit the following in lieu of satisfying the requirements
9974 of paragraphs (a), (b), and (c):

9975 1. A photograph of the individual taken within 180 days;

9976 | and

9977 | 2. A copy of the personal information statement form most
 9978 | recently submitted to the department and a certification under
 9979 | oath, on a form specified by the department, that the individual
 9980 | has reviewed the previously submitted personal information
 9981 | statement form and that the information contained therein
 9982 | remains unchanged.

9983 | ~~(15) (a) Each establishment that is issued an initial or~~
 9984 | ~~renewal permit as a prescription drug wholesale distributor or~~
 9985 | ~~an out-of-state prescription drug wholesale distributor must~~
 9986 | ~~designate in writing to the department at least one natural~~
 9987 | ~~person to serve as the designated representative of the~~
 9988 | ~~wholesale distributor. Such person must have an active~~
 9989 | ~~certification as a designated representative from the~~
 9990 | ~~department.~~

9991 | ~~(b) To be certified as a designated representative, a~~
 9992 | ~~natural person must:~~

9993 | ~~1. Submit an application on a form furnished by the~~
 9994 | ~~department and pay the appropriate fees.~~

9995 | ~~2. Be at least 18 years of age.~~

9996 | ~~3. Have at least 2 years of verifiable full-time:~~

9997 | ~~a. Work experience in a pharmacy licensed in this state or~~
 9998 | ~~another state, where the person's responsibilities included, but~~
 9999 | ~~were not limited to, recordkeeping for prescription drugs;~~

10000 | ~~b. Managerial experience with a prescription drug~~

10001 ~~wholesale distributor licensed in this state or in another~~
 10002 ~~state;~~

10003 ~~e. Managerial experience with the United States Armed~~
 10004 ~~Forces, where the person's responsibilities included, but were~~
 10005 ~~not limited to, recordkeeping, warehousing, distributing, or~~
 10006 ~~other logistics services pertaining to prescription drugs;~~

10007 ~~d. Managerial experience with a state or federal~~
 10008 ~~organization responsible for regulating or permitting~~
 10009 ~~establishments involved in the distribution of prescription~~
 10010 ~~drugs, whether in an administrative or a sworn law enforcement~~
 10011 ~~capacity; or~~

10012 ~~e. Work experience as a drug inspector or investigator~~
 10013 ~~with a state or federal organization, whether in an~~
 10014 ~~administrative or a sworn law enforcement capacity, where the~~
 10015 ~~person's responsibilities related primarily to compliance with~~
 10016 ~~state or federal requirements pertaining to the distribution of~~
 10017 ~~prescription drugs.~~

10018 ~~4. Receive a passing score of at least 75 percent on an~~
 10019 ~~examination given by the department regarding federal laws~~
 10020 ~~governing distribution of prescription drugs and this part and~~
 10021 ~~the rules adopted by the department governing the wholesale~~
 10022 ~~distribution of prescription drugs. This requirement shall be~~
 10023 ~~effective 1 year after the results of the initial examination~~
 10024 ~~are mailed to the persons that took the examination. The~~
 10025 ~~department shall offer such examinations at least four times~~

10026 ~~each calendar year.~~

10027 ~~5. Provide the department with a personal information~~
10028 ~~statement and fingerprints pursuant to subsection (9).~~

10029 ~~(c) The department may deny an application for~~
10030 ~~certification as a designated representative or may suspend or~~
10031 ~~revoke a certification of a designated representative pursuant~~
10032 ~~to s. 499.067.~~

10033 ~~(d) A designated representative:~~

10034 ~~1. Must be actively involved in and aware of the actual~~
10035 ~~daily operation of the wholesale distributor.~~

10036 ~~2. Must be employed full time in a managerial position by~~
10037 ~~the wholesale distributor.~~

10038 ~~3. Must be physically present at the establishment during~~
10039 ~~normal business hours, except for time periods when absent due~~
10040 ~~to illness, family illness or death, scheduled vacation, or~~
10041 ~~other authorized absence.~~

10042 ~~4. May serve as a designated representative for only one~~
10043 ~~wholesale distributor at any one time.~~

10044 ~~(e) A wholesale distributor must notify the department~~
10045 ~~when a designated representative leaves the employ of the~~
10046 ~~wholesale distributor. Such notice must be provided to the~~
10047 ~~department within 10 business days after the last day of~~
10048 ~~designated representative's employment with the wholesale~~
10049 ~~distributor.~~

10050 ~~(f) A wholesale distributor may not operate under a~~

10051 ~~prescription drug wholesale distributor permit or an out-of-~~
10052 ~~state prescription drug wholesale distributor permit for more~~
10053 ~~than 10 business days after the designated representative leaves~~
10054 ~~the employ of the wholesale distributor, unless the wholesale~~
10055 ~~distributor employs another designated representative and~~
10056 ~~notifies the department within 10 business days of the identity~~
10057 ~~of the new designated representative.~~

10058 **Section 283. Subsection (9) of section 499.0121, Florida**
10059 **Statutes, is amended to read:**

10060 499.0121 Storage and handling of prescription drugs;
10061 recordkeeping.—The department shall adopt rules to implement
10062 this section as necessary to protect the public health, safety,
10063 and welfare. Such rules shall include, but not be limited to,
10064 requirements for the storage and handling of prescription drugs
10065 and for the establishment and maintenance of prescription drug
10066 distribution records.

10067 (9) RESPONSIBLE PERSONS.—Wholesale distributors must
10068 establish and maintain lists of officers, directors, managers,
10069 ~~designated representatives~~, and other persons in charge of
10070 wholesale drug distribution, storage, and handling, including a
10071 description of their duties and a summary of their
10072 qualifications.

10073 **Section 284. Subsection (9) of section 499.041, Florida**
10074 **Statutes, is amended to read:**

10075 499.041 Schedule of fees for drug, device, and cosmetic

10076 applications and permits, product registrations, and free-sale
 10077 certificates.—

10078 ~~(9) The department shall assess each person applying for~~
 10079 ~~certification as a designated representative a fee of \$150, plus~~
 10080 ~~the cost of processing the criminal history record check.~~

10081 **Section 285. Subsection (1) of section 509.261, Florida**
 10082 **Statutes, is amended to read:**

10083 509.261 Revocation or suspension of licenses; fines;
 10084 procedure.—

10085 (1) Any public lodging establishment or public food
 10086 service establishment that has operated or is operating in
 10087 violation of this chapter or the rules of the division,
 10088 operating in violation of s. 581.217(7), relating to the retail
 10089 sale of products containing hemp extract intended for human
 10090 ingestion or inhalation, operating without a license, or
 10091 operating with a suspended or revoked license may be subject by
 10092 the division to:

10093 (a) Fines not to exceed \$1,000 per offense;

10094 (b) Mandatory completion, at personal expense, of a
 10095 remedial educational program administered by a food safety
 10096 training program provider approved by the division, as provided
 10097 in s. 509.049; and

10098 (c) The suspension, revocation, or refusal of a license
 10099 issued pursuant to this chapter.

10100 **Section 286. Section 569.002, Florida Statutes, is**

10101 **reordered, to read:**

10102 569.002 Definitions.—As used in this part, the term:

10103 (1) "Any person under the age of 21" does not include any
 10104 person under the age of 21 who:

10105 (a) Is in the military reserve or on active duty in the
 10106 Armed Forces of the United States; or

10107 (b) Is acting in his or her scope of lawful employment
 10108 with an entity licensed under chapter 210 or this part.

10109 (2)~~(1)~~ "Dealer" is synonymous with the term "retail
 10110 tobacco products dealer."

10111 (3)~~(2)~~ "Division" means the Division of Alcoholic
 10112 Beverages and Tobacco of the Department of Business and
 10113 Professional Regulation.

10114 ~~(3) "Nicotine product" has the same meaning as in s.~~
 10115 ~~569.31.~~

10116 (4) "Nicotine dispensing device" has the same meaning as
 10117 in s. 569.31.

10118 (5) "Nicotine product" has the same meaning as in s.
 10119 569.31.

10120 (6)~~(5)~~ "Permit" is synonymous with the term "retail
 10121 tobacco products dealer permit."

10122 (7)~~(6)~~ "Retail tobacco products dealer" means the holder
 10123 of a retail tobacco products dealer permit.

10124 (8)~~(7)~~ "Retail tobacco products dealer permit" means a
 10125 permit issued by the division pursuant to s. 569.003.

10126 ~~(9)~~⁽⁸⁾ "Tobacco products" includes loose tobacco leaves,
10127 and products made from tobacco leaves, in whole or in part, and
10128 cigarette wrappers, which can be used for smoking, sniffing, or
10129 chewing.

10130 ~~(9) "Any person under the age of 21" does not include any~~
10131 ~~person under the age of 21 who:~~

10132 ~~(a) Is in the military reserve or on active duty in the~~
10133 ~~Armed Forces of the United States; or~~

10134 ~~(b) Is acting in his or her scope of lawful employment~~
10135 ~~with an entity licensed under the provisions of chapter 210 or~~
10136 ~~this part.~~

10137 **Section 287. Section 569.006, Florida Statutes, is amended**
10138 **to read:**

10139 569.006 Retail tobacco products dealers; administrative
10140 penalties.—The division may suspend or revoke the permit of the
10141 dealer upon sufficient cause appearing of the violation of ~~any~~
10142 ~~of the provisions of this chapter, or any violation of the laws~~
10143 ~~of this state or any state or territory of the United States~~
10144 ~~including part II of this chapter~~ if the dealer deals, at
10145 retail, in nicotine products within this ~~the~~ state or allows a
10146 nicotine products vending machine to be located on its premises
10147 within this ~~the~~ state, by a dealer or by a dealer's agent or
10148 employee. The division may also assess and accept administrative
10149 fines of up to \$1,000 against a dealer for each violation. The
10150 division shall deposit all fines collected into the General

10151 Revenue Fund as collected. An order imposing an administrative
10152 fine becomes effective 15 days after the date of the order. The
10153 division may suspend the imposition of a penalty against a
10154 dealer, conditioned upon the dealer's compliance with terms the
10155 division considers appropriate.

10156 **Section 288. Section 569.35, Florida Statutes, is amended**
10157 **to read:**

10158 569.35 Retail nicotine product dealers; administrative
10159 penalties.—The division may suspend or revoke the permit of a
10160 dealer, including the retail tobacco products dealer permit of a
10161 retail tobacco products dealer as defined in s. 569.002 ~~s.~~
10162 ~~569.002(4)~~, upon sufficient cause appearing of the violation of
10163 any of the provisions of this part or any violation of the laws
10164 of this state or any state or territory of the United States, by
10165 a dealer, or by a dealer's agent or employee. The division may
10166 also assess and accept an administrative fine of up to \$1,000
10167 against a dealer for each violation. The division shall deposit
10168 all fines collected into the General Revenue Fund as collected.
10169 An order imposing an administrative fine becomes effective 15
10170 days after the date of the order. The division may suspend the
10171 imposition of a penalty against a dealer, conditioned upon the
10172 dealer's compliance with terms the division considers
10173 appropriate.

10174 **Section 289. Paragraphs (e), (f), and (g) of subsection**
10175 **(3) of section 581.217, Florida Statutes, are redesignated as**

10176 paragraphs (f), (g), and (h), respectively, a new paragraph (e)
 10177 is added to that subsection, and paragraphs (e) and (f) are
 10178 added to subsection (11) of that section, to read:

10179 581.217 State hemp program.—

10180 (3) DEFINITIONS.—As used in this section, the term:

10181 (e) "Division" means the Division of Alcoholic Beverages
 10182 and Tobacco of the Department of Business and Professional
 10183 Regulation.

10184 (11) ENFORCEMENT.—

10185 (e) The division may assist any agent of the department in
 10186 enforcing subsection (7) and the rules adopted by the department
 10187 relating to the retail sale of products containing hemp extract
 10188 intended for human ingestion or inhalation.

10189 (f) The division is authorized to enter any public or
 10190 private premises during regular business hours in the
 10191 performance of its duties relating to the retail sale of
 10192 products containing hemp extract intended for human ingestion or
 10193 inhalation.

10194 **Section 290. Paragraph (a) of subsection (3) and paragraph**
 10195 **(c) of subsection (10) of section 20.60, Florida Statutes, are**
 10196 **amended, and paragraph (a) of subsection (5) of that section is**
 10197 **reenacted, to read:**

10198 20.60 Department of Commerce; creation; powers and
 10199 duties.—

10200 (3) (a) The following divisions and offices of the

10201 Department of Commerce are established:

10202 1. The Division of Economic Development.

10203 2. The Division of Community Development.

10204 3. The Division of Workforce Services.

10205 4. The Division of Finance and Administration.

10206 5. The Division of Information Technology.

10207 6. The Office of the Secretary.

10208 7. The Office of Rural Prosperity.

10209 8. The Office of Economic Accountability and Transparency,

10210 which shall:

10211 a. Oversee the department's critical objectives as

10212 determined by the secretary and make sure that the department's

10213 key objectives are clearly communicated to the public.

10214 b. Organize department resources, expertise, data, and

10215 research to focus on and solve the complex economic challenges

10216 facing the state.

10217 c. Provide leadership for the department's priority issues

10218 that require integration of policy, management, and critical

10219 objectives from multiple programs and organizations internal and

10220 external to the department; and organize and manage external

10221 communication on such priority issues.

10222 d. Promote and facilitate key department initiatives to

10223 address priority economic issues and explore data and identify

10224 opportunities for innovative approaches to address such economic

10225 issues.

10226 e. Promote strategic planning for the department.

10227 (5) The divisions within the department have specific

10228 responsibilities to achieve the duties, responsibilities, and

10229 goals of the department. Specifically:

10230 (a) The Division of Economic Development shall:

10231 1. Analyze and evaluate business prospects identified by

10232 the Governor and the secretary.

10233 2. Administer certain tax refund, tax credit, and grant

10234 programs created in law. Notwithstanding any other provision of

10235 law, the department may expend interest earned from the

10236 investment of program funds deposited in the Grants and

10237 Donations Trust Fund to contract for the administration of those

10238 programs, or portions of the programs, assigned to the

10239 department by law, by the appropriations process, or by the

10240 Governor. Such expenditures shall be subject to review under

10241 chapter 216.

10242 3. Develop measurement protocols for the state incentive

10243 programs and for the contracted entities which will be used to

10244 determine their performance and competitive value to the state.

10245 Performance measures, benchmarks, and sanctions must be

10246 developed in consultation with the legislative appropriations

10247 committees and the appropriate substantive committees, and are

10248 subject to the review and approval process provided in s.

10249 216.177. The approved performance measures, standards, and

10250 sanctions shall be included and made a part of the strategic

10251 plan for contracts entered into for delivery of programs
10252 authorized by this section.

10253 4. Develop a 5-year statewide strategic plan. The
10254 strategic plan must include, but need not be limited to:

10255 a. Strategies for the promotion of business formation,
10256 expansion, recruitment, and retention through aggressive
10257 marketing, attraction of venture capital and finance
10258 development, domestic trade, international development, and
10259 export assistance, which lead to more and better jobs and higher
10260 wages for all geographic regions, disadvantaged communities, and
10261 populations of the state, including rural areas, minority
10262 businesses, and urban core areas.

10263 b. The development of realistic policies and programs to
10264 further the economic diversity of the state, its regions, and
10265 their associated industrial clusters.

10266 c. Specific provisions for the stimulation of economic
10267 development and job creation in rural areas and midsize cities
10268 and counties of the state, including strategies for rural
10269 marketing and the development of infrastructure in rural areas.

10270 d. Provisions for the promotion of the successful long-
10271 term economic development of the state with increased emphasis
10272 in market research and information.

10273 e. Plans for the generation of foreign investment in the
10274 state which create jobs paying above-average wages and which
10275 result in reverse investment in the state, including programs

10276 that establish viable overseas markets, assist in meeting the
10277 financing requirements of export-ready firms, broaden
10278 opportunities for international joint venture relationships, use
10279 the resources of academic and other institutions, coordinate
10280 trade assistance and facilitation services, and facilitate
10281 availability of and access to education and training programs
10282 that assure requisite skills and competencies necessary to
10283 compete successfully in the global marketplace.

10284 f. The identification of business sectors that are of
10285 current or future importance to the state's economy and to the
10286 state's global business image, and development of specific
10287 strategies to promote the development of such sectors.

10288 g. Strategies for talent development necessary in the
10289 state to encourage economic development growth, taking into
10290 account factors such as the state's talent supply chain,
10291 education and training opportunities, and available workforce.

10292 h. Strategies and plans to support this state's defense,
10293 space, and aerospace industries and the emerging complementary
10294 business activities and industries that support the development
10295 and growth of defense, space, and aerospace in this state.

10296 5. Update the strategic plan every 5 years.

10297 6. Involve CareerSource Florida, Inc.; direct-support
10298 organizations of the department; local governments; the general
10299 public; local and regional economic development organizations;
10300 other local, state, and federal economic, international, and

10301 workforce development entities; the business community; and
 10302 educational institutions to assist with the strategic plan.

10303 7. Coordinate with the Florida Tourism Industry Marketing
 10304 Corporation in the development of the 4-year marketing plan
 10305 pursuant to s. 288.1226(13).

10306 8. Administer and manage relationships, as appropriate,
 10307 with the entities and programs created pursuant to the Florida
 10308 Capital Formation Act, ss. 288.9621-288.96255.

10309 (10) The department shall, by November 1 of each year,
 10310 submit an annual report to the Governor, the President of the
 10311 Senate, and the Speaker of the House of Representatives on the
 10312 condition of the business climate and economic development in
 10313 the state.

10314 (c) The report must incorporate annual reports of other
 10315 programs, including:

10316 1. A detailed report of the performance of the Black
 10317 Business Loan Program and a cumulative summary of quarterly
 10318 report data required under s. 288.714.

10319 2. ~~The Rural Economic Development Initiative established~~
 10320 ~~under s. 288.0656.~~

10321 ~~3.~~ A detailed report of the performance of the Florida
 10322 Development Finance Corporation and a summary of the
 10323 corporation's report required under s. 288.9610.

10324 ~~3.4.~~ Information provided by Space Florida under s.
 10325 331.3051 and an analysis of the activities and accomplishments

10326 of Space Florida.

10327 **Section 291. Subsection (5) is added to section 163.3168,**
 10328 **Florida Statutes, to read:**

10329 163.3168 Planning innovations and technical assistance.—

10330 (5) When selecting applications for funding for technical
 10331 assistance, the state land planning agency shall give preference
 10332 to local governments located in a rural area of opportunity as
 10333 defined in s. 288.0656. The state land planning agency shall
 10334 consult with the Office of Rural Prosperity when awarding
 10335 funding pursuant to this section.

10336 **Section 292. Paragraph (h) of subsection (1) of section**
 10337 **215.971, Florida Statutes, is amended to read:**

10338 215.971 Agreements funded with federal or state
 10339 assistance.—

10340 (1) An agency agreement that provides state financial
 10341 assistance to a recipient or subrecipient, as those terms are
 10342 defined in s. 215.97, or that provides federal financial
 10343 assistance to a subrecipient, as defined by applicable United
 10344 States Office of Management and Budget circulars, must include
 10345 all of the following:

10346 (h)1. If the agency agreement provides federal or state
 10347 financial assistance to a county or municipality that is a rural
 10348 community or rural area of opportunity as those terms are
 10349 defined in s. 288.0656(2), a provision allowing the agency to
 10350 provide for the payment of invoices to the county, municipality,

10351 or rural area of opportunity as that term is defined in s.
 10352 288.0656(2), for verified and eligible performance that has been
 10353 completed in accordance with the terms and conditions set forth
 10354 in the agreement. This provision is not intended to require
 10355 reimbursement to the county, municipality, or rural area of
 10356 opportunity for invoices paid, but to allow the agency to
 10357 provide for the payment of invoices due. The agency shall
 10358 expedite such payment requests in order to facilitate the timely
 10359 payment of invoices received by the county, municipality, or
 10360 rural area of opportunity. This provision is included to
 10361 alleviate the financial hardships that certain rural counties
 10362 and municipalities encounter when administering agreements, and
 10363 must be exercised by the agency when a county or municipality
 10364 demonstrates financial hardship, to the extent that federal or
 10365 state law, rule, or other regulation allows such payments. This
 10366 paragraph may not be construed to alter or limit any other
 10367 provisions of federal or state law, rule, or other regulation.

10368 2. By August 1, 2026, and each year thereafter, each state
 10369 agency shall report to the Office of Rural Prosperity
 10370 summarizing the implementation of this paragraph for the
 10371 preceding fiscal year. The Office of Rural Prosperity shall
 10372 summarize the information received pursuant to this paragraph in
 10373 its annual report as required in s. 288.013.

10374 **Section 293. Section 218.67, Florida Statutes, is amended**
 10375 **to read:**

10376 218.67 Distribution for fiscally constrained counties.—
 10377 (1) Each county ~~that is entirely within a rural area of~~
 10378 ~~opportunity as designated by the Governor pursuant to s.~~
 10379 ~~288.0656 or each county~~ for which the value of a mill will raise
 10380 no more than \$10 ~~\$5~~ million in revenue, based on the taxable
 10381 value certified pursuant to s. 1011.62(4)(a)1.a., from the
 10382 previous July 1, shall be considered a fiscally constrained
 10383 county.
 10384 (2) Each fiscally constrained county government that
 10385 participates in the local government half-cent sales tax shall
 10386 be eligible to receive an additional distribution ~~from the Local~~
 10387 ~~Government Half-cent Sales Tax Clearing Trust Fund,~~ as provided
 10388 in s. 212.20(6)(d)6. ~~s. 202.18(2)(c)1.~~, in addition to its
 10389 regular monthly distribution provided under this part and any
 10390 emergency or supplemental distribution under s. 218.65.
 10391 (3) The amount to be distributed to each fiscally
 10392 constrained county shall be determined by the Department of
 10393 Revenue at the beginning of the fiscal year, using the prior
 10394 fiscal year's sales and use tax collections from the most recent
 10395 fiscal year that reports 12 months of collections ~~July 1 taxable~~
 10396 ~~value certified pursuant to s. 1011.62(4)(a)1.a., tax data,~~
 10397 population as defined in s. 218.21, and the most current
 10398 calendar year per capita personal income published by the Bureau
 10399 of Economic Analysis of the United States Department of Commerce
 10400 ~~millage rate levied for the prior fiscal year.~~ The amount

10401 distributed shall be allocated based upon the following factors:

10402 (a) The contribution-to-revenue ~~relative revenue raising-~~
10403 ~~capacity~~ factor for each participating county shall equal 100
10404 multiplied by a quotient, the numerator of which is the county's
10405 population and the denominator of which is the state sales and
10406 use tax collections attributable to the county ~~be the ability of~~
10407 ~~the eligible county to generate ad valorem revenues from 1 mill~~
10408 ~~of taxation on a per capita basis. A county that raises no more~~
10409 ~~than \$25 per capita from 1 mill shall be assigned a value of 1;~~
10410 ~~a county that raises more than \$25 but no more than \$30 per~~
10411 ~~capita from 1 mill shall be assigned a value of 0.75; and a~~
10412 ~~county that raises more than \$30 but no more than \$50 per capita~~
10413 ~~from 1 mill shall be assigned a value of 0.5. No value shall be~~
10414 ~~assigned to counties that raise more than \$50 per capita from 1~~
10415 ~~mill of ad valorem taxation.~~

10416 (b) The personal-income ~~local-effort~~ factor shall equal a
10417 quotient, the numerator of which is the median per capita
10418 personal income of participating counties and the denominator of
10419 which is the county's per capita personal income ~~be a measure of~~
10420 ~~the relative level of local effort of the eligible county as~~
10421 ~~indicated by the millage rate levied for the prior fiscal year.~~
10422 ~~The local-effort factor shall be the most recently adopted~~
10423 ~~countywide operating millage rate for each eligible county~~
10424 ~~multiplied by 0.1.~~

10425 (c) Each eligible county's proportional allocation of the

10426 total amount available to be distributed to all of the eligible
 10427 counties shall be in the same proportion as the sum of the
 10428 county's two factors is to the sum of the two factors for all
 10429 eligible counties. The proportional rate computation must be
 10430 carried to the fifth decimal place, and the amount to distribute
 10431 to each county must be rounded to the next whole dollar amount.
 10432 The counties that are eligible to receive an allocation under
 10433 this subsection and the amount available to be distributed to
 10434 such counties do ~~shall~~ not include counties participating in the
 10435 phaseout period under subsection (4) or the amounts they remain
 10436 eligible to receive during the phaseout.

10437 (4) For those counties that no longer qualify under the
 10438 requirements of subsection (1) after the effective date of this
 10439 act, there shall be a 2-year phaseout period. Beginning on July
 10440 1 of the year following the year in which the value of a mill
 10441 for that county exceeds \$10 ~~\$5~~ million in revenue, the county
 10442 shall receive two-thirds of the amount received in the prior
 10443 year, and beginning on July 1 of the second year following the
 10444 year in which the value of a mill for that county exceeds \$10 ~~\$5~~
 10445 million in revenue, the county shall receive one-third of the
 10446 amount received in the last year that the county qualified as a
 10447 fiscally constrained county. Following the 2-year phaseout
 10448 period, the county is ~~shall~~ no longer ~~be~~ eligible to receive any
 10449 distributions under this section unless the county can be
 10450 considered a fiscally constrained county as provided in

10451 subsection (1).
 10452 (5) (a) The revenues received under this section must be
 10453 allocated ~~may be used~~ by a county to be used for the following
 10454 purposes:

10455 1. Fifty percent for public safety, including salary
 10456 expenditures for law enforcement officers or correctional
 10457 officers, as those terms are defined in s. 943.10(1) and (2),
 10458 respectively, firefighters as defined in s. 633.102, or
 10459 emergency medical technicians or paramedics as those terms are
 10460 defined in s. 401.23.

10461 2. Thirty percent for infrastructure needs.

10462 3. Twenty percent for any public purpose.

10463 (b) The revenues received under this section ~~any public~~
 10464 ~~purpose, except that such revenues~~ may not be used to pay debt
 10465 service on bonds, notes, certificates of participation, or any
 10466 other forms of indebtedness.

10467 **Section 294. Subsection (6) is added to section 288.0001,**
 10468 **Florida Statutes, to read:**

10469 288.0001 Economic Development Programs Evaluation.—The
 10470 Office of Economic and Demographic Research and the Office of
 10471 Program Policy Analysis and Government Accountability (OPPAGA)
 10472 shall develop and present to the Governor, the President of the
 10473 Senate, the Speaker of the House of Representatives, and the
 10474 chairs of the legislative appropriations committees the Economic
 10475 Development Programs Evaluation.

10476 (6) (a) The Office of Economic and Demographic Research and
10477 OPPAGA shall prepare a report on the impact of the Florida
10478 Statutes on rural communities. Specifically, the report must
10479 include the following:

10480 1. A review of definitions in the Florida Statutes of
10481 terms such as "rural community," "rural area of opportunity,"
10482 and other similar terms used to define rural areas of this
10483 state, including population-based references, to assess the
10484 adequacy of the current statutory framework in defining these
10485 areas. The analysis must include, but need not be limited to:

10486 a. Evaluation of whether current provisions properly
10487 distinguish these communities or areas from more urban and
10488 suburban parts of this state;

10489 b. Consideration of updates to the definitions and
10490 references to classify additional rural areas, such as growing
10491 communities, unincorporated areas, or rural communities by
10492 design; and

10493 c. Study of appropriate metrics to be used to describe
10494 rural communities or areas, such as population, geographic,
10495 demographic, or other metrics, or combinations thereof.

10496 2. A survey of local governments meeting the statutory
10497 definition of "rural community" or "rural area of opportunity"
10498 to assess the benefits to the local government of being
10499 identified as such and any perceived unmet needs in the
10500 implementation of current statutory provisions designed to

10501 support rural communities or areas.

10502 3. An analysis of state grant programs and recurring
10503 appropriations that explicitly benefit rural communities or
10504 areas, including, but not limited to, program purpose, funding
10505 amounts, participation rates, and consistency with peer-reviewed
10506 studies on effective economic programs for these areas.

10507 (b) Upon request, the Office of Economic and Demographic
10508 Research and OPPAGA must be provided with all data necessary to
10509 complete the report, including any confidential data, by any
10510 entity with information related to this review. The offices may
10511 collaborate on all data collection and analysis.

10512 (c) The Office of Economic and Demographic Research and
10513 OPPAGA shall submit a report to the President of the Senate and
10514 the Speaker of the House of Representatives by December 31,
10515 2025. The report must provide recommendations to address any
10516 findings, including any changes in statutory definitions or
10517 references to rural communities or areas, opportunities to
10518 enhance state support to rural communities or areas, outcome
10519 measures or other criteria that may be used to examine the
10520 effectiveness of state grant programs for rural communities or
10521 areas, and adjustments to program design, including changes to
10522 increase participation in state grant programs for rural
10523 communities or areas.

10524 (d) This subsection expires July 1, 2026.

10525 **Section 295. Present paragraphs (d) and (e) of subsection**

10526 **(7) of section 288.001, Florida Statutes, are redesignated as**
10527 **paragraphs (e) and (f), respectively, and a new paragraph (d) is**
10528 **added to that subsection, to read:**

10529 288.001 The Florida Small Business Development Center
10530 Network.—

10531 (7) ADDITIONAL STATE FUNDS; USES; PAY-PER-PERFORMANCE
10532 INCENTIVES; STATEWIDE SERVICE; SERVICE ENHANCEMENTS; BEST
10533 PRACTICES; ELIGIBILITY.—

10534 (d) Notwithstanding paragraphs (a), (b), and (c), the
10535 network shall use funds directly appropriated for the specific
10536 purpose of expanding service in rural communities, as defined in
10537 s. 288.0656, in addition to any funds allocated by the network
10538 from other sources. The network shall use the funds to develop
10539 an activity plan focused on network consultants and resources in
10540 rural communities. In collaboration with regional economic
10541 development organizations as defined in s. 288.018, the plan
10542 must provide for either full- or part-time consultants to be
10543 available for at least 20 hours per week in rural areas or be
10544 permanently stationed in rural areas. This may include
10545 establishing a circuit in specific rural locations to ensure the
10546 consultants' availability on a regular basis. By using the funds
10547 to create a regular presence in rural areas, the network can
10548 strengthen community collaboration, raise awareness of available
10549 resources to provide opportunities for new business development
10550 or existing business growth, and make professional experience,

10551 education, and business information available in these essential
 10552 communities. The network may dedicate funds to facilitate local
 10553 or regional events that focus on small business topics, provide
 10554 consulting services, and leverage partner organizations, such as
 10555 the regional economic development organizations, local workforce
 10556 development boards as described in s. 445.07, and Florida
 10557 College System institutions.

10558 **Section 296. Section 288.007, Florida Statutes, is amended**
 10559 **to read:**

10560 288.007 Inventory of communities seeking to recruit
 10561 businesses.—By September 30 of each year, a county or
 10562 municipality that has a population of at least 25,000 or its
 10563 local economic development organization, and each local
 10564 government within a rural area of opportunity as defined in s.
 10565 288.0656 or its local economic development organization, shall
 10566 ~~must~~ submit to the department a brief overview of the strengths,
 10567 services, and economic development incentives that its community
 10568 offers. The local government or its local economic development
 10569 organization also shall ~~must~~ identify any industries that it is
 10570 encouraging to locate or relocate to its area. Unless otherwise
 10571 required pursuant to this section, a county or municipality
 10572 having a population of 25,000 or less ~~fewer~~ or its local
 10573 economic development organization seeking to recruit businesses
 10574 may submit information as required in this section and may
 10575 participate in any activity or initiative resulting from the

10576 collection, analysis, and reporting of the information to the
10577 department pursuant to this section.

10578 **Section 297. Section 288.013, Florida Statutes, is created**
10579 **to read:**

10580 288.013 Office of Rural Prosperity.—

10581 (1) The Legislature finds that the unique characteristics
10582 and nature of the rural communities in this state are integral
10583 to making this state an attractive place to visit, work, and
10584 live. Further, the Legislature finds that building a prosperous
10585 rural economy and vibrant rural communities is in the best
10586 interest of this state. Rural prosperity is integral to
10587 supporting this state's infrastructure, housing, and
10588 agricultural and food-processing needs, as well as promoting the
10589 health and advancement of the overall economy of this state. It
10590 is of importance to the state that its rural areas are able to
10591 grow, whether locally or in regional partnerships. To better
10592 serve rural communities, and in recognition of rural Florida's
10593 unique challenges and opportunities, the Office of Rural
10594 Prosperity is established to ensure these efforts are
10595 coordinated, focused, and effective.

10596 (2) The Office of Rural Prosperity is created within the
10597 Department of Commerce for the purpose of supporting rural
10598 communities by helping rural stakeholders navigate available
10599 programs and resources and representing rural interests across
10600 state government.

10601 (3) The Governor shall appoint a director to lead the
10602 office, subject to confirmation by the Senate. The director
10603 shall report to the secretary of the department and shall serve
10604 at the pleasure of the secretary.

10605 (4) The office shall do all of the following:

10606 (a) Serve as the state's point of contact for rural local
10607 governments.

10608 (b) Administer the Rural Economic Development Initiative
10609 (REDI) pursuant to s. 288.0656.

10610 (c) Provide training and technical assistance to rural
10611 local governments on a broad range of community and economic
10612 development activities. The training and technical assistance
10613 may be offered using communications technology or in person and
10614 must be recorded and posted to the office's website. The
10615 training and technical assistance must include, at a minimum,
10616 the following topics:

10617 1. How to access state and federal resources, including
10618 training on the online rural resource directory required under
10619 paragraph (d).

10620 2. Best practices relating to comprehensive planning,
10621 economic development, and land development in rural communities.

10622 3. Strategies to address management and administrative
10623 capacity challenges unique to rural local governments.

10624 4. Requirements of, and updates on recent changes to, the
10625 Community Planning Act under s. 163.3161.

10626 5. Updates on other recent state and federal laws
 10627 affecting rural local governments.

10628 (d) Create and maintain an online rural resource directory
 10629 to serve as an interactive tool to navigate the various state
 10630 and federal resources, tools, and services available to rural
 10631 local governments. The office shall regularly maintain the
 10632 resource directory and, to the greatest extent possible, include
 10633 up-to-date information on state and federal programs, resources,
 10634 tools, and services that address the needs of rural communities
 10635 in all areas of governance. Each state agency shall routinely
 10636 provide information and updates to the office for maintenance of
 10637 the resource directory. The resource directory must allow users
 10638 to search by indicators, such as agency name, resource type, or
 10639 topic, and include a notification function to allow users to
 10640 receive alerts when new or modified resources are available. To
 10641 the greatest extent possible, the resource directory must
 10642 include information on financial match requirements for the
 10643 state and federal programs listed in the directory.

10644 (5) (a) By October 1, 2025, the office shall establish and
 10645 staff seven regional rural community liaison centers across this
 10646 state for the purpose of providing specialized in-person state
 10647 support to local governments in rural areas of opportunity as
 10648 defined in s. 288.0656. The department shall by rule divide this
 10649 state into seven regions and assign a regional rural community
 10650 liaison center to each region. Each liaison center shall support

10651 the local governments within its geographic territory and shall
10652 be staffed with at least two full-time department personnel. At
10653 a minimum, liaison centers shall have the following powers,
10654 duties, and functions:

- 10655 1. Work with local governments to plan and achieve goals
10656 for local or regional growth, economic development, and rural
10657 prosperity.
- 10658 2. Facilitate local government access to state and federal
10659 resources, such as grants, loans, and other aid or resources.
- 10660 3. Advise local governments on available waivers of
10661 program requirements, including financial match waivers or
10662 reductions, for projects using state or federal funds through
10663 the Rural Economic Development Initiative under s. 288.0656.
- 10664 4. Coordinate local government technical assistance needs
10665 with the department and other state or federal agencies.
- 10666 5. Promote model ordinances, policies, and strategies
10667 related to economic development.
- 10668 6. Assist local governments with regulatory and reporting
10669 compliance.

10670 (b) To the greatest extent possible, the regional rural
10671 community liaison centers shall coordinate with local and
10672 regional governmental entities, regional economic development
10673 organizations as defined in s. 288.018, and other appropriate
10674 entities to establish a network to foster community-driven
10675 solutions that promote viable and sustainable rural communities.

10676 (c) The regional rural community liaison centers shall
10677 regularly engage with the Rural Economic Development Initiative
10678 established in s. 288.0656, and at least one staff member from
10679 each liaison center shall attend, either in person or by means
10680 of electronic communication, the monthly meetings required by s.
10681 288.0656(6)(c).

10682 (6) By December 1, 2025, and each year thereafter, the
10683 director of the office shall submit to the Administration
10684 Commission in the Executive Office of the Governor a written
10685 report describing the office's operations and accomplishments
10686 for the preceding year, inclusive of the Rural Economic
10687 Development Initiative report required by s. 288.0656(8). In
10688 consultation with the Department of Agriculture and Consumer
10689 Services, the office shall also include in the annual report
10690 recommendations for policies, programs, and funding to further
10691 support the needs of rural communities in this state. The office
10692 shall submit the annual report to the President of the Senate
10693 and the Speaker of the House of Representatives by December 1 of
10694 each year and publish the annual report on the office's website.
10695 The director shall present, in person at the next scheduled
10696 Administration Commission meeting, detailed information from the
10697 annual report required by this subsection.

10698 (7)(a) The Office of Program Policy Analysis and
10699 Government Accountability (OPPAGA) shall review the
10700 effectiveness of the office by December 15, 2026, and each year

10701 thereafter until 2028. Beginning in 2029, OPPAGA shall review
10702 and evaluate the office every 3 years and shall submit a report
10703 based on its findings. Each report must recommend policy and
10704 statutory modifications for consideration by the Legislature.
10705 OPPAGA shall submit each report to the President of the Senate
10706 and the Speaker of the House of Representatives pursuant to the
10707 schedule.

10708 (b) OPPAGA shall review strategies implemented by other
10709 states on rural community preservation, enhancement, and
10710 revitalization and report on their effectiveness and potential
10711 for implementation in this state. OPPAGA shall include its
10712 findings in its report to the President of the Senate and the
10713 Speaker of the House of Representatives by December 15, 2027,
10714 and every 3 years thereafter.

10715 (c)1. OPPAGA shall review each state-funded or state-
10716 administered grant and loan program available to local
10717 governments to:

10718 a. Identify any specified local government financial match
10719 requirements and whether any portion of a match may be waived or
10720 is required to be waived, pursuant to law, and programs where a
10721 financial match waiver may be appropriate for rural local
10722 government applicants, if not contemplated by law.

10723 b. Identify grant and loan application evaluation
10724 criteria, including scoring procedures, for programs that may be
10725 perceived to be overly burdensome for rural local government

10726 applicants, and whether special accommodations or preferences
 10727 for rural local governments may be appropriate.

10728 2. OPPAGA shall produce a report based on its review and
 10729 submit the report to the President of the Senate and the Speaker
 10730 of the House of Representatives by December 15, 2026.

10731 3. This paragraph expires June 30, 2027.

10732 **Section 298. Section 288.014, Florida Statutes, is created**
 10733 **to read:**

10734 288.014 Renaissance Grants Program.—

10735 (1) The Legislature finds that it has traditionally
 10736 provided programs to assist rural communities with economic
 10737 development and enhance their ability to attract businesses and
 10738 that, by providing that extra component of economic viability,
 10739 rural communities are able to attract new businesses and grow
 10740 existing ones. However, the Legislature finds that a subset of
 10741 rural communities has decreased in population over the past
 10742 decade, contributing to a decline in local business activity and
 10743 economic development. The Legislature further finds that the
 10744 state must transform its assistance to these specific rural
 10745 communities to help them achieve a necessary precursor of
 10746 economic viability. The Legislature further finds that the
 10747 approach intended by the creation of renaissance grants is to
 10748 focus on reversing the economic deterioration in rural
 10749 communities by retaining and attracting residents by giving them
 10750 a reason to stay, which is the impetus of natural economic

10751 growth, business opportunities, and increased quality of life.
10752 (2) The Office of Rural Prosperity within the department
10753 shall administer the Renaissance Grants Program to provide block
10754 grants to eligible counties. By October 1, 2025, the Office of
10755 Economic and Demographic Research shall certify to the Office of
10756 Rural Prosperity which counties are growth-impeded. For the
10757 purposes of this section, "growth-impeded" means a county that,
10758 as of the most recent population estimate, has had a declining
10759 population over the last 10 years. After an initial
10760 certification, the Office of Economic and Demographic Research
10761 shall annually certify whether the county remains growth-
10762 impeded, until the county has 3 consecutive years of population
10763 growth. Upon such certification of population growth, the county
10764 is eligible to participate in the program for 1 additional year
10765 in order for the county to prepare for the end of block grant
10766 funding.

10767 (3) (a) Each participating county shall enter into an
10768 agreement with the Office of Rural Prosperity to receive the
10769 block grant. Each county has broad authority to design its
10770 specific plan to achieve population growth within the broad
10771 parameters identified in this section. The Office of Rural
10772 Prosperity may not determine the manner in which the county
10773 implements the block grant. However, regional rural community
10774 liaison center staff shall provide assistance in developing the
10775 county's plan, upon request.

10776 (b) Each participating county shall report annually to the
10777 Office of Rural Prosperity on activities undertaken,
10778 intergovernmental agreements entered into, and other information
10779 as required by the office.

10780 (c) Subject to appropriation, each participating county
10781 may receive funding from funds appropriated to the program.
10782 Counties participating in the program shall make all attempts to
10783 limit expenses for administrative costs, consistent with the
10784 need for prudent management and accountability in the use of
10785 public funds. Each county may contribute other funds for block
10786 grant purposes, including local, state, or federal grant funds,
10787 or seek out in-kind or financial contributions from private or
10788 public sources to assist in fulfilling the activities
10789 undertaken.

10790 (4) (a) A participating county shall hire and retain a
10791 renaissance coordinator and may use block grant funds for this
10792 purpose. The renaissance coordinator is responsible for:

10793 1. Ensuring that block grant funds are used as provided in
10794 this section;

10795 2. Coordinating with other local governments, school
10796 boards, Florida College System institutions, or other entities;
10797 and

10798 3. Reporting as necessary to the state, including
10799 information necessary pursuant to subsection (7).

10800 (b) The Office of Rural Prosperity regional rural

10801 community liaison center staff shall provide assistance, upon
10802 request, and training to the renaissance coordinator to ensure
10803 successful implementation of the block grant.

10804 (5) A participating county shall design a plan to make
10805 targeted investments in the community to achieve population
10806 growth and increase the economic vitality of the community. The
10807 plan must include the following key features for use of the
10808 state support:

10809 (a) Technology centers with extended hours located within
10810 schools or on school premises, administered by the local school
10811 board, for such schools which provide extended hours and support
10812 for access by students.

10813 (b) Facilities that colocate adult day care with child
10814 care facilities. The site-sharing facilities must be managed to
10815 also provide opportunities for direct interaction between
10816 generations and increase the health and well-being of both
10817 younger and older participants, reduce social isolation, and
10818 create cost and time efficiencies for working family members.
10819 The regional rural community liaison center staff of the Office
10820 of Rural Prosperity shall assist the county, upon request, with
10821 bringing to the Rural Economic Development Initiative or
10822 directly to the appropriate state agency recommendations
10823 necessary to streamline any required state permits, licenses,
10824 regulations, or other requirements.

10825 (c) Technology labs managed in agreement with the nearest

10826 Florida College System institution or a career center as
10827 established under s. 1001.44. Repurposing vacant industrial
10828 sites or existing office space must be given priority in the
10829 selection of lab locations. Each local technology lab must be
10830 staffed and open for extended hours with the capacity to
10831 provide:

- 10832 1. Access to trainers and equipment necessary for users to
10833 earn various certificates or online degrees in technology;
- 10834 2. Hands-on assistance with applying for appropriate
10835 remote work opportunities; and
- 10836 3. Studio space with equipment for graduates and other
10837 qualifying residents to perform remote work that is based on the
10838 use of technology. Collaboration with community partners,
10839 including the local workforce development board as described in
10840 s. 445.007, to provide training opportunities, in-kind support
10841 such as transportation to and from the lab, financing of
10842 equipment for in-home use, or basic maintenance of such
10843 equipment is required.

10844 (6) In addition to the hiring of a renaissance
10845 coordinator, a participating county shall develop
10846 intergovernmental agreements for shared responsibilities with
10847 its municipalities, school board, and Florida College System
10848 institution or career center and enter into necessary contracts
10849 with providers and community partners in order to implement the
10850 plan.

10851 (7) (a) Every 2 years, the Auditor General shall conduct an
 10852 operational audit as defined in s. 11.45 of each county's grant
 10853 activities, beginning in 2026.

10854 (b) On December 31, 2026, and every year thereafter, the
 10855 Office of Economic and Demographic Research shall submit an
 10856 annual report of renaissance block grant recipients by county to
 10857 the President of the Senate and the Speaker of the House of
 10858 Representatives. The report must provide key economic indicators
 10859 that measure progress in altering longer-term trends in the
 10860 county. The Office of Rural Prosperity shall provide the Office
 10861 of Economic and Demographic Research with information as
 10862 requested to complete the report.

10863 (8) Notwithstanding s. 216.301, funds appropriated for the
 10864 purposes of this section are not subject to reversion.

10865 (9) This section expires June 30, 2040.

10866 **Section 299. Section 288.0175, Florida Statutes, is**
 10867 **created to read:**

10868 288.0175 Public Infrastructure Smart Technology Grant
 10869 Program.—

10870 (1) The Public Infrastructure Smart Technology Grant
 10871 Program is established within the Office of Rural Prosperity
 10872 within the department to fund and support the development of
 10873 public infrastructure smart technology projects in communities
 10874 located in rural areas of opportunity, subject to legislative
 10875 appropriation.

10876 (2) As used in this section, the term:

10877 (a) "Public infrastructure smart technology" means systems
10878 and applications that use connectivity, data analytics, and
10879 automation to improve public infrastructure by increasing
10880 efficiency, enhancing public services, and promoting sustainable
10881 development.

10882 (b) "Rural area of opportunity" has the same meaning as in
10883 s. 288.0656.

10884 (c) "Smart technology lead organization" means a not-for-
10885 profit corporation organized under s. 501(c)(3) of the Internal
10886 Revenue Code which has been in existence for at least 3 years
10887 and specializes in smart region planning.

10888 (3)(a) The Office of Rural Prosperity shall contract with
10889 one or more smart technology lead organizations to administer
10890 the grant program for the purpose of deploying public
10891 infrastructure smart technology in rural communities. In
10892 accordance with the terms required by the office, the smart
10893 technology lead organization shall provide grants to counties
10894 and municipalities located within a rural area of opportunity
10895 for public infrastructure smart technology projects.

10896 (b) The office's contract with a smart technology lead
10897 organization must specify the contract deliverables, including
10898 financial reports and other reports due the office, timeframes
10899 for achieving contractual obligations, and any other
10900 requirements the office determines are necessary. The contract

10901 must require the smart technology lead organization to do the
 10902 following:

10903 1. Collaborate with counties and municipalities located in
 10904 rural areas of opportunity to identify opportunities for local
 10905 governments to institute cost-effective smart technology
 10906 solutions for improving public services and infrastructure.

10907 2. Provide technical assistance to counties and
 10908 municipalities located in rural areas of opportunity in
 10909 developing plans for public infrastructure smart technology
 10910 projects.

10911 3. Assist counties and municipalities located in rural
 10912 areas of opportunity in connecting with other communities,
 10913 companies, and other entities to leverage the impact of each
 10914 public infrastructure smart technology project.

10915 (4) The office shall include in its annual report required
 10916 by s. 288.013(6) a description of the projects funded under this
 10917 section.

10918 **Section 300. Subsections (1), (2), and (4) of section**
 10919 **288.018, Florida Statutes, are amended to read:**

10920 288.018 Regional Rural Development Grants Program.—

10921 (1) (a) For the purposes of this section, the term
 10922 "regional economic development organization" means an economic
 10923 development organization located in or contracted to serve a
 10924 rural area of opportunity, as defined in s. 288.0656 ~~s.~~
 10925 ~~288.0656(2)(d).~~

10926 (b) Subject to appropriation, the Office of Rural
10927 Prosperity ~~department~~ shall establish a grant program to provide
10928 funding to regional economic development organizations for the
10929 purpose of building the professional capacity of those
10930 organizations. Building the professional capacity of a regional
10931 economic development organization includes hiring professional
10932 staff to develop, deliver, and provide needed economic
10933 development professional services, including technical
10934 assistance, education and leadership development, marketing, and
10935 project recruitment. Grants may also be used by a regional
10936 economic development organization to provide technical
10937 assistance to local governments, local economic development
10938 organizations, and existing and prospective businesses.

10939 (c) A regional economic development organization may apply
10940 annually to the office ~~department~~ for a grant. The office
10941 ~~department~~ is authorized to approve, on an annual basis, grants
10942 to such regional economic development organizations. Subject to
10943 appropriation, the office may award ~~maximum amount~~ an
10944 organization ~~may receive in any year will be \$50,000, or~~
10945 \$250,000 for any three regional economic development
10946 organizations that serve an entire region of a rural area of
10947 opportunity designated pursuant to s. 288.0656(7) if they are
10948 recognized by the office ~~department~~ as serving such a region.

10949 (2) In approving the participants, the office ~~department~~
10950 shall require the following:

10951 (a) Documentation of official commitments of support from
 10952 each of the units of local government represented by the
 10953 regional organization.

10954 (b) Demonstration that the organization is in existence
 10955 and actively involved in economic development activities serving
 10956 the region.

10957 (c) Demonstration of the manner in which the organization
 10958 is or will coordinate its efforts with those of other local and
 10959 state organizations.

10960 (4) Except as otherwise provided in the General
 10961 Appropriations Act, the office department may expend up to
 10962 \$750,000 each fiscal year from funds appropriated ~~to the Rural~~
 10963 ~~Community Development Revolving Loan Fund~~ for the purposes
 10964 outlined in this section.

10965 **Section 301. Section 288.019, Florida Statutes, is amended**
 10966 **to read:**

10967 288.019 Rural considerations in grant review and
 10968 evaluation processes; financial match waiver or reduction.-

10969 (1) Notwithstanding any other law, and to the fullest
 10970 extent possible, each agency and organization ~~the member~~
 10971 ~~agencies and organizations~~ of the Rural Economic Development
 10972 Initiative (REDI) as defined in s. 288.0656 ~~s. 288.0656(6)(a)~~
 10973 shall review:

10974 (a) All grant and loan application evaluation criteria and
 10975 scoring procedures to ensure the fullest access for rural

10976 communities ~~counties~~ as defined in s. 288.0656 ~~s. 288.0656(2)~~ to
10977 resources available throughout the state; and

10978 (b) The financial match requirements for projects in rural
10979 communities.

10980 (2)(1) Each REDI agency and organization shall consider
10981 the impact on and ability of rural communities to meet and be
10982 competitive under such criteria, scoring, and requirements. Upon
10983 review, each REDI agency and organization shall ~~review all~~
10984 ~~evaluation and scoring procedures~~ and develop a proposal for
10985 modifications to those procedures which minimize the financial
10986 and resource impact to a rural community, including waiver or
10987 reduction of any required financial match requirements ~~impact of~~
10988 ~~a project within a rural area.~~

10989 (a)(2) Evaluation criteria and scoring procedures must
10990 provide for an appropriate ranking, when ranking is a component
10991 of the program, based on the proportionate impact that projects
10992 have on a rural area when compared with similar project impacts
10993 on an urban area. Additionally,

10994 ~~(3)~~ evaluation criteria and scoring procedures must
10995 recognize the disparity of available fiscal resources for an
10996 equal level of financial support from an urban county or
10997 municipality and a rural county or municipality.

10998 ~~(a)~~ The evaluation criteria should weight contribution in
10999 proportion to the amount of funding available at the local
11000 level.

11001 (b) Match requirements must be waived or reduced for rural
11002 communities. When appropriate, an in-kind match ~~must~~ should be
11003 allowed and applied as a financial match when a rural community
11004 county is experiencing economic ~~financial~~ distress as defined in
11005 s. 288.0656 through elevated unemployment at a rate in excess of
11006 the state's average by 5 percentage points or because of the
11007 loss of its ad valorem base. Donations of land, though usually
11008 not recognized as an in-kind match, may be treated as such. As
11009 appropriate, each agency and organization that applies for or
11010 receives federal funding must request federal approval to waive
11011 or reduce the financial match requirements, if any, for projects
11012 in rural communities.

11013 ~~(3)-(4) For existing programs,~~ The proposal modified
11014 evaluation criteria and scoring procedure must be submitted
11015 delivered to the Office of Rural Prosperity department for
11016 distribution to the REDI agencies and organizations. The REDI
11017 agencies and organizations shall review and make comments and
11018 recommendations that. Future rules, programs, evaluation
11019 criteria, and scoring processes must be brought before a REDI
11020 meeting for review, discussion, and recommendation to allow
11021 rural communities ~~counties~~ fuller access to the state's
11022 resources.

11023 (4) Each REDI agency and organization shall ensure that
11024 related administrative rules or policies are modified, as
11025 necessary, to reflect the finalized proposal and that

11026 information about the authorized wavier or reduction is included
 11027 in the online rural resource directory of the Office of Rural
 11028 Prosperity required in s. 288.013(4) (d).

11029 (5) The rural liaison from the related regional district
 11030 shall assist the rural community to make requests of waiver or
 11031 reduction of match.

11032 **Section 302. Subsection (3) is added to section 288.021,**
 11033 **Florida Statutes, to read:**

11034 288.021 Economic development liaison.—

11035 (3) When practicable, the staff member appointed as the
 11036 economic development liaison shall also serve as the agency
 11037 representative for the Rural Economic Development Initiative
 11038 pursuant to s. 288.0656.

11039 **Section 303. Section 288.065, Florida Statutes, is amended**
 11040 **to read:**

11041 288.065 Rural Community Development Revolving Loan Fund.—

11042 (1) The Rural Community Development Revolving Loan Fund
 11043 Program is established within the Office of Rural Prosperity
 11044 ~~department~~ to facilitate the use of existing federal, state, and
 11045 local financial resources by providing local governments with
 11046 financial assistance to further promote the economic viability
 11047 of rural communities. These funds may be used to finance
 11048 initiatives directed toward maintaining or developing the
 11049 economic base of rural communities, especially initiatives
 11050 addressing employment opportunities for residents of these

11051 communities.

11052 (2) (a) The program shall provide for long-term loans, loan
11053 guarantees, and loan loss reserves to units of local
11054 governments, or economic development organizations substantially
11055 underwritten by a unit of local government.~~7~~

11056 (b) For purposes of this section, the term "unit of local
11057 government" means:

11058 1. A county within counties with a population populations
11059 of 75,000 or less. fewer, or within any

11060 2. A county with a population of 125,000 or less fewer
11061 which is contiguous to a county with a population of 75,000 or
11062 less. fewer

11063 3. A municipality within a county described in
11064 subparagraph 1. or subparagraph 2.

11065 4. A county or municipality within a rural area of
11066 opportunity.

11067
11068 For purposes of this paragraph, population is determined in
11069 accordance with the most recent official estimates pursuant to
11070 s. 186.901 and must include those residing in incorporated and
11071 unincorporated areas of a county, based on the most recent
11072 official population estimate as determined under s. 186.901,
11073 including those residing in incorporated areas and those
11074 residing in unincorporated areas of the county, or to units of
11075 local government, or economic development organizations

11076 ~~substantially underwritten by a unit of local government, within~~
11077 ~~a rural area of opportunity.~~

11078 ~~(c)-(b)~~ Requests for loans must ~~shall~~ be made by
11079 application to the office ~~department~~. Loans must ~~shall~~ be made
11080 pursuant to agreements specifying the terms and conditions
11081 agreed to between the applicant and the office ~~department~~. The
11082 loans are ~~shall be~~ the legal obligations of the applicant.

11083 ~~(d)-(e)~~ All repayments of principal and interest shall be
11084 returned to the loan fund and made available for loans to other
11085 applicants. However, in a rural area of opportunity designated
11086 under s. 288.0656 by the Governor, and upon approval by the
11087 office ~~department~~, repayments of principal and interest may be
11088 retained by the applicant if such repayments are dedicated and
11089 matched to fund regionally based economic development
11090 organizations representing the rural area of opportunity.

11091 (3) The office ~~department~~ shall manage the fund,
11092 establishing loan practices that must include, but are not
11093 limited to, procedures for establishing loan interest rates,
11094 uses of funding, application procedures, and application review
11095 procedures. The office has ~~department shall have~~ final approval
11096 authority for any loan under this section.

11097 (4) Notwithstanding ~~the provisions of~~ s. 216.301, funds
11098 appropriated for this loan fund may ~~purpose shall~~ not be subject
11099 to reversion.

11100 (5) The office shall include in its annual report required

11101 under s. 288.013 detailed information about the fund, including
11102 loans made during the previous fiscal year, loans active, loans
11103 terminated or repaid, and the amount of funds not obligated as
11104 of 14 days before the date the report is due.

11105 **Section 304. Subsections (1), (2), and (3) of section**
11106 **288.0655, Florida Statutes, are amended, and subsection (6) is**
11107 **added to that section, to read:**

11108 288.0655 Rural Infrastructure Fund.—

11109 (1) There is created within the Office of Rural Prosperity
11110 ~~department~~ the Rural Infrastructure Fund to facilitate the
11111 planning, preparing, and financing of infrastructure projects in
11112 rural communities which will encourage job creation, capital
11113 investment, and the strengthening and diversification of rural
11114 economies by promoting tourism, trade, and economic development.
11115 Subject to appropriation, grants under this program may be
11116 awarded to a unit of local government within a rural community
11117 or rural area of opportunity as defined in s. 288.0656; or to a
11118 regional economic development organization, a unit of local
11119 government, or an economic development organization
11120 substantially underwritten by a unit of local government for an
11121 infrastructure project located within an unincorporated area
11122 that has a population of 15,000 or less, has been in existence
11123 for 100 years or more, is contiguous to a rural community, and
11124 has been adversely affected by a natural disaster or presents a
11125 unique economic development opportunity of regional impact.

11126 (2) (a) Funds appropriated by the Legislature shall be
 11127 distributed by the office ~~department~~ through grant programs that
 11128 maximize the use of federal, local, and private resources,
 11129 including, but not limited to, those available under the Small
 11130 Cities Community Development Block Grant Program.

11131 (b) To facilitate access of rural communities and rural
 11132 areas of opportunity as defined by the Rural Economic
 11133 Development Initiative to infrastructure funding programs of the
 11134 Federal Government, such as those offered by the United States
 11135 Department of Agriculture and the United States Department of
 11136 Commerce, and state programs, including those offered by Rural
 11137 Economic Development Initiative agencies, and to facilitate
 11138 local government or private infrastructure funding efforts, the
 11139 office ~~department~~ may award grants for up to 75 percent of the
 11140 total infrastructure project cost, or up to 100 percent of the
 11141 total infrastructure project cost for a project located in a
 11142 rural community as defined in s. 288.0656(2) which is also
 11143 located in a fiscally constrained county as defined in s.
 11144 218.67(1) or a rural area of opportunity as defined in s.
 11145 288.0656(2). Eligible uses of funds may include improving any
 11146 inadequate infrastructure that has resulted in regulatory action
 11147 that prohibits economic or community growth and reducing the
 11148 costs to community users of proposed infrastructure improvements
 11149 that exceed such costs in comparable communities. Eligible uses
 11150 of funds include improvements to public infrastructure for

11151 industrial or commercial sites and upgrades to or development of
11152 public tourism infrastructure. Authorized infrastructure may
11153 include the following public or public-private partnership
11154 facilities: storm water systems; telecommunications facilities;
11155 roads or other remedies to transportation impediments; nature-
11156 based tourism facilities; or other physical requirements
11157 necessary to facilitate tourism, trade, and economic development
11158 activities in the community. Authorized infrastructure may also
11159 include publicly or privately owned self-powered nature-based
11160 tourism facilities, publicly owned telecommunications
11161 facilities, and additions to the distribution facilities of the
11162 existing natural gas utility as defined in s. 366.04(3)(c), the
11163 existing electric utility as defined in s. 366.02, or the
11164 existing water or wastewater utility as defined in s.
11165 367.021(12), or any other existing water or wastewater facility,
11166 which owns a gas or electric distribution system or a water or
11167 wastewater system in this state when:

11168 1. A contribution-in-aid of construction is required to
11169 serve public or public-private partnership facilities under the
11170 tariffs of any natural gas, electric, water, or wastewater
11171 utility as defined herein; and

11172 2. Such utilities as defined herein are willing and able
11173 to provide such service.

11174 (c) The office ~~department~~ may award grants of up to
11175 \$300,000 for infrastructure feasibility studies, design and

11176 engineering activities, or other infrastructure planning and
11177 preparation or site readiness activities. Site readiness
11178 expenses may include clearing title, surveys, permitting,
11179 environmental studies, and regulatory compliance costs. Grants
11180 awarded under this paragraph may be used in conjunction with
11181 grants awarded under paragraph (b). In evaluating applications
11182 under this paragraph, the office ~~department~~ shall consider the
11183 extent to which the application seeks to minimize administrative
11184 and consultant expenses.

11185 (d) The office ~~department~~ shall participate in a
11186 memorandum of agreement with the United States Department of
11187 Agriculture under which state funds available through the Rural
11188 Infrastructure Fund may be advanced, in excess of the prescribed
11189 state share, for a project that has received from the United
11190 States Department of Agriculture a preliminary determination of
11191 eligibility for federal financial support. State funds in excess
11192 of the prescribed state share which are advanced pursuant to
11193 this paragraph and the memorandum of agreement shall be
11194 reimbursed when funds are awarded under an application for
11195 federal funding.

11196 (e) To enable local governments to access the resources
11197 available pursuant to s. 403.973(17), the office ~~department~~ may
11198 award grants for surveys, feasibility studies, and other
11199 activities related to the identification and preclearance review
11200 of land which is suitable for preclearance review. Authorized

11201 grants under this paragraph may not exceed \$75,000 each, except
11202 in the case of a project in a rural area of opportunity, in
11203 which case the grant may not exceed \$300,000. Any funds awarded
11204 under this paragraph must be matched at a level of 50 percent
11205 with local funds, except that any funds awarded for a project in
11206 a rural area of opportunity do not require a match of local
11207 funds. ~~If an application for funding is for a catalyst site, as~~
11208 ~~defined in s. 288.0656, the requirement for local match may be~~
11209 ~~waived pursuant to the process in s. 288.06561.~~ In evaluating
11210 applications under this paragraph, the office ~~department~~ shall
11211 consider the extent to which the application seeks to minimize
11212 administrative and consultant expenses.

11213 (3) The office ~~department~~, in consultation with the
11214 Department of Transportation ~~Florida Tourism Industry Marketing~~
11215 ~~Corporation~~, the Department of Environmental Protection, and the
11216 Florida Fish and Wildlife Conservation Commission, as
11217 appropriate, shall review and certify applications pursuant to
11218 s. 288.061. The review must include an evaluation of the
11219 economic benefit and long-term viability. The office has
11220 ~~department shall have~~ final approval for any grant under this
11221 section.

11222 (6) The office shall include in its annual report required
11223 under s. 288.013 detailed information about the fund, including
11224 grants made for the year, grants active, grants terminated or
11225 complete, and the amount of funds not obligated as of 14 days

11226 | before the date the report is due.

11227 | **Section 305. Subsection (1), paragraphs (a), (b), and (e)**
 11228 | **of subsection (2), subsections (3) and (6), paragraphs (b) and**
 11229 | **(c) of subsection (7), and subsection (8) of section 288.0656,**
 11230 | **Florida Statutes, are amended to read:**

11231 | 288.0656 Rural Economic Development Initiative.—

11232 | (1)(a) Recognizing that rural communities and regions
 11233 | continue to face extraordinary challenges in their efforts to
 11234 | significantly improve their economies, specifically in terms of
 11235 | personal income, job creation, average wages, and strong tax
 11236 | bases, it is the intent of the Legislature to encourage and
 11237 | facilitate the location and expansion of major economic
 11238 | development projects of significant scale in such rural
 11239 | communities. The Legislature finds that rural communities are
 11240 | the essential conduits for the economy's distribution,
 11241 | manufacturing, and food supply.

11242 | (b) The Rural Economic Development Initiative, known as
 11243 | "REDI," is created within the Office of Rural Prosperity
 11244 | ~~department,~~ and all the participation of state and regional
 11245 | agencies listed in paragraph (6)(a) shall participate in this
 11246 | initiative ~~is authorized.~~

11247 | (2) As used in this section, the term:

11248 | ~~(a) "Catalyst project" means a business locating or~~
 11249 | ~~expanding in a rural area of opportunity to serve as an economic~~
 11250 | ~~generator of regional significance for the growth of a regional~~

11251 ~~target industry cluster. The project must provide capital~~
11252 ~~investment on a scale significant enough to affect the entire~~
11253 ~~region and result in the development of high-wage and high-skill~~
11254 ~~jobs.~~

11255 ~~(b) "Catalyst site" means a parcel or parcels of land~~
11256 ~~within a rural area of opportunity that has been prioritized as~~
11257 ~~a geographic site for economic development through partnerships~~
11258 ~~with state, regional, and local organizations. The site must be~~
11259 ~~reviewed by REDI and approved by the department for the purposes~~
11260 ~~of locating a catalyst project.~~

11261 ~~(c)(e)~~ "Rural community" means:

11262 1. A county with a population of 75,000 or less ~~fewer~~.

11263 2. A county with a population of 125,000 or less ~~fewer~~
11264 which is contiguous to a county with a population of 75,000 or
11265 less ~~fewer~~.

11266 3. A municipality within a county described in
11267 subparagraph 1. or subparagraph 2.

11268 4. An unincorporated federal enterprise community or an
11269 incorporated rural city with a population of 25,000 or less
11270 ~~fewer~~ and an employment base focused on traditional agricultural
11271 or resource-based industries, located in a county not defined as
11272 rural, which has at least three or more of the economic distress
11273 factors identified in paragraph (a) ~~paragraph (e)~~ and verified
11274 by the office ~~department~~.

11275

11276 For purposes of this paragraph, population shall be determined
 11277 in accordance with the most recent official estimate pursuant to
 11278 s. 186.901.

11279 (3) REDI shall be responsible for coordinating and
 11280 focusing the efforts and resources of state and regional
 11281 agencies on the problems which affect the fiscal, economic, and
 11282 community viability of Florida's ~~economically distressed~~ rural
 11283 communities, working with local governments, community-based
 11284 organizations, and private organizations that have an interest
 11285 in the growth and development of these communities to find ways
 11286 to balance environmental and growth management issues with local
 11287 needs.

11288 (6) (a) By August 1 of each year, the head of each of the
 11289 following agencies and organizations shall designate a deputy
 11290 secretary or higher-level staff person from within the agency or
 11291 organization to serve as the REDI representative for the agency
 11292 or organization:

- 11293 1. The Department of Transportation.
- 11294 2. The Department of Environmental Protection.
- 11295 3. The Department of Agriculture and Consumer Services.
- 11296 4. The Department of State.
- 11297 5. The Department of Health.
- 11298 6. The Department of Children and Families.
- 11299 7. The Department of Corrections.
- 11300 8. The Department of Education.

- 11301 9. The Department of Juvenile Justice.
- 11302 10. The Fish and Wildlife Conservation Commission.
- 11303 11. Each water management district.
- 11304 12. CareerSource Florida, Inc.
- 11305 13. VISIT Florida.
- 11306 14. The Florida Regional Planning Council Association.
- 11307 15. The Agency for Health Care Administration.
- 11308 16. The Institute of Food and Agricultural Sciences

11309 (IFAS).

11310 (b) An alternate for each designee must ~~shall~~ also be
 11311 chosen, who must also be a deputy secretary or higher-level
 11312 staff person, and the names of the designees and alternates must
 11313 ~~shall~~ be reported ~~sent~~ to the director of the Office of Rural
 11314 Prosperity. At least one rural liaison from each regional rural
 11315 community liaison center must participate in the REDI meetings
 11316 ~~Secretary of Commerce.~~

11317 (c) REDI shall meet at least each month, but may meet more
 11318 often as necessary. Each REDI representative, or his or her
 11319 designee, shall be physically present or available by means of
 11320 electronic communication for each meeting.

11321 (d) ~~(b)~~ Each REDI representative must have comprehensive
 11322 knowledge of his or her agency's functions, both regulatory and
 11323 service in nature, and of the state's economic goals, policies,
 11324 and programs. This person shall be the primary point of contact
 11325 for his or her agency with REDI on issues and projects relating

11326 to ~~economically distressed~~ rural communities and with regard to
11327 expediting project review, shall ensure a prompt effective
11328 response to problems arising with regard to rural issues, and
11329 shall work closely with the other REDI representatives in the
11330 identification of opportunities for preferential awards of
11331 program funds, contractual or other agreement provisions which
11332 meet the requirements of s. 215.971, and allowances and waiver
11333 of program requirements when necessary to encourage and
11334 facilitate ~~long-term private~~ capital investment and job
11335 creation.

11336 (e)~~(e)~~ The REDI representatives shall work with REDI in
11337 the review and evaluation of statutes and rules for adverse
11338 impact on rural communities and the development of alternative
11339 proposals to mitigate that impact.

11340 (f)~~(d)~~ Each REDI representative shall be responsible for
11341 ensuring that each district office or facility of his or her
11342 agency is informed quarterly about the Rural Economic
11343 Development Initiative and for providing assistance throughout
11344 the agency in the implementation of REDI activities.

11345 (7)

11346 (b) Designation as a rural area of opportunity under this
11347 subsection shall be contingent upon the execution of a
11348 memorandum of agreement among the office ~~department~~; the
11349 governing body of the county; and the governing bodies of any
11350 municipalities to be included within a rural area of

11351 opportunity. Such agreement shall specify the terms and
11352 conditions of the designation, including, but not limited to,
11353 the duties and responsibilities of the county and any
11354 participating municipalities to take actions designed to
11355 facilitate the retention and expansion of existing businesses in
11356 the area, as well as the recruitment of new businesses to the
11357 area.

11358 ~~(c) Each rural area of opportunity may designate catalyst~~
11359 ~~projects, provided that each catalyst project is specifically~~
11360 ~~recommended by REDI and confirmed as a catalyst project by the~~
11361 ~~department. All state agencies and departments shall use all~~
11362 ~~available tools and resources to the extent permissible by law~~
11363 ~~to promote the creation and development of each catalyst project~~
11364 ~~and the development of catalyst sites.~~

11365 (8) REDI shall submit a report to the Office of Rural
11366 Prosperity ~~department~~ on all REDI activities for the previous
11367 fiscal year as a supplement to the office's ~~department's~~ annual
11368 report required under s. 288.013 ~~s. 20.60~~. This supplementary
11369 report must include:

11370 (a) A status report on every project ~~all projects~~
11371 currently being coordinated through REDI, the number of
11372 preferential awards and allowances made pursuant to this section
11373 in detail by award, allowance, or match type, the dollar amount
11374 of such awards, and the names of the recipients.

11375 (b) A description of all waivers of program requirements

11376 | granted, including a list by program of each waiver that was
 11377 | granted. If waivers were requested but were not granted, a list
 11378 | of ungranted waivers, including reasons why the waivers were not
 11379 | granted, must be included.

11380 | (c) Detailed information as to the economic impact of the
 11381 | projects coordinated by REDI.

11382 | (d) Recommendations based on the review and evaluation of
 11383 | statutes and rules having an adverse impact on rural communities
 11384 | and proposals to mitigate such adverse impacts.

11385 | (e) Legislative recommendations for statutory waivers or
 11386 | reductions of specified economic development program
 11387 | requirements, including financial match waivers or reductions,
 11388 | for applicants within rural areas of opportunity.

11389 | (f) Outcomes of proposals submitted pursuant to s.
 11390 | 288.019.

11391 | **Section 306.** Section 288.06561, Florida Statutes, is
 11392 | repealed.

11393 | **Section 307. Subsections (2), (3), and (4) of section**
 11394 | **288.0657, Florida Statutes, are amended to read:**

11395 | 288.0657 Florida rural economic development strategy
 11396 | grants.—

11397 | (2) The Office of Rural Prosperity shall provide
 11398 | ~~department may accept and administer moneys appropriated to the~~
 11399 | ~~department for providing~~ grants to assist rural communities to
 11400 | develop and implement strategic economic development plans.

11401 Grants may be provided to assist with costs associated with
11402 marketing a site to business and site selectors for an economic
11403 development project that is part of an economic development
11404 plan, either as part of funding to develop and implement a plan
11405 or related to an already adopted plan.

11406 (3) A rural community, an economic development
11407 organization in a rural area, or a regional organization
11408 representing at least one rural community or such economic
11409 development organizations may apply for such grants. The rural
11410 liaison for the rural community shall assist those applying for
11411 such grants.

11412 (4) The office ~~department~~ shall establish criteria for
11413 reviewing grant applications. These criteria must ~~shall~~ include,
11414 but are not limited to, the degree of participation and
11415 commitment by the local community and the application's
11416 consistency with local comprehensive plans or the application's
11417 proposal to ensure such consistency. Grants for marketing may
11418 include funding for advertising campaign materials and costs
11419 associated with meetings, trade missions, and professional
11420 development affiliated with site preparation and marketing. The
11421 office ~~department~~ shall review each application for a grant. ~~The~~
11422 ~~department may approve grants only to the extent that funds are~~
11423 ~~appropriated for such grants by the Legislature.~~

11424 **Section 308. Paragraph (a) of subsection (13) of section**
11425 **288.1226, Florida Statutes, is amended to read:**

11426 288.1226 Florida Tourism Industry Marketing Corporation;
 11427 use of property; board of directors; duties; audit.—
 11428 (13) FOUR-YEAR MARKETING PLAN.—
 11429 (a) The corporation shall, in collaboration with the
 11430 department, develop a 4-year marketing plan. At a minimum, the
 11431 marketing plan must discuss the following:
 11432 1. Continuation of overall tourism growth in this state.
 11433 2. Expansion to new or under-represented tourist markets.
 11434 3. Maintenance of traditional and loyal tourist markets.
 11435 4. Coordination of efforts with county destination
 11436 marketing organizations, other local government marketing
 11437 groups, privately owned attractions and destinations, and other
 11438 private sector partners to create a seamless, four-season
 11439 advertising campaign for the state and its regions.
 11440 5. Development of innovative techniques or promotions to
 11441 build repeat visitation by targeted segments of the tourist
 11442 population.
 11443 6. Consideration of innovative sources of state funding
 11444 for tourism marketing.
 11445 7. Promotion of nature-based tourism, including, but not
 11446 limited to, promotion of the Florida Greenways and Trails System
 11447 as described under s. 260.014 and the Florida Shared-Use
 11448 Nonmotorized Trail Network as described under s. 339.81.
 11449 8. Coordination of efforts with the Office of Greenways
 11450 and Trails of the Department of Environmental Protection and the

11451 department to promote and assist local communities, including,
 11452 but not limited to, communities designated as trail towns by the
 11453 Office of Greenways and Trails, to maximize use of nearby trails
 11454 as economic assets, including specific promotion of trail-based
 11455 tourism.

11456 9. Promotion of heritage tourism.

11457 10. Development of a component to address emergency
 11458 response to natural and manmade disasters from a marketing
 11459 standpoint.

11460 11. Provision of appropriate marketing assistance
 11461 resources to small, rural, and agritourism businesses located in
 11462 this state. Such resources may include, but are not limited to,
 11463 marketing plans, marketing assistance, promotional support,
 11464 media development, technical expertise, marketing advice,
 11465 technology training, and social marketing support.

11466 **Section 309.** Section 288.12266, Florida Statutes, is
 11467 repealed.

11468 **Section 310. Paragraph (f) of subsection (2) and**
 11469 **paragraphs (a), (b), and (c) of subsection (4) of section**
 11470 **288.9961, Florida Statutes, are amended, and subsections (6) and**
 11471 **(7) are added to that section, to read:**

11472 288.9961 Promotion of broadband adoption; Florida Office
 11473 of Broadband.—

11474 (2) DEFINITIONS.—As used in this section, the term:

11475 (f) "Underserved" means a geographic area of this state in

11476 | which there is no provider of broadband Internet service that
11477 | offers a connection to the Internet with a capacity for
11478 | transmission at a consistent speed of at least 100 megabits per
11479 | second downstream and at least 20 ~~10~~ megabits per second
11480 | upstream.

11481 | (4) FLORIDA OFFICE OF BROADBAND.—The Florida Office of
11482 | Broadband is created within the Division of Community
11483 | Development in the department for the purpose of developing,
11484 | marketing, and promoting broadband Internet services in this
11485 | state. The office, in the performance of its duties, shall do
11486 | all of the following:

11487 | (a) Create a strategic plan that has goals and strategies
11488 | for increasing and improving the availability of, access to, and
11489 | use of broadband Internet service in this state. In development
11490 | of the plan, the department shall incorporate applicable federal
11491 | broadband activities, including any efforts or initiatives of
11492 | the Federal Communications Commission, to improve broadband
11493 | Internet service in this state. The plan must identify available
11494 | federal funding sources for the expansion or improvement of
11495 | broadband. The strategic plan must be submitted to the Governor,
11496 | the President of the Senate, and the Speaker of the House of
11497 | Representatives by June 30, 2022. The strategic plan must be
11498 | updated biennially thereafter. The plan must include a process
11499 | to review and verify public input regarding transmission speeds
11500 | and availability of broadband Internet service throughout this

11501 state. The office shall consult with each regional rural
11502 community liaison center within the Office of Rural Prosperity
11503 on the development and update of the plan.

11504 (b) Build and facilitate local technology planning teams
11505 or partnerships with members representing cross-sections of the
11506 community, which may include, but are not limited to,
11507 representatives from the following organizations and industries:
11508 libraries, K-12 education, colleges and universities, local
11509 health care providers, private businesses, community
11510 organizations, economic development organizations, local
11511 governments, tourism, parks and recreation, and agriculture. The
11512 local technology planning teams or partnerships shall work with
11513 rural communities to help the communities understand their
11514 current broadband availability, locate unserved and underserved
11515 businesses and residents, identify assets relevant to broadband
11516 deployment, build partnerships with broadband service providers,
11517 and identify opportunities to leverage assets and reduce
11518 barriers to the deployment of broadband Internet services in the
11519 community. The teams or partnerships must be proactive in rural
11520 communities as defined in s. 288.0656 ~~fiscally constrained~~
11521 ~~counties~~ in identifying and providing assistance, in
11522 coordination with the regional rural community liaison centers
11523 within the Office of Rural Prosperity, with applying for federal
11524 grants for broadband Internet service.

11525 (c) Provide technical and planning assistance to rural

11526 communities in coordination with the regional rural community
11527 liaison centers within the Office of Rural Prosperity.

11528 (6) The office shall submit to the Governor, the President
11529 of the Senate, and the Speaker of the House of Representatives a
11530 quarterly report detailing the implementation of broadband
11531 activities in rural, unserved, and underserved communities. Such
11532 information must be listed by county and include the amount of
11533 state and federal funds allocated and expended in the county by
11534 program; the progress toward deploying broadband in the county;
11535 any technical assistance provided; the activities of the local
11536 technology planning teams and partnerships; and the fulfillment
11537 of any other duties of the office required by this part.

11538 (7) By December 31 each year, the office shall submit to
11539 the Governor, the President of the Senate, and the Speaker of
11540 the House of Representatives an annual report on the office's
11541 operations and accomplishments for that calendar year and the
11542 status of broadband Internet service access and use in this
11543 state. The report must also incorporate the quarterly reports on
11544 rural, unserved, and underserved communities required by
11545 subsection (6).

11546 **Section 311.** Section 290.06561, Florida Statutes, is
11547 repealed.

11548 **Section 312. Subsection (37) is added to section 334.044,**
11549 **Florida Statutes, to read:**

11550 334.044 Powers and duties of the department.—The

11551 department shall have the following general powers and duties:

11552 (37) To provide technical assistance and support from the
11553 appropriate district of the department to counties that are not
11554 located in a metropolitan planning organization created pursuant
11555 to s. 339.175.

11556 **Section 313. Section 339.0801, Florida Statutes, is**
11557 **amended to read:**

11558 339.0801 Allocation of increased revenues derived from
11559 amendments to s. 319.32(5)(a) ~~by ch. 2012-128.~~

11560 (1) Funds that result from increased revenues to the State
11561 Transportation Trust Fund derived from the amendments to s.
11562 319.32(5)(a) made by s. 11, chapter 2012-128, Laws of Florida,
11563 ~~this act~~ must be used annually, first as set forth in paragraph
11564 (a) subsection (1) and then as set forth in paragraphs (b), (c),
11565 and (d) subsections (2) (4), notwithstanding any other provision
11566 of law:

11567 (a)1.(1)(a) Beginning in the 2013-2014 fiscal year and
11568 annually for 30 years thereafter, \$10 million shall be for the
11569 purpose of funding any seaport project identified in the adopted
11570 work program of the Department of Transportation, to be known as
11571 the Seaport Investment Program.

11572 2.(b) The revenues may be assigned, pledged, or set aside
11573 as a trust for the payment of principal or interest on revenue
11574 bonds, or other forms of indebtedness issued by an individual
11575 port or appropriate local government having jurisdiction

11576 | thereof, or collectively by interlocal agreement among any of
11577 | the ports, or used to purchase credit support to permit such
11578 | borrowings. Alternatively, revenue bonds shall be issued by the
11579 | Division of Bond Finance at the request of the Department of
11580 | Transportation under the State Bond Act and shall be secured by
11581 | such revenues as are provided in this subsection.

11582 | 3.~~(e)~~ Revenue bonds or other indebtedness issued hereunder
11583 | are not a general obligation of the state and are secured solely
11584 | by a first lien on the revenues distributed under this
11585 | subsection.

11586 | 4.~~(d)~~ The state covenants with holders of the revenue
11587 | bonds or other instruments of indebtedness issued pursuant to
11588 | this subsection that it will not repeal this subsection; nor
11589 | take any other action, including but not limited to amending
11590 | this subsection, that will materially and adversely affect the
11591 | rights of such holders so long as revenue bonds or other
11592 | indebtedness authorized by this subsection are outstanding.

11593 | 5.~~(e)~~ The proceeds of any revenue bonds or other
11594 | indebtedness, after payment of costs of issuance and
11595 | establishment of any required reserves, shall be invested in
11596 | projects approved by the Department of Transportation and
11597 | included in the department's adopted work program, by amendment
11598 | if necessary. As required under s. 11(f), Art. VII of the State
11599 | Constitution, the Legislature approves projects included in the
11600 | department's adopted work program, including any projects added

11601 to the work program by amendment under s. 339.135(7).

11602 6.~~(f)~~ Any revenues that are not used for the payment of
11603 bonds as authorized by this subsection may be used for purposes
11604 authorized under the Florida Seaport Transportation and Economic
11605 Development Program. This revenue source is in addition to any
11606 amounts provided for and appropriated in accordance with ss.
11607 311.07 and 320.20(3) and (4).

11608 (b)~~(2)~~ Beginning in the 2013-2014 fiscal year and annually
11609 thereafter, \$10 million shall be transferred to the
11610 Transportation Disadvantaged Trust Fund, to be used as specified
11611 in s. 427.0159.

11612 (c)~~(3)~~ Beginning in the 2013-2014 fiscal year and annually
11613 thereafter, \$10 million shall be allocated to the Small County
11614 Outreach Program to be used as specified in s. 339.2818. These
11615 funds are in addition to the funds provided for the program
11616 pursuant to s. 201.15(4)(a)2.

11617 (d)~~(4)~~ After the distributions required pursuant to
11618 paragraphs (a), (b), and (c) ~~subsections (1)-(3)~~, the remaining
11619 funds shall be used annually for transportation projects within
11620 this state for existing or planned strategic transportation
11621 projects which connect major markets within this state or
11622 between this state and other states, which focus on job
11623 creation, and which increase this state's viability in the
11624 national and global markets.

11625 (2) The remaining funds that result from increased revenue

11626 to the State Transportation Trust Fund derived pursuant to s.
 11627 319.32(5)(a) must be used annually, notwithstanding any other
 11628 law, beginning in the 2025-2026 fiscal year and annually
 11629 thereafter, for the Small County Road Assistance Program as
 11630 prescribed in s. 339.2816.

11631 (3)~~(5)~~ Pursuant to s. 339.135(7), the department shall
 11632 amend the work program to add the projects provided for in this
 11633 section.

11634 **Section 314. Subsection (3) and paragraph (a) of**
 11635 **subsection (4) of section 339.2816, Florida Statutes, are**
 11636 **amended, and paragraph (c) of subsection (4) of that section is**
 11637 **reenacted, to read:**

11638 339.2816 Small County Road Assistance Program.—

11639 (3) Subject to appropriation, beginning with fiscal year
 11640 ~~1999-2000 until fiscal year 2009-2010, and beginning again with~~
 11641 ~~fiscal year 2012-2013, up to \$25 million annually from the State~~
 11642 ~~Transportation Trust Fund~~ must ~~may~~ be used for the purposes of
 11643 funding the Small County Road Assistance Program as described in
 11644 this section. In addition, beginning with fiscal year 2025-2026,
 11645 the department must use the additional revenues allocated by s.
 11646 339.0801 for the Small County Road Assistance Program.

11647 (4) (a) Small counties shall be eligible to compete for
 11648 funds that have been designated for the Small County Road
 11649 Assistance Program for resurfacing or reconstruction projects on
 11650 county roads that were part of the county road system on June

11651 10, 1995. Capacity improvements on county roads are ~~shall~~ not be
11652 eligible for funding under the program unless a safety issue
11653 exists or the department finds it necessary to widen existing
11654 lanes as part of a resurfacing or reconstruction project.

11655 (c) The following criteria must be used to prioritize road
11656 projects for funding under the program:

11657 1. The primary criterion is the physical condition of the
11658 road as measured by the department.

11659 2. As secondary criteria the department may consider:

11660 a. Whether a road is used as an evacuation route.

11661 b. Whether a road has high levels of agricultural travel.

11662 c. Whether a road is considered a major arterial route.

11663 d. Whether a road is considered a feeder road.

11664 e. Whether a road is located in a fiscally constrained
11665 county, as defined in s. 218.67(1).

11666 f. Other criteria related to the impact of a project on
11667 the public road system or on the state or local economy as
11668 determined by the department.

11669 **Section 315. Subsection (3) of section 339.2817, Florida**
11670 **Statutes, is amended, and a new subsection (6) is added to that**
11671 **section, to read:**

11672 339.2817 County Incentive Grant Program.—

11673 (3) The department must consider, but is not limited to,
11674 the following criteria for evaluation of projects for County
11675 Incentive Grant Program assistance:

11676 (a) The extent to which the project will encourage,
 11677 enhance, or create economic benefits;

11678 (b) The likelihood that assistance would enable the
 11679 project to proceed at an earlier date than the project could
 11680 otherwise proceed;

11681 (c) The extent to which assistance would foster innovative
 11682 public-private partnerships and attract private debt or equity
 11683 investment;

11684 (d) The extent to which the project uses new technologies,
 11685 including intelligent transportation systems, which enhance the
 11686 efficiency of the project;

11687 (e) The extent to which the project enhances connectivity
 11688 between rural agricultural areas and market distribution
 11689 centers;

11690 (f)~~(e)~~ The extent to which the project helps to maintain
 11691 or protect the environment; and

11692 (g)~~(f)~~ The extent to which the project includes
 11693 transportation benefits for improving intermodalism and safety.

11694 (6) Beginning in the 2025-2026 fiscal year, the department
 11695 shall give priority to a county located either wholly or
 11696 partially within the Everglades Agricultural Area as defined in
 11697 s. 373.4592(15) which, notwithstanding subsection (4), requests
 11698 100 percent of the project costs for an eligible project that
 11699 meets the criteria established in paragraph (3) (e). Requests
 11700 under this subsection are subject to appropriation and limited

11701 to \$15 million annually. This subsection expires July 1, 2031.

11702 **Section 316. Subsections (1), (2), (3), (6), (7), and (8)**
 11703 **of section 339.2818, Florida Statutes, are amended to read:**

11704 339.2818 Small County Outreach Program.—

11705 (1) There is created within the department ~~of~~
 11706 ~~Transportation~~ the Small County Outreach Program. The purpose of
 11707 this program is to assist small county governments in repairing
 11708 or rehabilitating county bridges, paving unpaved roads,
 11709 addressing road-related drainage improvements, resurfacing or
 11710 reconstructing county roads, or constructing capacity or safety
 11711 improvements to county roads.

11712 (2) For the purposes of this section, the term "small
 11713 county" means any county that has a population of 200,000 or
 11714 less as determined by the most recent official population census
 11715 determination estimate pursuant to s. 186.901.

11716 ~~(3) Funds allocated under this program, pursuant to s. 4,~~
 11717 ~~ch. 2000-257, Laws of Florida, are in addition to any funds~~
 11718 ~~provided pursuant to s. 339.2816, for the Small County Road~~
 11719 ~~Assistance Program.~~

11720 (5)(6) Funds paid into the State Transportation Trust Fund
 11721 pursuant to ss. 201.15, 320.072, and 339.0801 ~~s. 201.15~~ for the
 11722 purposes of the Small County Outreach Program may be ~~are hereby~~
 11723 annually appropriated for expenditure to support the Small
 11724 County Outreach Program.

11725 (6)(7) Subject to a specific appropriation in addition to

11726 funds annually appropriated for projects under this section, a
 11727 municipality within a rural area of opportunity or a rural area
 11728 of opportunity community designated under s. 288.0656(7)(a) may
 11729 compete for the additional project funding using the criteria
 11730 listed in subsection (3) ~~(4)~~ at up to 100 percent of project
 11731 costs, excluding capacity improvement projects.

11732 ~~(8) Subject to a specific appropriation in addition to~~
 11733 ~~funds appropriated for projects under this section, a local~~
 11734 ~~government either wholly or partially within the Everglades~~
 11735 ~~Agricultural Area as defined in s. 373.4592(15), the Peace River~~
 11736 ~~Basin, or the Suwannee River Basin may compete for additional~~
 11737 ~~funding using the criteria listed in paragraph (4)(c) at up to~~
 11738 ~~100 percent of project costs on state or county roads used~~
 11739 ~~primarily as farm-to-market connections between rural~~
 11740 ~~agricultural areas and market distribution centers, excluding~~
 11741 ~~capacity improvement projects.~~

11742 **Section 317. Section 339.68, Florida Statutes, is amended**
 11743 **to read:**

11744 (Substantial rewording of section.

11745 See s. 339.68, F.S., for present text.)

11746 339.68 Florida Arterial Road Modernization Program.—

11747 (1) The Legislature finds that increasing demands continue
 11748 to be placed on rural arterial roads in this state by a fast-
 11749 growing economy, continued population growth, and increased
 11750 tourism. Investment in the rural arterial roads of this state is

11751 needed to maintain the safety, mobility, reliability, and
11752 resiliency of the transportation system in order to support the
11753 movement of people, goods, and commodities; to enhance economic
11754 prosperity and competitiveness; and to enrich the quality of
11755 life of the rural communities and the environment of this state.

11756 (2) The Florida Arterial Road Modernization Program is
11757 created within the department to make capacity and safety
11758 improvements to two-lane arterial roads or connect existing
11759 arterial roads located in rural communities. For purposes of
11760 this section, the term "rural community" has the same meaning as
11761 provided in s. 288.0656.

11762 (3) Subject to annual appropriation, beginning in the
11763 2025-2026 fiscal year, the department shall allocate from the
11764 State Transportation Trust Fund a minimum of \$50 million in each
11765 fiscal year for purposes of funding the program. This funding is
11766 in addition to any other funding provided to the program by any
11767 other law.

11768 (4) The department shall use the following criteria to
11769 prioritize projects for funding under the program:

11770 (a) Whether the road has documented safety concerns or
11771 requires additional safety and design improvements. This may be
11772 evidenced by the number of fatalities or crashes per vehicle
11773 mile traveled.

11774 (b) Whether the road has or is projected to have a
11775 significant amount of truck tractor traffic as determined by the

11776 department. For purposes of this paragraph, the term "truck
11777 tractor" has the same meaning as in s. 320.01(11).

11778 (c) Whether the road is used to transport agricultural
11779 products and commodities from the farm to the market or other
11780 sale or distribution point.

11781 (d) Whether the road is used to transport goods to or from
11782 warehouses, distribution centers, or intermodal logistics
11783 centers as defined in s. 311.101(2).

11784 (e) Whether the road is used as an evacuation route.

11785 (f) Whether the physical condition of the road meets
11786 department standards.

11787 (g) Whether the road currently has, or is projected to
11788 have within the next 5 years, a level of service of D, E, or F.

11789 (h) Any other criteria related to the impact of a project
11790 on the public road system or on the state or local economy as
11791 determined by the department.

11792 (5) By January 1, 2027, and every 2 years thereafter, the
11793 department shall submit to the Governor, the President of the
11794 Senate, and the Speaker of the House of Representatives a report
11795 regarding the use and condition of arterial roads located in
11796 rural communities, which report must include the following:

11797 (a) A map of roads located in rural communities which are
11798 designated as arterial roads.

11799 (b) A needs assessment that must include, but is not
11800 limited to, consideration of infrastructure improvements to

11801 improve capacity on arterial roads in rural communities.
 11802 (c) A synopsis of the department's project prioritization
 11803 process.
 11804 (d) An estimate of the local and state economic impact of
 11805 improving capacity on arterial roads in rural communities.
 11806 (e) A listing of the arterial roads and the associated
 11807 improvements to be included in the program and a schedule or
 11808 timeline for the inclusion of such projects in the work program.
 11809 **Section 318.** (1) The Department of Transportation shall
 11810 allocate funds to implement the Small County Road Assistance
 11811 Program as created by s. 339.2816, Florida Statutes, and amend
 11812 the current tentative work program for the 2025-2026 through
 11813 2031-2032 fiscal years to include additional projects. In
 11814 addition, before adoption of the work program, the department
 11815 shall submit a budget amendment pursuant to s. 339.135(7),
 11816 Florida Statutes, requesting budget authority necessary to
 11817 implement the additional projects.
 11818 (2) The department shall allocate sufficient funds to
 11819 implement the Florida Arterial Road Modernization Program,
 11820 develop a plan to expend the revenues as specified in s. 339.68,
 11821 Florida Statutes, and, before its adoption, amend the current
 11822 tentative work program for the 2025-2026 through 2031-2032
 11823 fiscal years to include the program's projects. In addition,
 11824 before adoption of the work program, the department shall submit
 11825 a budget amendment pursuant to s. 339.135(7), Florida Statutes,

11826 requesting budget authority necessary to implement the program
 11827 as specified in s. 339.68, Florida Statutes.

11828 (3) Notwithstanding any other law, the increase in revenue
 11829 to the State Transportation Trust Fund derived from the
 11830 amendments to ss. 201.15 and 319.32, Florida Statutes, deposited
 11831 into the trust fund pursuant to ss. 201.15 and 339.0801, Florida
 11832 Statutes, shall be used by the department to fund the programs
 11833 as specified in this section.

11834 **Section 319. Subsection (3) of section 420.9073, Florida**
 11835 **Statutes, is amended to read:**

11836 420.9073 Local housing distributions.—

11837 (3) Calculation of guaranteed amounts:

11838 (a) The guaranteed amount under subsection (1) shall be
 11839 calculated for each state fiscal year by multiplying \$1 million
 11840 ~~\$350,000~~ by a fraction, the numerator of which is the amount of
 11841 funds distributed to the Local Government Housing Trust Fund
 11842 pursuant to s. 201.15(4) (c) and the denominator of which is the
 11843 total amount of funds distributed to the Local Government
 11844 Housing Trust Fund pursuant to s. 201.15. Awards under this
 11845 subsection are subject to legislative appropriation.

11846 (b) The guaranteed amount under subsection (2) shall be
 11847 calculated for each state fiscal year by multiplying \$1 million
 11848 ~~\$350,000~~ by a fraction, the numerator of which is the amount of
 11849 funds distributed to the Local Government Housing Trust Fund
 11850 pursuant to s. 201.15(4) (d) and the denominator of which is the

11851 total amount of funds distributed to the Local Government
 11852 Housing Trust Fund pursuant to s. 201.15.

11853 **Section 320. Paragraph (n) of subsection (5) of section**
 11854 **420.9075, Florida Statutes, is amended, paragraph (o) is added**
 11855 **to that subsection, and paragraph (b) of subsection (13) of that**
 11856 **section is reenacted, to read:**

11857 420.9075 Local housing assistance plans; partnerships.—

11858 (5) The following criteria apply to awards made to
 11859 eligible sponsors or eligible persons for the purpose of
 11860 providing eligible housing:

11861 (n) Funds from the local housing distribution not used to
 11862 meet the criteria established in paragraph (a), ~~or~~ paragraph
 11863 (c), or paragraph (o), or not used for the administration of a
 11864 local housing assistance plan must be used for housing
 11865 production and finance activities, including, but not limited
 11866 to, financing preconstruction activities or the purchase of
 11867 existing units, providing rental housing, and providing home
 11868 ownership training to prospective home buyers and owners of
 11869 homes assisted through the local housing assistance plan.

11870 1. Notwithstanding the provisions of paragraphs (a) and
 11871 (c), program income as defined in s. 420.9071(26) may also be
 11872 used to fund activities described in this paragraph.

11873 2. When preconstruction due-diligence activities conducted
 11874 as part of a preservation strategy show that preservation of the
 11875 units is not feasible and will not result in the production of

11876 an eligible unit, such costs shall be deemed a program expense
11877 rather than an administrative expense if such program expenses
11878 do not exceed 3 percent of the annual local housing
11879 distribution.

11880 3. If both an award under the local housing assistance
11881 plan and federal low-income housing tax credits are used to
11882 assist a project and there is a conflict between the criteria
11883 prescribed in this subsection and the requirements of s. 42 of
11884 the Internal Revenue Code of 1986, as amended, the county or
11885 eligible municipality may resolve the conflict by giving
11886 precedence to the requirements of s. 42 of the Internal Revenue
11887 Code of 1986, as amended, in lieu of following the criteria
11888 prescribed in this subsection with the exception of paragraphs
11889 (a) and (g) of this subsection.

11890 4. Each county and each eligible municipality may award
11891 funds as a grant for construction, rehabilitation, or repair as
11892 part of disaster recovery or emergency repairs or to remedy
11893 accessibility or health and safety deficiencies. Any other
11894 grants must be approved as part of the local housing assistance
11895 plan.

11896 (o) Notwithstanding paragraphs (a) and (c), up to 25
11897 percent of the funds made available in each county and eligible
11898 municipality from the local housing distribution may be used to
11899 preserve multifamily affordable rental housing funded through
11900 United States Department of Agriculture loans. These funds are

11901 subject to legislative appropriation and may be used to
11902 rehabilitate housing, extend affordability periods, or acquire
11903 or transfer properties in partnership with private
11904 organizations. This paragraph expires on June 30, 2031.

11905 (13)

11906 (b) If, as a result of its review of the annual report,
11907 the corporation determines that a county or eligible
11908 municipality has failed to implement a local housing incentive
11909 strategy, or, if applicable, a local housing incentive plan, it
11910 shall send a notice of termination of the local government's
11911 share of the local housing distribution by certified mail to the
11912 affected county or eligible municipality.

11913 1. The notice must specify a date of termination of the
11914 funding if the affected county or eligible municipality does not
11915 implement the plan or strategy and provide for a local response.
11916 A county or eligible municipality shall respond to the
11917 corporation within 30 days after receipt of the notice of
11918 termination.

11919 2. The corporation shall consider the local response that
11920 extenuating circumstances precluded implementation and grant an
11921 extension to the timeframe for implementation. Such an extension
11922 shall be made in the form of an extension agreement that
11923 provides a timeframe for implementation. The chief elected
11924 official of a county or eligible municipality or his or her
11925 designee shall have the authority to enter into the agreement on

11926 | behalf of the local government.

11927 | 3. If the county or the eligible municipality has not
 11928 | implemented the incentive strategy or entered into an extension
 11929 | agreement by the termination date specified in the notice, the
 11930 | local housing distribution share terminates, and any uncommitted
 11931 | local housing distribution funds held by the affected county or
 11932 | eligible municipality in its local housing assistance trust fund
 11933 | shall be transferred to the Local Government Housing Trust Fund
 11934 | to the credit of the corporation to administer.

11935 | 4.a. If the affected local government fails to meet the
 11936 | timeframes specified in the agreement, the corporation shall
 11937 | terminate funds. The corporation shall send a notice of
 11938 | termination of the local government's share of the local housing
 11939 | distribution by certified mail to the affected local government.
 11940 | The notice shall specify the termination date, and any
 11941 | uncommitted funds held by the affected local government shall be
 11942 | transferred to the Local Government Housing Trust Fund to the
 11943 | credit of the corporation to administer.

11944 | b. If the corporation terminates funds to a county, but an
 11945 | eligible municipality receiving a local housing distribution
 11946 | pursuant to an interlocal agreement maintains compliance with
 11947 | program requirements, the corporation shall thereafter
 11948 | distribute directly to the participating eligible municipality
 11949 | its share calculated in the manner provided in ss. 420.9072 and
 11950 | 420.9073.

11951 c. Any county or eligible municipality whose local
 11952 distribution share has been terminated may subsequently elect to
 11953 receive directly its local distribution share by adopting the
 11954 ordinance, resolution, and local housing assistance plan in the
 11955 manner and according to the procedures provided in ss. 420.907-
 11956 420.9079.

11957 **Section 321. Subsection (3) of section 163.3187, Florida**
 11958 **Statutes, is amended to read:**

11959 163.3187 Process for adoption of small scale comprehensive
 11960 plan amendment.—

11961 (3) If the small scale development amendment involves a
 11962 site within a rural area of opportunity as defined under s.
 11963 288.0656 ~~s. 288.0656(2)(d)~~ for the duration of such designation,
 11964 the acreage limit listed in subsection (1) shall be increased by
 11965 100 percent. The local government approving the small scale plan
 11966 amendment shall certify to the state land planning agency that
 11967 the plan amendment furthers the economic objectives set forth in
 11968 the executive order issued under s. 288.0656(7), and the
 11969 property subject to the plan amendment shall undergo public
 11970 review to ensure that all concurrency requirements and federal,
 11971 state, and local environmental permit requirements are met.

11972 **Section 322. Section 212.205, Florida Statutes, is amended**
 11973 **to read:**

11974 212.205 Sales tax distribution reporting.—By March 15 of
 11975 each year, each person who received a distribution pursuant to

11976 | s. 212.20(6)(d)7.b. and c. ~~s. 212.20(6)(d)6.b. and c.~~ in the
 11977 | preceding calendar year shall report to the Office of Economic
 11978 | and Demographic Research the following information:

11979 | (1) An itemized accounting of all expenditures of the
 11980 | funds distributed in the preceding calendar year, including
 11981 | amounts spent on debt service.

11982 | (2) A statement indicating what portion of the distributed
 11983 | funds have been pledged for debt service.

11984 | (3) The original principal amount and current debt service
 11985 | schedule of any bonds or other borrowing for which the
 11986 | distributed funds have been pledged for debt service.

11987 | **Section 323. Section 257.191, Florida Statutes, is amended**
 11988 | **to read:**

11989 | 257.191 Construction grants.—The Division of Library and
 11990 | Information Services may accept and administer library
 11991 | construction moneys appropriated to it and shall allocate such
 11992 | appropriation to municipal, county, and regional libraries in
 11993 | the form of library construction grants on a matching basis. The
 11994 | local matching portion shall be no less than the grant amount,
 11995 | on a dollar-for-dollar basis, up to the maximum grant amount,
 11996 | unless the matching requirement is waived pursuant to s. 288.019
 11997 | ~~by s. 288.06561.~~ Initiation of a library construction project 12
 11998 | months or less prior to the grant award under this section does
 11999 | ~~shall~~ not affect the eligibility of an applicant to receive a
 12000 | library construction grant. The division shall adopt rules for

12001 the administration of library construction grants. For the
 12002 purposes of this section, s. 257.21 does not apply.

12003 **Section 324. Subsection (2) of section 257.193, Florida**
 12004 **Statutes, is amended to read:**

12005 257.193 Community Libraries in Caring Program.—

12006 (2) The purpose of the Community Libraries in Caring
 12007 Program is to assist libraries in rural communities, as defined
 12008 in s. 288.0656(2) and subject to the provisions of s. 288.019 ~~s.~~
 12009 ~~288.06561~~, to strengthen their collections and services, improve
 12010 literacy in their communities, and improve the economic
 12011 viability of their communities.

12012 **Section 325. Subsection (17) of section 265.283, Florida**
 12013 **Statutes, is amended to read:**

12014 265.283 Definitions.—The following definitions shall apply
 12015 to ss. 265.281-265.703:

12016 (17) "Underserved arts community assistance program
 12017 grants" means grants used by qualified organizations under the
 12018 Rural Economic Development Initiative, pursuant to s. 288.0656
 12019 and subject to the provisions of s. 288.019 ~~ss. 288.0656 and~~
 12020 ~~288.06561~~, for the purpose of economic and organizational
 12021 development for underserved cultural organizations.

12022 **Section 326. Paragraphs (a) and (d) of subsection (3) of**
 12023 **section 288.11621, Florida Statutes, are amended to read:**

12024 288.11621 Spring training baseball franchises.—

12025 (3) USE OF FUNDS.—

12026 (a) A certified applicant may use funds provided under s.
 12027 212.20(6)(d)7.b. ~~s. 212.20(6)(d)6.b.~~ only to:

12028 1. Serve the public purpose of acquiring, constructing,
 12029 reconstructing, or renovating a facility for a spring training
 12030 franchise.

12031 2. Pay or pledge for the payment of debt service on, or to
 12032 fund debt service reserve funds, arbitrage rebate obligations,
 12033 or other amounts payable with respect thereto, bonds issued for
 12034 the acquisition, construction, reconstruction, or renovation of
 12035 such facility, or for the reimbursement of such costs or the
 12036 refinancing of bonds issued for such purposes.

12037 3. Assist in the relocation of a spring training franchise
 12038 from one unit of local government to another only if the
 12039 governing board of the current host local government by a
 12040 majority vote agrees to relocation.

12041 (d)1. All certified applicants must place unexpended state
 12042 funds received pursuant to s. 212.20(6)(d)7.b. ~~s.~~
 12043 ~~212.20(6)(d)6.b.~~ in a trust fund or separate account for use
 12044 only as authorized in this section.

12045 2. A certified applicant may request that the Department
 12046 of Revenue suspend further distributions of state funds made
 12047 available under s. 212.20(6)(d)7.b. ~~s. 212.20(6)(d)6.b.~~ for 12
 12048 months after expiration of an existing agreement with a spring
 12049 training franchise to provide the certified applicant with an
 12050 opportunity to enter into a new agreement with a spring training

12051 franchise, at which time the distributions shall resume.

12052 3. The expenditure of state funds distributed to an
12053 applicant certified before July 1, 2010, must begin within 48
12054 months after the initial receipt of the state funds. In
12055 addition, the construction of, or capital improvements to, a
12056 spring training facility must be completed within 24 months
12057 after the project's commencement.

12058 **Section 327. Paragraph (c) of subsection (2) and**
12059 **paragraphs (a), (c), and (d) of subsection (3) of section**
12060 **288.11631, Florida Statutes, are amended to read:**

12061 288.11631 Retention of Major League Baseball spring
12062 training baseball franchises.—

12063 (2) CERTIFICATION PROCESS.—

12064 (c) Each applicant certified on or after July 1, 2013,
12065 shall enter into an agreement with the department which:

12066 1. Specifies the amount of the state incentive funding to
12067 be distributed. The amount of state incentive funding per
12068 certified applicant may not exceed \$20 million. However, if a
12069 certified applicant's facility is used by more than one spring
12070 training franchise, the maximum amount may not exceed \$50
12071 million, and the Department of Revenue shall make distributions
12072 to the applicant pursuant to s. 212.20(6)(d)7.c. ~~s.~~
12073 ~~212.20(6)(d)6.e.~~

12074 2. States the criteria that the certified applicant must
12075 meet in order to remain certified. These criteria must include a

12076 provision stating that the spring training franchise must
 12077 reimburse the state for any funds received if the franchise does
 12078 not comply with the terms of the contract. If bonds were issued
 12079 to construct or renovate a facility for a spring training
 12080 franchise, the required reimbursement must be equal to the total
 12081 amount of state distributions expected to be paid from the date
 12082 the franchise violates the agreement with the applicant through
 12083 the final maturity of the bonds.

12084 3. States that the certified applicant is subject to
 12085 decertification if the certified applicant fails to comply with
 12086 this section or the agreement.

12087 4. States that the department may recover state incentive
 12088 funds if the certified applicant is decertified.

12089 5. Specifies the information that the certified applicant
 12090 must report to the department.

12091 6. Includes any provision deemed prudent by the
 12092 department.

12093 (3) USE OF FUNDS.—

12094 (a) A certified applicant may use funds provided under s.
 12095 212.20(6)(d)7.c. ~~s. 212.20(6)(d)6.e.~~ only to:

12096 1. Serve the public purpose of constructing or renovating
 12097 a facility for a spring training franchise.

12098 2. Pay or pledge for the payment of debt service on, or to
 12099 fund debt service reserve funds, arbitrage rebate obligations,
 12100 or other amounts payable with respect thereto, bonds issued for

12101 the construction or renovation of such facility, or for the
 12102 reimbursement of such costs or the refinancing of bonds issued
 12103 for such purposes.

12104 (c) The Department of Revenue may not distribute funds
 12105 under s. 212.20(6)(d)7.c. ~~s. 212.20(6)(d)6.e.~~ until July 1,
 12106 2016. Further, the Department of Revenue may not distribute
 12107 funds to an applicant certified on or after July 1, 2013, until
 12108 it receives notice from the department that:

12109 1. The certified applicant has encumbered funds under
 12110 either subparagraph (a)1. or subparagraph (a)2.; and

12111 2. If applicable, any existing agreement with a spring
 12112 training franchise for the use of a facility has expired.

12113 (d)1. All certified applicants shall place unexpended
 12114 state funds received pursuant to s. 212.20(6)(d)7.c. ~~s.~~
 12115 ~~212.20(6)(d)6.e.~~ in a trust fund or separate account for use
 12116 only as authorized in this section.

12117 2. A certified applicant may request that the department
 12118 notify the Department of Revenue to suspend further
 12119 distributions of state funds made available under s.
 12120 212.20(6)(d)7.c. ~~s. 212.20(6)(d)6.e.~~ for 12 months after
 12121 expiration of an existing agreement with a spring training
 12122 franchise to provide the certified applicant with an opportunity
 12123 to enter into a new agreement with a spring training franchise,
 12124 at which time the distributions shall resume.

12125 3. The expenditure of state funds distributed to an

12126 applicant certified after July 1, 2013, must begin within 48
 12127 months after the initial receipt of the state funds. In
 12128 addition, the construction or renovation of a spring training
 12129 facility must be completed within 24 months after the project's
 12130 commencement.

12131 **Section 328. Subsection (1) of section 443.191, Florida**
 12132 **Statutes, is amended to read:**

12133 443.191 Unemployment Compensation Trust Fund;
 12134 establishment and control.—

12135 (1) There is established, as a separate trust fund apart
 12136 from all other public funds of this state, an Unemployment
 12137 Compensation Trust Fund, which shall be administered by the
 12138 Department of Commerce exclusively for the purposes of this
 12139 chapter. The fund must consist of:

12140 (a) All contributions and reimbursements collected under
 12141 this chapter;

12142 (b) Interest earned on any moneys in the fund;

12143 (c) Any property or securities acquired through the use of
 12144 moneys belonging to the fund;

12145 (d) All earnings of these properties or securities;

12146 (e) All money credited to this state's account in the
 12147 federal Unemployment Compensation Trust Fund under 42 U.S.C. s.
 12148 1103;

12149 (f) All money collected for penalties imposed pursuant to
 12150 s. 443.151(6)(a);

12151 (g) Advances on the amount in the federal Unemployment
 12152 Compensation Trust Fund credited to the state under 42 U.S.C. s.
 12153 1321, as requested by the Governor or the Governor's designee;
 12154 and

12155 (h) All money deposited in this account as a distribution
 12156 pursuant to s. 212.20(6)(d)7.e. ~~s. 212.20(6)(d)6.e.~~

12157
 12158 Except as otherwise provided in s. 443.1313(4), all moneys in
 12159 the fund must be mingled and undivided.

12160 **Section 329. Section 571.26, Florida Statutes, is amended**
 12161 **to read:**

12162 571.26 Florida Agricultural Promotional Campaign Trust
 12163 Fund.—There is hereby created the Florida Agricultural
 12164 Promotional Campaign Trust Fund within the Department of
 12165 Agriculture and Consumer Services to receive all moneys related
 12166 to the Florida Agricultural Promotional Campaign. Moneys
 12167 deposited in the trust fund shall be appropriated for the sole
 12168 purpose of implementing the Florida Agricultural Promotional
 12169 Campaign, except for money deposited in the trust fund pursuant
 12170 to s. 212.20(6)(d)7.h. ~~s. 212.20(6)(d)6.h.~~, which shall be held
 12171 separately and used solely for the purposes identified in s.
 12172 571.265.

12173 **Section 330. Subsection (2) of section 571.265, Florida**
 12174 **Statutes, is amended to read:**

12175 571.265 Promotion of Florida thoroughbred breeding and of

12176 thoroughbred racing at Florida thoroughbred tracks; distribution
 12177 of funds.—

12178 (2) Funds deposited into the Florida Agricultural
 12179 Promotional Campaign Trust Fund pursuant to s. 212.20(6)(d)7.f.
 12180 ~~s. 212.20(6)(d)6.f.~~ shall be used by the department to encourage
 12181 the agricultural activity of breeding thoroughbred racehorses in
 12182 this state and to enhance thoroughbred racing conducted at
 12183 thoroughbred tracks in this state as provided in this section.
 12184 If the funds made available under this section are not fully
 12185 used in any one fiscal year, any unused amounts shall be carried
 12186 forward in the trust fund into future fiscal years and made
 12187 available for distribution as provided in this section.

12188 **Section 331. For the purpose of incorporating the**
 12189 **amendment made by this act to section 20.60, Florida Statutes,**
 12190 **in a reference thereto, subsection (8) of section 288.9935,**
 12191 **Florida Statutes, is reenacted to read:**

12192 288.9935 Microfinance Guarantee Program.—

12193 (8) The department must, in the department's report
 12194 required under s. 20.60(10), include an annual report on the
 12195 program. The report must, at a minimum, provide:

12196 (a) A comprehensive description of the program, including
 12197 an evaluation of its application and guarantee activities,
 12198 recommendations for change, and identification of any other
 12199 state programs that overlap with the program;

12200 (b) An assessment of the current availability of and

12201 access to credit for entrepreneurs and small businesses in this
 12202 state;

12203 (c) A summary of the financial and employment results of
 12204 the entrepreneurs and small businesses receiving loan
 12205 guarantees, including the number of full-time equivalent jobs
 12206 created as a result of the guaranteed loans and the amount of
 12207 wages paid to employees in the newly created jobs;

12208 (d) Industry data about the borrowers, including the six-
 12209 digit North American Industry Classification System (NAICS)
 12210 code;

12211 (e) The name and location of lenders that receive loan
 12212 guarantees;

12213 (f) The number of loan guarantee applications received;

12214 (g) The number, duration, location, and amount of
 12215 guarantees made;

12216 (h) The number and amount of guaranteed loans outstanding,
 12217 if any;

12218 (i) The number and amount of guaranteed loans with
 12219 payments overdue, if any;

12220 (j) The number and amount of guaranteed loans in default,
 12221 if any;

12222 (k) The repayment history of the guaranteed loans made;
 12223 and

12224 (l) An evaluation of the program's ability to meet the
 12225 financial performance measures and objectives specified in

12226 subsection (3).

12227 **Section 332. For the purpose of incorporating the**
 12228 **amendment made by this act to section 218.67, Florida Statutes,**
 12229 **in a reference thereto, paragraph (c) of subsection (5) of**
 12230 **section 125.0104, Florida Statutes, is reenacted to read:**

12231 125.0104 Tourist development tax; procedure for levying;
 12232 authorized uses; referendum; enforcement.—

12233 (5) AUTHORIZED USES OF REVENUE.—

12234 (c) A county located adjacent to the Gulf of Mexico or the
 12235 Atlantic Ocean, except a county that receives revenue from taxes
 12236 levied pursuant to s. 125.0108, which meets the following
 12237 criteria may use up to 10 percent of the tax revenue received
 12238 pursuant to this section to reimburse expenses incurred in
 12239 providing public safety services, including emergency medical
 12240 services as defined in s. 401.107(3), and law enforcement
 12241 services, which are needed to address impacts related to
 12242 increased tourism and visitors to an area. However, if taxes
 12243 collected pursuant to this section are used to reimburse
 12244 emergency medical services or public safety services for tourism
 12245 or special events, the governing board of a county or
 12246 municipality may not use such taxes to supplant the normal
 12247 operating expenses of an emergency medical services department,
 12248 a fire department, a sheriff's office, or a police department.
 12249 To receive reimbursement, the county must:

12250 1.a. Generate a minimum of \$10 million in annual proceeds

12251 from any tax, or any combination of taxes, authorized to be
 12252 levied pursuant to this section;

12253 b. Have at least three municipalities; and

12254 c. Have an estimated population of less than 275,000,
 12255 according to the most recent population estimate prepared
 12256 pursuant to s. 186.901, excluding the inmate population; or

12257 2. Be a fiscally constrained county as described in s.
 12258 218.67(1).

12259

12260 The board of county commissioners must by majority vote approve
 12261 reimbursement made pursuant to this paragraph upon receipt of a
 12262 recommendation from the tourist development council.

12263 **Section 333. For the purpose of incorporating the**
 12264 **amendment made by this act to section 218.67, Florida Statutes,**
 12265 **in a reference thereto, subsection (3) of section 193.624,**
 12266 **Florida Statutes, is reenacted to read:**

12267 193.624 Assessment of renewable energy source devices.—

12268 (3) This section applies to the installation of a
 12269 renewable energy source device installed on or after January 1,
 12270 2013, to new and existing residential real property. This
 12271 section applies to a renewable energy source device installed on
 12272 or after January 1, 2018, to all other real property, except
 12273 when installed as part of a project planned for a location in a
 12274 fiscally constrained county, as defined in s. 218.67(1), and for
 12275 which an application for a comprehensive plan amendment or

12276 | planned unit development zoning has been filed with the county
 12277 | on or before December 31, 2017.

12278 | **Section 334. For the purpose of incorporating the**
 12279 | **amendment made by this act to section 218.67, Florida Statutes,**
 12280 | **in a reference thereto, subsection (2) of section 196.182,**
 12281 | **Florida Statutes, is reenacted to read:**

12282 | 196.182 Exemption of renewable energy source devices.—

12283 | (2) The exemption provided in this section does not apply
 12284 | to a renewable energy source device that is installed as part of
 12285 | a project planned for a location in a fiscally constrained
 12286 | county, as defined in s. 218.67(1), and for which an application
 12287 | for a comprehensive plan amendment or planned unit development
 12288 | zoning has been filed with the county on or before December 31,
 12289 | 2017.

12290 | **Section 335. For the purpose of incorporating the**
 12291 | **amendment made by this act to section 218.67, Florida Statutes,**
 12292 | **in a reference thereto, subsection (1) of section 218.12,**
 12293 | **Florida Statutes, is reenacted to read:**

12294 | 218.12 Appropriations to offset reductions in ad valorem
 12295 | tax revenue in fiscally constrained counties.—

12296 | (1) Beginning in fiscal year 2008-2009, the Legislature
 12297 | shall appropriate moneys to offset the reductions in ad valorem
 12298 | tax revenue experienced by fiscally constrained counties, as
 12299 | defined in s. 218.67(1), which occur as a direct result of the
 12300 | implementation of revisions of Art. VII of the State

12301 Constitution approved in the special election held on January
 12302 29, 2008. The moneys appropriated for this purpose shall be
 12303 distributed in January of each fiscal year among the fiscally
 12304 constrained counties based on each county's proportion of the
 12305 total reduction in ad valorem tax revenue resulting from the
 12306 implementation of the revision.

12307 **Section 336. For the purpose of incorporating the**
 12308 **amendment made by this act to section 218.67, Florida Statutes,**
 12309 **in a reference thereto, subsection (1) of section 218.125,**
 12310 **Florida Statutes, is reenacted to read:**

12311 218.125 Offset for tax loss associated with certain
 12312 constitutional amendments affecting fiscally constrained
 12313 counties.—

12314 (1) Beginning in the 2010-2011 fiscal year, the
 12315 Legislature shall appropriate moneys to offset the reductions in
 12316 ad valorem tax revenue experienced by fiscally constrained
 12317 counties, as defined in s. 218.67(1), which occur as a direct
 12318 result of the implementation of revisions of ss. 3(f) and 4(b),
 12319 Art. VII of the State Constitution which were approved in the
 12320 general election held in November 2008. The moneys appropriated
 12321 for this purpose shall be distributed in January of each fiscal
 12322 year among the fiscally constrained counties based on each
 12323 county's proportion of the total reduction in ad valorem tax
 12324 revenue resulting from the implementation of the revisions.

12325 **Section 337. For the purpose of incorporating the**

12326 **amendment made by this act to section 218.67, Florida Statutes,**
 12327 **in a reference thereto, subsection (1) of section 218.135,**
 12328 **Florida Statutes, is reenacted to read:**

12329 218.135 Offset for tax loss associated with reductions in
 12330 value of certain citrus fruit packing and processing equipment.—

12331 (1) For the 2018-2019 fiscal year, the Legislature shall
 12332 appropriate moneys to offset the reductions in ad valorem tax
 12333 revenue experienced by fiscally constrained counties, as defined
 12334 in s. 218.67(1), which occur as a direct result of the
 12335 implementation of s. 193.4516. The moneys appropriated for this
 12336 purpose shall be distributed in January 2019 among the fiscally
 12337 constrained counties based on each county's proportion of the
 12338 total reduction in ad valorem tax revenue resulting from the
 12339 implementation of s. 193.4516.

12340 **Section 338. For the purpose of incorporating the**
 12341 **amendment made by this act to section 218.67, Florida Statutes,**
 12342 **in a reference thereto, subsection (1) of section 218.136,**
 12343 **Florida Statutes, is reenacted to read:**

12344 218.136 Offset for ad valorem revenue loss affecting
 12345 fiscally constrained counties.—

12346 (1) Beginning in fiscal year 2025-2026, the Legislature
 12347 shall appropriate moneys to offset the reductions in ad valorem
 12348 tax revenue experienced by fiscally constrained counties, as
 12349 defined in s. 218.67(1), which occur as a direct result of the
 12350 implementation of revisions of s. 6(a), Art. VII of the State

12351 Constitution approved in the November 2024 general election. The
 12352 moneys appropriated for this purpose shall be distributed in
 12353 January of each fiscal year among the fiscally constrained
 12354 counties based on each county's proportion of the total
 12355 reduction in ad valorem tax revenue resulting from the
 12356 implementation of the revision of s. 6(a), Art. VII of the State
 12357 Constitution.

12358 **Section 339. For the purpose of incorporating the**
 12359 **amendment made by this act to section 218.67, Florida Statutes,**
 12360 **in a reference thereto, paragraph (cc) of subsection (2) of**
 12361 **section 252.35, Florida Statutes, is reenacted to read:**

12362 252.35 Emergency management powers; Division of Emergency
 12363 Management.—

12364 (2) The division is responsible for carrying out the
 12365 provisions of ss. 252.31-252.90. In performing its duties, the
 12366 division shall:

12367 (cc) Prioritize technical assistance and training to
 12368 fiscally constrained counties as defined in s. 218.67(1) on
 12369 aspects of safety measures, preparedness, prevention, response,
 12370 recovery, and mitigation relating to natural disasters and
 12371 emergencies.

12372 **Section 340. For the purpose of incorporating the**
 12373 **amendment made by this act to section 218.67, Florida Statutes,**
 12374 **in a reference thereto, subsection (4) of section 288.102,**
 12375 **Florida Statutes, is reenacted to read:**

12376 288.102 Supply Chain Innovation Grant Program.—

12377 (4) A minimum of a one-to-one match of nonstate resources,
 12378 including local, federal, or private funds, to the state
 12379 contribution is required. An award may not be made for a project
 12380 that is receiving or using state funding from another state
 12381 source or statutory program, including tax credits. The one-to-
 12382 one match requirement is waived for a public entity located in a
 12383 fiscally constrained county as defined in s. 218.67(1).

12384 **Section 341. For the purpose of incorporating the**
 12385 **amendment made by this act to section 218.67, Florida Statutes,**
 12386 **in a reference thereto, paragraph (g) of subsection (16) of**
 12387 **section 403.064, Florida Statutes, is reenacted to read:**

12388 403.064 Reuse of reclaimed water.—

12389 (16) By November 1, 2021, domestic wastewater utilities
 12390 that dispose of effluent, reclaimed water, or reuse water by
 12391 surface water discharge shall submit to the department for
 12392 review and approval a plan for eliminating nonbeneficial surface
 12393 water discharge by January 1, 2032, subject to the requirements
 12394 of this section. The plan must include the average gallons per
 12395 day of effluent, reclaimed water, or reuse water that will no
 12396 longer be discharged into surface waters and the date of such
 12397 elimination, the average gallons per day of surface water
 12398 discharge which will continue in accordance with the
 12399 alternatives provided for in subparagraphs (a)2. and 3., and the
 12400 level of treatment that the effluent, reclaimed water, or reuse

12401 water will receive before being discharged into a surface water
 12402 by each alternative.

12403 (g) This subsection does not apply to any of the
 12404 following:

12405 1. A domestic wastewater treatment facility that is
 12406 located in a fiscally constrained county as described in s.
 12407 218.67(1).

12408 2. A domestic wastewater treatment facility that is
 12409 located in a municipality that is entirely within a rural area
 12410 of opportunity as designated pursuant to s. 288.0656.

12411 3. A domestic wastewater treatment facility that is
 12412 located in a municipality that has less than \$10 million in
 12413 total revenue, as determined by the municipality's most recent
 12414 annual financial report submitted to the Department of Financial
 12415 Services in accordance with s. 218.32.

12416 4. A domestic wastewater treatment facility that is
 12417 operated by an operator of a mobile home park as defined in s.
 12418 723.003 and has a permitted capacity of less than 300,000
 12419 gallons per day.

12420 **Section 342. For the purpose of incorporating the**
 12421 **amendment made by this act to section 218.67, Florida Statutes,**
 12422 **in references thereto, subsections (2) and (3) of section**
 12423 **589.08, Florida Statutes, are reenacted to read:**

12424 589.08 Land acquisition restrictions.—

12425 (2) The Florida Forest Service may receive, hold the

12426 custody of, and exercise the control of any lands, and set aside
 12427 into a separate, distinct and inviolable fund, any proceeds
 12428 derived from the sales of the products of such lands, the use
 12429 thereof in any manner, or the sale of such lands save the 25
 12430 percent of the proceeds to be paid into the State School Fund as
 12431 provided by law. The Florida Forest Service may use and apply
 12432 such funds for the acquisition, use, custody, management,
 12433 development, or improvement of any lands vested in or subject to
 12434 the control of the Florida Forest Service. After full payment
 12435 has been made for the purchase of a state forest to the Federal
 12436 Government or other grantor, 15 percent of the gross receipts
 12437 from a state forest shall be paid to the fiscally constrained
 12438 county or counties, as described in s. 218.67(1), in which it is
 12439 located in proportion to the acreage located in each county for
 12440 use by the county or counties for school purposes.

12441 (3) The Florida Forest Service shall pay 15 percent of the
 12442 gross receipts from the Goethe State Forest to each fiscally
 12443 constrained county, as described in s. 218.67(1), in which a
 12444 portion of the respective forest is located in proportion to the
 12445 forest acreage located in such county. The funds must be equally
 12446 divided between the board of county commissioners and the school
 12447 board of each fiscally constrained county.

12448 **Section 343. For the purpose of incorporating the**
 12449 **amendment made by this act to section 218.67, Florida Statutes,**
 12450 **in a reference thereto, paragraph (f) of subsection (1) of**

12451 **section 1011.62, Florida Statutes, is reenacted to read:**

12452 1011.62 Funds for operation of schools.—If the annual
 12453 allocation from the Florida Education Finance Program to each
 12454 district for operation of schools is not determined in the
 12455 annual appropriations act or the substantive bill implementing
 12456 the annual appropriations act, it shall be determined as
 12457 follows:

12458 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 12459 OPERATION.—The following procedure shall be followed in
 12460 determining the annual allocation to each district for
 12461 operation:

12462 (f) *Small district factor.*—An additional value per full-
 12463 time equivalent student membership is provided to each school
 12464 district with a full-time equivalent student membership of fewer
 12465 than 20,000 full-time equivalent students which is in a fiscally
 12466 constrained county as described in s. 218.67(1). The amount of
 12467 the additional value shall be specified in the General
 12468 Appropriations Act.

12469 **Section 344. For the purpose of incorporating the**
 12470 **amendment made by this act to sections 218.67 and 339.2818,**
 12471 **Florida Statutes, in references thereto, paragraph (c) of**
 12472 **subsection (6) of section 403.0741, Florida Statutes, is**
 12473 **reenacted to read:**

12474 403.0741 Grease waste removal and disposal.—

12475 (6) REGULATION BY LOCAL GOVERNMENTS.—

12476 (c) Fiscally constrained counties as described in s.
 12477 218.67(1) and small counties as defined in s. 339.2818(2) may
 12478 opt out of the requirements of this section.

12479 **Section 345. For the purpose of incorporating the**
 12480 **amendment made by this act to section 288.0656, Florida**
 12481 **Statutes, in a reference thereto, paragraph (e) of subsection**
 12482 **(7) of section 163.3177, Florida Statutes, is reenacted to read:**

12483 163.3177 Required and optional elements of comprehensive
 12484 plan; studies and surveys.—

12485 (7)

12486 (e) This subsection does not confer the status of rural
 12487 area of opportunity, or any of the rights or benefits derived
 12488 from such status, on any land area not otherwise designated as
 12489 such pursuant to s. 288.0656(7).

12490 **Section 346. For the purpose of incorporating the**
 12491 **amendment made by this act to section 288.9961, Florida**
 12492 **Statutes, in a reference thereto, paragraph (a) of subsection**
 12493 **(7) of section 288.9962, Florida Statutes, is reenacted to read:**

12494 288.9962 Broadband Opportunity Program.—

12495 (7)(a) In evaluating grant applications and awarding
 12496 grants, the office must give priority to applications that:

- 12497 1. Offer broadband Internet service to important community
 12498 institutions, including, but not limited to, libraries,
 12499 educational institutions, public safety facilities, and health
 12500 care facilities;

- 12501 2. Facilitate the use of telemedicine and electronic
 12502 health records;
- 12503 3. Serve economically distressed areas of this state, as
 12504 measured by indices of unemployment, poverty, or population loss
 12505 that are significantly greater than the statewide average;
- 12506 4. Provide for scalability to transmission speeds of at
 12507 least 100 megabits per second download and 10 megabits per
 12508 second upload;
- 12509 5. Include a component to actively promote the adoption of
 12510 the newly available broadband Internet service in the community;
- 12511 6. Provide evidence of strong support for the project from
 12512 citizens, government, businesses, and institutions in the
 12513 community;
- 12514 7. Provide access to broadband Internet service to the
 12515 greatest number of unserved households and businesses;
- 12516 8. Leverage greater amounts of funding for a project from
 12517 private sources; or
- 12518 9. Demonstrate consistency with the strategic plan adopted
 12519 under s. 288.9961.

12520 **Section 347. For the purpose of incorporating the**
 12521 **amendment made by this act to section 339.68, Florida Statutes,**
 12522 **in references thereto, subsections (5) and (6) of section**
 12523 **339.66, Florida Statutes, are reenacted to read:**

12524 339.66 Upgrade of arterial highways with controlled access
 12525 facilities.—

12526 (5) Any existing applicable requirements relating to
 12527 department projects shall apply to projects undertaken by the
 12528 department pursuant to this section. The department shall take
 12529 into consideration the guidance and recommendations of any
 12530 previous studies or reports relevant to the projects authorized
 12531 by this section and ss. 339.67 and 339.68, including, but not
 12532 limited to, the task force reports prepared pursuant to chapter
 12533 2019-43, Laws of Florida.

12534 (6) Any existing applicable requirements relating to
 12535 turnpike projects apply to projects undertaken by the Turnpike
 12536 Enterprise pursuant to this section. The Turnpike Enterprise
 12537 shall take into consideration the guidance and recommendations
 12538 of any previous studies or reports relevant to the projects
 12539 authorized by this section and ss. 339.67 and 339.68, including,
 12540 but not limited to, the task force reports prepared pursuant to
 12541 chapter 2019-43, Laws of Florida, and with respect to any
 12542 extension of the Florida Turnpike from its northerly terminus in
 12543 Wildwood.

12544 **Section 348. For the purpose of incorporating the**
 12545 **amendment made by this act to section 420.9073, Florida**
 12546 **Statutes, in references thereto, subsections (4) and (6) of**
 12547 **section 420.9072, Florida Statutes, are reenacted to read:**

12548 420.9072 State Housing Initiatives Partnership Program.—
 12549 The State Housing Initiatives Partnership Program is created for
 12550 the purpose of providing funds to counties and eligible

12551 municipalities as an incentive for the creation of local housing
 12552 partnerships, to expand production of and preserve affordable
 12553 housing, to further the housing element of the local government
 12554 comprehensive plan specific to affordable housing, and to
 12555 increase housing-related employment.

12556 (4) Moneys in the Local Government Housing Trust Fund
 12557 shall be distributed by the corporation to each approved county
 12558 and eligible municipality within the county as provided in s.
 12559 420.9073. Distributions shall be allocated to the participating
 12560 county and to each eligible municipality within the county
 12561 according to an interlocal agreement between the county
 12562 governing authority and the governing body of the eligible
 12563 municipality or, if there is no interlocal agreement, according
 12564 to population. The portion for each eligible municipality is
 12565 computed by multiplying the total moneys earmarked for a county
 12566 by a fraction, the numerator of which is the population of the
 12567 eligible municipality and the denominator of which is the total
 12568 population of the county. The remaining revenues shall be
 12569 distributed to the governing body of the county.

12570 (6) The moneys that otherwise would be distributed
 12571 pursuant to s. 420.9073 to a local government that does not meet
 12572 the program's requirements for receipts of such distributions
 12573 shall remain in the Local Government Housing Trust Fund to be
 12574 administered by the corporation.

12575 **Section 349. For the purpose of incorporating the**

12576 **amendment made by this act to section 420.9073, Florida**
 12577 **Statutes, in a reference thereto, paragraph (b) of subsection**
 12578 **(7) of section 420.9076, Florida Statutes, is reenacted to read:**

12579 420.9076 Adoption of affordable housing incentive
 12580 strategies; committees.—

12581 (7) The governing board of the county or the eligible
 12582 municipality shall notify the corporation by certified mail of
 12583 its adoption of an amendment of its local housing assistance
 12584 plan to incorporate local housing incentive strategies. The
 12585 notice must include a copy of the approved amended plan.

12586 (b) If a county fails to timely adopt an amended local
 12587 housing assistance plan to incorporate local housing incentive
 12588 strategies but an eligible municipality receiving a local
 12589 housing distribution pursuant to an interlocal agreement within
 12590 the county does timely adopt an amended local housing assistance
 12591 plan to incorporate local housing incentive strategies, the
 12592 corporation, after issuance of a notice of termination, shall
 12593 thereafter distribute directly to the participating eligible
 12594 municipality its share calculated in the manner provided in s.
 12595 420.9073.

12596 **Section 350. For the purpose of incorporating the**
 12597 **amendment made by this act to section 420.9073, Florida**
 12598 **Statutes, in a reference thereto, subsection (2) of section**
 12599 **420.9079, Florida Statutes, is reenacted to read:**

12600 420.9079 Local Government Housing Trust Fund.—

12601 (2) The corporation shall administer the fund exclusively
 12602 for the purpose of implementing the programs described in ss.
 12603 420.907-420.9076 and this section. With the exception of
 12604 monitoring the activities of counties and eligible
 12605 municipalities to determine local compliance with program
 12606 requirements, the corporation shall not receive appropriations
 12607 from the fund for administrative or personnel costs. For the
 12608 purpose of implementing the compliance monitoring provisions of
 12609 s. 420.9075(9), the corporation may request a maximum of one-
 12610 quarter of 1 percent of the annual appropriation per state
 12611 fiscal year. When such funding is appropriated, the corporation
 12612 shall deduct the amount appropriated prior to calculating the
 12613 local housing distribution pursuant to ss. 420.9072 and
 12614 420.9073.

12615 **Section 351. Subsection (10) of section 553.79, Florida**
 12616 **Statutes, is amended, and subsections (26), (27), (28) and (29)**
 12617 **are added to that section, to read:**

12618 553.79 Permits; applications; issuance; inspections.—

12619 (10) No enforcing agency may issue a building permit for
 12620 construction of any threshold building except to a licensed
 12621 general contractor, as defined in s. 489.105(2)(a) ~~s.~~
 12622 ~~489.105(3)(a)~~, or to a licensed building contractor, as defined
 12623 in s. 489.105(2)(b) ~~s. 489.105(3)(b)~~, within the scope of her or
 12624 his license. The named contractor to whom the building permit is
 12625 issued shall have the responsibility for supervision, direction,

12626 management, and control of the construction activities on the
12627 project for which the building permit was issued.

12628 (26) A local enforcement agency may not deny the issuance
12629 of a certificate of occupancy to an owner of a residential or
12630 commercial structure based on noncompliance with a Florida-
12631 friendly landscaping ordinance adopted to implement s. 373.185
12632 if the owner was issued a building permit for such structure
12633 within 1 year of the declaration of a state of emergency for a
12634 natural disaster for the county in which the structure is
12635 located.

12636 (27) A local enforcement agency may not deny the issuance
12637 of a building permit for the alteration, modification, or repair
12638 of a single-family residential structure if such alteration,
12639 modification, or repair:

12640 (a) Is completed within 1 year after the declaration of a
12641 state of emergency for a natural disaster for the county in
12642 which the structure is located;

12643 (b) Is necessitated by damage to the structure caused by
12644 the natural disaster;

12645 (c) Has a total cost that does not exceed more than 50
12646 percent of the value of the structure;

12647 (d) Does not affect more than 50 percent of the structure;

12648 and

12649 (e) Does not alter the footprint of the structure.

12650 (28) A local enforcement agency may not require a building

12651 permit for the construction of playground equipment, fences, or
 12652 landscape irrigation systems on a parcel containing a single-
 12653 family residential dwelling. However, a local government may
 12654 require a building permit for any electrical work performed as
 12655 part of the construction of playground equipment, fences, or
 12656 landscape irrigation systems.

12657 (29) A local enforcement agency may not require a building
 12658 permit to perform any work that is valued at less than \$7,500 on
 12659 a parcel containing a single-family residential dwelling. This
 12660 does not apply to a larger or major project in which a division
 12661 of the project is made in amounts less than \$7,500. A local
 12662 government may require a building permit for any electrical,
 12663 plumbing, or structural work performed on a parcel containing a
 12664 single-family residential dwelling regardless of the value of
 12665 the work. For purposes of this subsection structural work does
 12666 not include the repair or replacement of exterior doors or
 12667 windows.

12668 **Section 352. Subsections (3) through (7) of section**
 12669 **475.17, Florida Statutes, are amended to read:**

12670 475.17 Qualifications for practice.—

12671 ~~(3) (a) The commission may prescribe a postlicensure~~
 12672 ~~education requirement in order for a person to maintain a valid~~
 12673 ~~sales associate's license, which shall not exceed 45 classroom~~
 12674 ~~hours of 50 minutes each, inclusive of examination, prior to the~~
 12675 ~~first renewal following initial licensure. If prescribed, this~~

12676 ~~shall consist of one or more commission-approved courses which~~
12677 ~~total at least 45 classroom hours on one or more subjects which~~
12678 ~~include, but are not limited to, property management, appraisal,~~
12679 ~~real estate finance, the economics of real estate management,~~
12680 ~~marketing, technology, sales and listing of properties, business~~
12681 ~~office management, courses teaching practical real estate~~
12682 ~~application skills, development of business plans, marketing of~~
12683 ~~property, and time management. Required postlicensure education~~
12684 ~~courses must be provided by an accredited college, university,~~
12685 ~~or community college, by a career center, by a registered real~~
12686 ~~estate school, or by a commission-approved sponsor.~~

12687 ~~(b) Satisfactory completion of the postlicensure education~~
12688 ~~requirement is demonstrated by successfully meeting all~~
12689 ~~standards established for the commission-prescribed or~~
12690 ~~commission-approved institution or school. However, notice of~~
12691 ~~satisfactory completion shall not be issued if the student has~~
12692 ~~absences in excess of 10 percent of the required classroom hours~~
12693 ~~or has not satisfactorily completed a timed distance learning~~
12694 ~~course examination.~~

12695 ~~(c) The license of any sales associate who does not~~
12696 ~~complete the postlicensure education requirement prior to the~~
12697 ~~first renewal following initial licensure shall be considered~~
12698 ~~null and void. Such person wishing to again operate as a real~~
12699 ~~estate sales associate must requalify by satisfactorily~~
12700 ~~completing the sales associate's prelicensure course and passing~~

12701 ~~the state examination for licensure as a sales associate.~~
12702 ~~(d) A sales associate who is required to complete any~~
12703 ~~postlicensure education requirement must complete any~~
12704 ~~postlicensure education requirement and hold a current and valid~~
12705 ~~license in order to be eligible for licensure as a broker.~~
12706 ~~(4) (a) The commission may prescribe a postlicensure~~
12707 ~~education requirement in order for a person to maintain a valid~~
12708 ~~broker's license, which shall not exceed 60 classroom hours of~~
12709 ~~50 minutes each, inclusive of examination, prior to the first~~
12710 ~~renewal following initial licensure. If prescribed, this shall~~
12711 ~~consist of one or more commission-approved courses which total~~
12712 ~~at least 60 classroom hours on one or more subjects which~~
12713 ~~include, but are not limited to, advanced appraisal, advanced~~
12714 ~~property management, real estate marketing, business law,~~
12715 ~~advanced real estate investment analyses, advanced legal~~
12716 ~~aspects, general accounting, real estate economics,~~
12717 ~~syndications, commercial brokerage, feasibility analyses,~~
12718 ~~advanced real estate finance, residential brokerage, advanced~~
12719 ~~marketing, technology, advanced business planning, time~~
12720 ~~management, or real estate brokerage office operations. Required~~
12721 ~~postlicensure education courses must be provided by an~~
12722 ~~accredited college, university, or community college, by a~~
12723 ~~career center, by a registered real estate school, or by a~~
12724 ~~commission-approved sponsor.~~
12725 ~~(b) Satisfactory completion of the postlicensure education~~

12726 ~~requirement is demonstrated by successfully meeting all~~
12727 ~~standards established for the commission-prescribed or~~
12728 ~~commission-approved institution or school. However, notice of~~
12729 ~~satisfactory completion shall not be issued if the student has~~
12730 ~~absences in excess of 10 percent of the required classroom hours~~
12731 ~~or has not satisfactorily completed a timed distance learning~~
12732 ~~course examination.~~

12733 ~~(c) The license of any broker who does not complete the~~
12734 ~~postlicensure education requirement prior to the first renewal~~
12735 ~~following initial licensure shall be considered null and void.~~
12736 ~~If the licensee wishes to operate as a sales associate, she or~~
12737 ~~he may be issued a sales associate's license after providing~~
12738 ~~proof that she or he has satisfactorily completed the 14-hour~~
12739 ~~continuing education course within the 6 months following~~
12740 ~~expiration of her or his broker's license. To operate as a~~
12741 ~~broker, the licensee must requalify by satisfactorily completing~~
12742 ~~the broker's prelicensure course and passing the state~~
12743 ~~examination for licensure as a broker.~~

12744 ~~(5) (a) The commission may allow an additional 6-month~~
12745 ~~period after the first renewal following initial licensure for~~
12746 ~~completing the postlicensure education courses for sales~~
12747 ~~associates and brokers who cannot, due to individual physical~~
12748 ~~hardship, as defined by rule, complete the courses within the~~
12749 ~~required time.~~

12750 ~~(b) Except as provided in subsection (4), sales associates~~

12751 ~~and brokers are not required to meet the 14-hour continuing~~
12752 ~~education requirement prior to the first renewal following~~
12753 ~~initial licensure.~~

12754 ~~(c)1. A distance learning course or courses shall be~~
12755 ~~approved by the commission as an option to classroom hours as~~
12756 ~~satisfactory completion of the postlicensure education course or~~
12757 ~~courses as required by this section. The schools or sponsors~~
12758 ~~authorized by this section have the option of providing~~
12759 ~~classroom courses, distance learning courses, or both. However,~~
12760 ~~satisfactory completion of a distance learning postlicensure~~
12761 ~~education course or courses requires the satisfactory completion~~
12762 ~~of a timed distance learning course examination. Such~~
12763 ~~examination shall not be required to be monitored or given at a~~
12764 ~~centralized location.~~

12765 ~~2. The commission shall provide for postlicensure~~
12766 ~~education courses to be made available by correspondence or~~
12767 ~~other suitable means to any person who, by reason of hardship,~~
12768 ~~as defined by rule, cannot attend the place or places where~~
12769 ~~courses are regularly conducted or does not have access to the~~
12770 ~~distance learning courses.~~

12771 ~~(3)(6)~~ The postlicensure education requirements of this
12772 section, and The education course requirements for one to become
12773 initially licensed, do not apply to any applicant ~~or licensee~~
12774 who has received a 4-year degree, or higher, in real estate from
12775 an accredited institution of higher education.

12776 (4)~~(7)~~ The department ~~commission~~ may not approve
 12777 prelicensure ~~or postlicensure~~ distance learning courses for
 12778 brokers, broker associates, and sales associates by
 12779 correspondence methods, except in instances of hardship pursuant
 12780 to subparagraphs (2) (a)3. and (5) (c)2.

12781 **Section 353. Subsection (2) of section 475.175, Florida**
 12782 **Statutes, is amended to read:**

12783 475.175 Examinations.—

12784 (2) Each accredited college, university, community
 12785 college, or registered real estate school shall notify the
 12786 department ~~commission~~ of the names of all persons who have
 12787 satisfactorily completed the educational requirements provided
 12788 for in s. 475.17(2), ~~(3), and (4)~~ in a manner prescribed by the
 12789 department ~~commission~~. Furthermore, each such educational
 12790 institution shall provide to each person satisfactorily
 12791 completing the educational requirements provided for in s.
 12792 475.17(2), ~~(3), and (4)~~ a certificate as proof of such
 12793 satisfactory completion.

12794 **Section 354. Subsection (1) of section 475.180, Florida**
 12795 **Statutes, is amended to read:**

12796 475.180 Nonresident licenses.—

12797 (1) Notwithstanding the prelicensure requirements set
 12798 forth under ss. 475.17(2) and (3) ~~(6)~~ and 475.175, the
 12799 department ~~commission~~ in its discretion may enter into written
 12800 agreements with similar licensing authorities of other states,

12801 territories, or jurisdictions of the United States or foreign
12802 national jurisdictions to ensure for Florida licensees
12803 nonresident licensure opportunities comparable to those afforded
12804 to nonresidents by this section. Whenever the department
12805 ~~commission~~ determines that another jurisdiction does not offer
12806 nonresident licensure to Florida licensees substantially
12807 comparable to those afforded to licensees of that jurisdiction
12808 by this section, the department ~~commission~~ shall require
12809 licensees of that jurisdiction who apply for nonresident
12810 licensure to meet education, experience, and examination
12811 requirements substantially comparable to those required by that
12812 jurisdiction with respect to Florida licensees who seek
12813 nonresident licensure, not to exceed such requirements as
12814 prescribed in ss. 475.17(2) and (3) ~~(6)~~ and 475.175.

12815 **Section 355. Subsection (1) of section 475.182, Florida**
12816 **Statutes, is amended to read:**

12817 475.182 Renewal of license; ~~continuing education.~~
12818 (1) ~~(a)~~ The department shall renew a license upon receipt
12819 of the renewal application and fee. ~~The renewal application for~~
12820 ~~an active license as broker, broker associate, or sales~~
12821 ~~associate shall include proof satisfactory to the commission~~
12822 ~~that the licensee has, since the issuance or renewal of her or~~
12823 ~~his current license, satisfactorily completed at least 14~~
12824 ~~classroom hours of 50 minutes each of a continuing education~~
12825 ~~course during each biennium of a license period, as prescribed~~

12826 ~~by the commission. Approval or denial of a specialty course must~~
 12827 ~~be based on the extent to which the course content focuses on~~
 12828 ~~real estate issues relevant to the modern practice of real~~
 12829 ~~estate by a real estate licensee, including technology used in~~
 12830 ~~the real estate industry. The commission may accept as a~~
 12831 ~~substitute for such continuing education course, on a classroom-~~
 12832 ~~hour-for-classroom-hour basis, any satisfactorily completed~~
 12833 ~~education course that the commission finds is adequate to~~
 12834 ~~educate licensees within the intent of this section, including~~
 12835 ~~an approved distance learning course. However, the commission~~
 12836 ~~may not require, for the purpose of satisfactorily completing an~~
 12837 ~~approved correspondence or distance learning course, a written~~
 12838 ~~examination that is to be taken at a centralized location and is~~
 12839 ~~to be monitored.~~

12840 ~~(b) The commission may accept as a substitute for 3~~
 12841 ~~classroom hours, one time per renewal cycle, attendance at one~~
 12842 ~~legal agenda session of the commission. In order to obtain~~
 12843 ~~credit, the licensee must notify the division at least 7 days in~~
 12844 ~~advance of his or her intent to attend. A licensee may not earn~~
 12845 ~~any continuing education credit for attending a legal agenda~~
 12846 ~~session of the commission as a party to a disciplinary action.~~

12847 **Section 356. Subsections (1), (2), and (4) of section**
 12848 **475.183, Florida Statutes, are amended to read:**

12849 475.183 Inactive status.—

12850 (1) A license which has become voluntarily inactive may be

12851 renewed pursuant to s. 475.182 upon application to the
12852 department. ~~The commission shall prescribe by rule continuing~~
12853 ~~education requirements, not to exceed 12 classroom hours for~~
12854 ~~each year the license was inactive, as a condition of renewing a~~
12855 ~~voluntarily inactive license. The commission shall substitute~~
12856 ~~for such continuing education requirements, on a classroom hour~~
12857 ~~for classroom-hour basis, any satisfactorily completed education~~
12858 ~~course approved in the manner specified in s. 475.182(1). A~~
12859 person whose license is voluntarily inactive and who renews the
12860 license may elect to continue her or his voluntarily inactive
12861 status.

12862 (2) (a) ~~A licensee may reactivate a license that has been~~
12863 ~~involuntarily inactive for 12 months or less by satisfactorily~~
12864 ~~completing at least 14 hours of a commission-prescribed~~
12865 ~~continuing education course. Notwithstanding the provisions of~~
12866 ~~s. 455.271, a licensee may reactivate a license that has been~~
12867 ~~involuntarily inactive for more than 12 months but fewer than 24~~
12868 ~~months by satisfactorily completing 28 hours of a commission-~~
12869 ~~prescribed education course.~~

12870 (b) Any license that has been involuntarily inactive for
12871 more than 2 years shall automatically expire. Once a license
12872 expires, it becomes null and void without any further action by
12873 the ~~commission or~~ department. Ninety days prior to expiration of
12874 the license, the department shall give notice to the licensee.
12875 The department ~~commission~~ shall prescribe by rule a fee not to

12876 exceed \$100 for the late renewal of an involuntarily inactive
 12877 license. The department shall collect the current renewal fee
 12878 for each renewal period in which the license was involuntarily
 12879 inactive in addition to any applicable late renewal fee.

12880 (4) The department ~~commission~~ may reinstate the license of
 12881 an individual whose license has become void if the department
 12882 ~~commission~~ determines that the individual failed to comply
 12883 because of illness or economic hardship, as defined by rule. The
 12884 individual must apply to the department ~~commission~~ for
 12885 reinstatement within 6 months after the date that the license
 12886 becomes void. Such individual must ~~meet all continuing education~~
 12887 ~~requirements prescribed by law,~~ pay appropriate licensing fees,
 12888 and otherwise be eligible for renewal of licensure under this
 12889 section.

12890 **Section 357. Subsections (1), (2), and (4) of section**
 12891 **481.321, Florida Statutes, are amended to read:**

12892 481.321 Seals; display of certificate number.—

12893 (1) The department ~~board~~ shall prescribe, by rule, one or
 12894 more forms of seals for use by a registered landscape architect
 12895 who holds a valid certificate of registration. Each registered
 12896 landscape architect shall obtain one seal in a form approved by
 12897 rule of the department ~~board~~ and may, in addition, register her
 12898 or his seal electronically in accordance with ss. 668.001-
 12899 668.006. All final plans, specifications, or reports prepared or
 12900 issued by the registered landscape architect and filed for

12901 public record shall be signed by the registered landscape
 12902 architect, dated, and stamped or sealed electronically with her
 12903 or his seal. The signature, date, and seal constitute evidence
 12904 of the authenticity of that to which they are affixed. Final
 12905 plans, specifications, or reports prepared or issued by a
 12906 registered landscape architect may be transmitted electronically
 12907 and may be signed by the registered landscape architect, dated,
 12908 and sealed electronically with the seal in accordance with ss.
 12909 668.001-668.006.

12910 (2) It is unlawful for any person to sign and seal by any
 12911 means any final plan, specification, or report after her or his
 12912 certificate of registration is expired, suspended, or revoked. A
 12913 registered landscape architect whose certificate of registration
 12914 is suspended or revoked shall, within 30 days after the
 12915 effective date of the suspension or revocation, surrender her or
 12916 his seal to the department ~~executive director of the board~~ and
 12917 confirm in writing to the department ~~executive director~~ the
 12918 cancellation of the landscape architect's electronic signature
 12919 in accordance with ss. 668.001-668.006. When a landscape
 12920 architect's certificate of registration is suspended for a
 12921 period of time, her or his seal shall be returned upon
 12922 expiration of the period of suspension.

12923 (4) Nothing in this part shall prohibit a registered
 12924 landscape architect from filing plans of work defined under this
 12925 part. A state agency or local government may not refuse to

12926 accept the seal of a landscape architect for any of the
 12927 professional services delineated in s. 481.303(4), including,
 12928 but not limited to, grading and drainage.

12929 **Section 358. Section 624.341, Florida Statutes, is created**
 12930 **to read:**

12931 624.341 Authority of Department of Law Enforcement to
 12932 accept fingerprints of, and exchange criminal history records
 12933 with respect to, certain persons applying to the Office of
 12934 Insurance Regulation.—

12935 (1) The Legislature finds that criminal activity of
 12936 insurers poses a particular danger to the residents of this
 12937 state. Floridians rely, in good faith, on the honest conduct of
 12938 those who issue and manage insurance policies and other
 12939 insurance instruments in this state. To safeguard this state's
 12940 residents, the Legislature finds it necessary to ensure that
 12941 incorporators, subscribers, officers, employees, contractors,
 12942 stockholders, directors, owners, members, managers, or
 12943 volunteers involved in the organization, operation, or
 12944 management of any insurer that is authorized to sell insurance
 12945 do not have a criminal background.

12946 (2) The Department of Law Enforcement shall accept and
 12947 process fingerprints of incorporators, subscribers, officers,
 12948 employees, contractors, stockholders, directors, owners,
 12949 members, managers, or volunteers involved in the organization,
 12950 operation, or management of:

12951 (a) Any insurer or proposed insurer transacting or
 12952 proposing to transact insurance in this state.

12953 (b) Any entity that is eligible to be examined or
 12954 investigated under s. 624.316.

12955 (3) Each person required to submit fingerprints to the
 12956 office must provide a full set of fingerprints to the office or
 12957 to a vendor, entity, or agency authorized under s. 943.053(13).
 12958 The office, vendor, entity, or agency shall forward the
 12959 fingerprints to the Department of Law Enforcement for state
 12960 processing, and the Department of Law Enforcement shall forward
 12961 the fingerprints to the Federal Bureau of Investigation for
 12962 national processing as provided in s. 624.34. Fees for state and
 12963 federal fingerprint processing must be borne by the person
 12964 submitting the fingerprints. The state cost for fingerprint
 12965 processing is as provided in s. 943.053(3)(e).

12966 (4) The Department of Law Enforcement may, to the extent
 12967 authorized by federal law, exchange any state or federal
 12968 criminal history records with the office for the purpose of
 12969 issuance or continuation of a certificate of authority,
 12970 certification, or license to operate in this state.

12971 (5) Fingerprints must be submitted in accordance with
 12972 rules adopted by the commission.

12973 (a) Fingerprints may be submitted through a third-party
 12974 vendor authorized by the Department of Law Enforcement.

12975 (b) The Department of Law Enforcement shall conduct the

12976 state criminal history background check, and a federal criminal
 12977 history background check shall be conducted through the Federal
 12978 Bureau of Investigation.

12979 (c) All fingerprints submitted to the Department of Law
 12980 Enforcement must be submitted and entered into the statewide
 12981 automated biometric identification system established in s.
 12982 943.05(2) (b) and available for use in accordance with s.
 12983 943.05(2) (g) and (h).

12984 (d) The costs of fingerprint processing, including the
 12985 cost of retaining the fingerprints, must be borne by the person
 12986 subject to the background checks.

12987 (e) The office shall review the results of the state and
 12988 federal criminal history background checks and determine whether
 12989 the applicant meets the requirements for the certificate of
 12990 authority, certification, or license to operate in this state.

12991 (6) State criminal history records obtained through the
 12992 Department of Law Enforcement, federal criminal history records
 12993 obtained through the Federal Bureau of Investigation, and local
 12994 criminal history records obtained through local law enforcement
 12995 agencies must be used by the office for the purpose of issuance,
 12996 denial, suspension, or revocation of certificates of authority,
 12997 certifications, or licenses issued to operate in this state.

12998 **Section 359. Section 475.613, Florida Statutes, is amended**
 12999 **to read:**

13000 475.613 Authority of the department ~~Florida Real Estate~~

13001 ~~Appraisal Board.-~~

13002 ~~(1) There is created the Florida Real Estate Appraisal~~
13003 ~~Board, which shall consist of nine members appointed by the~~
13004 ~~Governor, subject to confirmation by the Senate. Four members of~~
13005 ~~the board must be real estate appraisers who have been engaged~~
13006 ~~in the general practice of appraising real property in this~~
13007 ~~state for at least 5 years immediately preceding appointment. In~~
13008 ~~appointing real estate appraisers to the board, while not~~
13009 ~~excluding other appraisers, the Governor shall give preference~~
13010 ~~to real estate appraisers who are not primarily engaged in real~~
13011 ~~estate brokerage or mortgage lending activities. One member of~~
13012 ~~the board must represent the appraisal management industry. One~~
13013 ~~member of the board must represent organizations that use~~
13014 ~~appraisals for the purpose of eminent domain proceedings,~~
13015 ~~financial transactions, or mortgage insurance. Three members of~~
13016 ~~the board must represent the general public and may not be~~
13017 ~~connected in any way with the practice of real estate appraisal.~~
13018 ~~The appraiser members shall be as representative of the entire~~
13019 ~~industry as possible, and membership in a nationally recognized~~
13020 ~~or state-recognized appraisal organization may not be a~~
13021 ~~prerequisite to membership on the board. To the extent possible,~~
13022 ~~no more than two members of the board shall be primarily~~
13023 ~~affiliated with any one particular national or state appraisal~~
13024 ~~association. Two of the members must be licensed or certified~~
13025 ~~residential real estate appraisers and two of the members must~~

13026 | ~~be certified general real estate appraisers at the time of their~~
 13027 | ~~appointment.~~

13028 | ~~(a) Members of the board shall be appointed for 4-year~~
 13029 | ~~terms. Any vacancy occurring in the membership of the board~~
 13030 | ~~shall be filled by appointment by the Governor for the unexpired~~
 13031 | ~~term. Upon expiration of her or his term, a member of the board~~
 13032 | ~~shall continue to hold office until the appointment and~~
 13033 | ~~qualification of the member's successor. A member may not be~~
 13034 | ~~appointed for more than two consecutive terms. The Governor may~~
 13035 | ~~remove any member for cause.~~

13036 | ~~(b) The headquarters for the board shall be in Orlando.~~

13037 | ~~(c) The board shall meet at least once each calendar~~
 13038 | ~~quarter to conduct its business.~~

13039 | ~~(d) The members of the board shall elect a chairperson at~~
 13040 | ~~the first meeting each year.~~

13041 | ~~(e) Each member of the board is entitled to per diem and~~
 13042 | ~~travel expenses as set by legislative appropriation for each day~~
 13043 | ~~that the member engages in the business of the board.~~

13044 | ~~(2)~~ The department ~~board~~ shall have, through its rules,
 13045 | full power to regulate the issuance of licenses, certifications,
 13046 | registrations, and permits; to discipline appraisers in any
 13047 | manner permitted under this section; to establish qualifications
 13048 | for licenses, certifications, registrations, and permits
 13049 | consistent with this section; to regulate approved courses; to
 13050 | establish standards for real estate appraisals; and to establish

13051 standards for and regulate supervisory appraisers.

13052 ~~(3) Notwithstanding s. 112.313, any member of the board~~
 13053 ~~who is a licensed or certified real estate appraiser and who~~
 13054 ~~holds an active appraiser instructor permit issued by the~~
 13055 ~~department, to the extent authorized pursuant to such permit,~~
 13056 ~~may offer, conduct, or teach any course prescribed or approved~~
 13057 ~~by the board or the department.~~

13058 **Section 360. Paragraph (t) of subsection (1) of section**
 13059 **475.25, Florida Statutes, is amended to read:**

13060 475.25 Discipline.—

13061 (1) The commission may deny an application for licensure,
 13062 registration, or permit, or renewal thereof; may place a
 13063 licensee, registrant, or permittee on probation; may suspend a
 13064 license, registration, or permit for a period not exceeding 10
 13065 years; may revoke a license, registration, or permit; may impose
 13066 an administrative fine not to exceed \$5,000 for each count or
 13067 separate offense; and may issue a reprimand, and any or all of
 13068 the foregoing, if it finds that the licensee, registrant,
 13069 permittee, or applicant:

13070 (t) Has violated any standard of professional practice
 13071 adopted by rule of the department ~~Florida Real Estate Appraisal~~
 13072 ~~Board~~, including standards for the development or communication
 13073 of a real estate appraisal, as approved and adopted by the
 13074 Appraisal Standards Board of the Appraisal Foundation, as
 13075 defined in s. 475.611. This paragraph does not apply to a real

13076 estate broker or sales associate who, in the ordinary course of
13077 business, performs a comparative market analysis, gives a broker
13078 price opinion, or gives an opinion of value of real estate.
13079 However, in no event may this comparative market analysis,
13080 broker price opinion, or opinion of value of real estate be
13081 referred to as an appraisal, as defined in s. 475.611.

13082 **Section 361. Paragraphs (j), (p), (q), (z), and (aa) of**
13083 **subsection (1) and subsection (2) of section 475.611, Florida**
13084 **Statutes, are amended to read:**

13085 475.611 Definitions.—

13086 (1) As used in this part, the term:

13087 ~~(j) "Board" means the Florida Real Estate Appraisal Board~~
13088 ~~established under s. 475.613.~~

13089 (p) "Direct supervision" means the degree of supervision
13090 required of a supervisory appraiser overseeing the work of a
13091 registered trainee appraiser by which the supervisory appraiser
13092 has control over and detailed professional knowledge of the work
13093 being done. Direct supervision is achieved when a registered
13094 trainee appraiser has regular direction, guidance, and support
13095 from a supervisory appraiser who has the competencies as
13096 determined by rule of the department ~~board~~.

13097 (q) "Evaluation" means a valuation permitted by any
13098 federal financial institutions regulatory agency appraisal
13099 regulations for transactions that do not require an appraisal,
13100 as such valuations qualify for an applicable exemption under

13101 federal law. The department ~~board~~ shall adopt rules, as
13102 necessary, to define the term "evaluation" and the applicable
13103 exemptions under federal law.

13104 (z) "Supervisory appraiser" means a certified residential
13105 appraiser or a certified general appraiser responsible for the
13106 direct supervision of one or more registered trainee appraisers
13107 and fully responsible for appraisals and appraisal reports
13108 prepared by those registered trainee appraisers. The department
13109 ~~board~~, by rule, shall determine the responsibilities of a
13110 supervisory appraiser, the geographic proximity required, the
13111 minimum qualifications and standards required of a certified
13112 appraiser before she or he may act in the capacity of a
13113 supervisory appraiser, and the maximum number of registered
13114 trainee appraisers to be supervised by an individual supervisory
13115 appraiser.

13116 (aa) "Training" means the process of providing for and
13117 making available to a registered trainee appraiser, under direct
13118 supervision, a planned, prepared, and coordinated program, or
13119 routine of instruction and education, in appraisal professional
13120 and technical appraisal skills as determined by rule of the
13121 department ~~board~~.

13122 (2) Wherever the word "operate" or "operating" appears in
13123 this part with respect to a registered trainee appraiser,
13124 registered appraisal management company, licensed appraiser, or
13125 certified appraiser; in any order, rule, or regulation of the

13126 department board; in any pleading, indictment, or information
 13127 under this part; in any court action or proceeding; or in any
 13128 order or judgment of a court, it shall be deemed to mean the
 13129 commission of one or more acts described in this part as
 13130 constituting or defining a registered trainee appraiser,
 13131 registered appraisal management company, licensed appraiser, or
 13132 certified appraiser, not including, however, any of the
 13133 exceptions stated therein. A single act is sufficient to bring a
 13134 person within the meaning of this subsection, and each act, if
 13135 prohibited herein, constitutes a separate offense.

13136 **Section 362. Subsection (7) of section 475.612, Florida**
 13137 **Statutes, is amended to read:**

13138 475.612 Certification, licensure, or registration
 13139 required.—

13140 (7) Notwithstanding any other provision of law, an
 13141 appraiser may perform an evaluation of real property in
 13142 connection with a real estate-related financial transaction, as
 13143 defined by rule of the department board, which is regulated by a
 13144 federal financial institutions regulatory agency. The appraiser
 13145 shall comply with the standards for evaluations imposed by the
 13146 federal financial institutions regulatory agency and other
 13147 standards as prescribed by the department board. However, an
 13148 evaluation may not be referred to or construed as an appraisal.

13149 **Section 363. Section 475.614, Florida Statutes, is amended**
 13150 **to read:**

13151 475.614 Power of department ~~board~~ to adopt rules and
 13152 decide questions of practice; requirements for protection of
 13153 appraiser's signature.-

13154 (1) The department ~~board~~ has authority to adopt rules
 13155 pursuant to ss. 120.536(1) and 120.54 to implement provisions of
 13156 law conferring duties upon it. The ~~board~~ may decide questions of
 13157 practice arising in the proceedings before it, having regard to
 13158 this section and the rules then in force.

13159 (2) The department ~~board~~ shall adopt rules specifying the
 13160 means by which an appraiser's signature may be affixed to an
 13161 appraisal report or other work performed by the appraiser. The
 13162 rules shall include requirements for protecting the security of
 13163 an appraiser's signature and prohibiting practices that may
 13164 discredit the use of an appraiser's signature to authenticate
 13165 the work performed by the appraiser.

13166 **Section 364. Section 475.6145, Florida Statutes, is**
 13167 **amended to read:**

13168 475.6145 Seal.-The department ~~board~~ shall adopt a seal by
 13169 which it shall authenticate its proceedings, records, and acts.
 13170 Copies of the proceedings, records, and acts of the ~~board~~, and
 13171 certificates purporting to relate the facts concerning such
 13172 proceedings, records, and acts, which are signed by the ~~board~~
 13173 chair, the custodian of such records, or any other person
 13174 authorized to make such certification and which are
 13175 authenticated by such seal, shall be prima facie evidence of

13176 such proceedings, records, and acts in all courts of this state.

13177 **Section 365. Section 475.6147, Florida Statutes, is**
 13178 **amended to read:**

13179 475.6147 Fees.—

13180 (1) (a) The department ~~board~~ by rule may establish fees to
 13181 be paid for application, licensing and renewal, certification
 13182 and recertification, registration and reregistration,
 13183 reinstatement, and recordmaking and recordkeeping.

13184 (b) The fee for initial application of an appraiser may
 13185 not exceed \$150, and the combined cost of the application and
 13186 examination may not exceed \$300. The initial certification,
 13187 registration, or license fee and the certification,
 13188 registration, or license renewal fee may not exceed \$150 for
 13189 each year of the duration of the certification, registration, or
 13190 license.

13191 (c) The fee for initial application of an appraisal
 13192 management company may not exceed \$150. The initial registration
 13193 and registration renewal fee may not exceed \$150 for each year
 13194 of the duration of the registration.

13195 (d) The department ~~board~~ may also establish by rule a late
 13196 renewal penalty.

13197 (e) The department ~~board~~ shall establish fees which are
 13198 adequate to ensure its continued operation. Fees shall be based
 13199 on estimates made by the department of the revenue required to
 13200 implement this part and other provisions of law relating to the

13201 regulation of real estate appraisers.

13202 (2) Application and certification, registration, and
 13203 license fees shall be refunded upon a determination by the
 13204 department ~~board~~ that the state is not entitled to the fees or
 13205 that only a portion of the resources have been expended in the
 13206 processing of the application or shall be refunded if for any
 13207 other reason the application is not completely processed. The
 13208 ~~board~~ shall implement this subsection by rule.

13209 **Section 366. Section 475.615, Florida Statutes, is amended**
 13210 **to read:**

13211 475.615 Qualifications for registration or certification.—

13212 (1) Any person desiring to act as a registered trainee
 13213 appraiser or as a certified appraiser must make application in
 13214 writing to the department in such form and detail as the
 13215 department ~~board~~ shall prescribe. Each applicant must be at
 13216 least 18 years of age and hold a high school diploma or its
 13217 equivalent.

13218 (2) The department ~~board~~ is authorized to waive or modify
 13219 any education, experience, or examination requirements
 13220 established in this part in order to conform with any such
 13221 requirements established by the Appraiser Qualifications Board
 13222 of the Appraisal Foundation or any successor body recognized by
 13223 federal law, including any requirements adopted on December 9,
 13224 2011. The department ~~board~~ shall implement this section by rule.

13225 (3) Appropriate fees, as set forth in the rules of the

13226 department board pursuant to s. 475.6147, and a set of
13227 fingerprints must accompany all applications for registration or
13228 certification. The fingerprints shall be forwarded to the
13229 Division of Criminal Justice Information Systems within the
13230 Department of Law Enforcement for processing to determine
13231 whether the applicant has a criminal history record. The
13232 fingerprints shall also be forwarded to the Federal Bureau of
13233 Investigation to determine whether the applicant has a criminal
13234 history record. The information obtained by the processing of
13235 the fingerprints by the Department of Law Enforcement and the
13236 Federal Bureau of Investigation shall be sent to the department
13237 to determine whether the applicant is statutorily qualified for
13238 registration or certification.

13239 (4) In the event that the applicant is currently a
13240 registered trainee appraiser or a licensed or certified
13241 appraiser and is making application to obtain a different status
13242 of appraisal credential, should such application be received by
13243 the department within 180 days prior to through 180 days after
13244 the applicant's scheduled renewal, the charge for the
13245 application shall be established by the rules of the department
13246 ~~board~~ pursuant to s. 475.6147.

13247 (5) At the time of filing an application for registration
13248 or certification, the applicant must sign a pledge indicating
13249 that upon becoming registered or certified, she or he will
13250 comply with the standards of professional practice established

13251 by rule of the department ~~board~~, including standards for the
13252 development or communication of a real estate appraisal, and
13253 must indicate in writing that she or he understands the types of
13254 misconduct for which disciplinary proceedings may be initiated.
13255 The application expires 1 year after the date received by the
13256 department.

13257 (6) All applicants must be competent and qualified to make
13258 real estate appraisals with safety to those with whom they may
13259 undertake a relationship of trust and confidence and the general
13260 public. If any applicant has been denied registration,
13261 licensure, or certification, or has been disbarred, or the
13262 applicant's registration, license, or certificate to practice or
13263 conduct any regulated profession, business, or vocation has been
13264 revoked or suspended by this or any other state, any nation, or
13265 any possession or district of the United States, or any court or
13266 lawful agency thereof, because of any conduct or practices which
13267 would have warranted a like result under this part, or if the
13268 applicant has been guilty of conduct or practices in this state
13269 or elsewhere which would have been grounds for disciplining her
13270 or his registration, license, or certification under this part
13271 had the applicant then been a registered trainee appraiser or a
13272 licensed or certified appraiser, the applicant is deemed not to
13273 be qualified unless the applicant has met the conditions adopted
13274 by the Appraiser Qualifications Board of the Appraisal
13275 Foundation on December 9, 2011, as prescribed by rule of the

13276 department board and it appears to the department board that the
13277 interest of the public is not likely to be endangered by the
13278 granting of registration or certification.

13279 (7) No applicant seeking to become registered or certified
13280 under this part may be rejected solely by virtue of membership
13281 or lack of membership in any particular appraisal organization.

13282 **Section 367. Section 475.617, Florida Statutes, is amended**
13283 **to read:**

13284 475.617 Education and experience requirements.—

13285 (1) To be registered as a trainee appraiser, an applicant
13286 must present evidence satisfactory to the department board that
13287 she or he has successfully completed at least 100 hours of
13288 approved qualifying education courses in subjects related to
13289 real estate appraisal, which must include coverage of the
13290 Uniform Standards of Professional Appraisal Practice, or its
13291 equivalent, as established by rule of the department board, from
13292 a nationally recognized or state-recognized appraisal
13293 organization, career center, accredited community college,
13294 college, or university, state or federal agency or commission,
13295 or proprietary real estate school that holds a permit pursuant
13296 to s. 475.451. The department board may increase the required
13297 number of hours to not more than 125 hours. All qualifying
13298 education courses may be completed through in-person classroom
13299 instruction or distance learning. A classroom hour is defined as
13300 50 minutes out of each 60-minute segment. Past courses may be

13301 approved on an hour-for-hour basis.

13302 (2) To be certified as a residential appraiser, an
 13303 applicant must present satisfactory evidence to the department
 13304 ~~board~~ that she or he has met the minimum education and
 13305 experience requirements prescribed by rule of the department
 13306 ~~board~~. The department ~~board~~ shall prescribe by rule education
 13307 and experience requirements that meet or exceed the following
 13308 real property appraiser qualification criteria adopted on
 13309 December 9, 2011, by the Appraiser Qualifications Board of the
 13310 Appraisal Foundation:

13311 (a) Has at least 2,500 hours of experience obtained over a
 13312 24-month period in real property appraisal as defined by rule.

13313 (b) Has successfully completed at least 200 classroom
 13314 hours, inclusive of examination, of approved qualifying
 13315 education courses in subjects related to real estate appraisal,
 13316 which must include a 15-hour National Uniform Standards of
 13317 Professional Appraisal Practice course, or its equivalent, as
 13318 established by rule of the department ~~board~~, from a nationally
 13319 recognized or state-recognized appraisal organization, career
 13320 center, accredited community college, college, or university,
 13321 state or federal agency or commission, or proprietary real
 13322 estate school that holds a permit pursuant to s. 475.451. All
 13323 qualifying education courses may be completed through in-person
 13324 classroom instruction or distance learning. A classroom hour is
 13325 defined as 50 minutes out of each 60-minute segment. Past

13326 | courses may be approved by the department ~~board~~ and substituted
13327 | on an hour-for-hour basis.

13328 | (3) To be certified as a general appraiser, an applicant
13329 | must present evidence satisfactory to the department ~~board~~ that
13330 | she or he has met the minimum education and experience
13331 | requirements prescribed by rule of the department ~~board~~. The
13332 | department ~~board~~ shall prescribe education and experience
13333 | requirements that meet or exceed the following real property
13334 | appraiser qualification criteria adopted on December 9, 2011, by
13335 | the Appraiser Qualifications Board of the Appraisal Foundation:

13336 | (a) Has at least 3,000 hours of experience obtained over a
13337 | 30-month period in real property appraisal as defined by rule.

13338 | (b) Has successfully completed at least 300 classroom
13339 | hours, inclusive of examination, of approved qualifying
13340 | education courses in subjects related to real estate appraisal,
13341 | which must include a 15-hour National Uniform Standards of
13342 | Professional Appraisal Practice course, or its equivalent, as
13343 | established by rule of the department ~~board~~, from a nationally
13344 | recognized or state-recognized appraisal organization, career
13345 | center, accredited community college, college, or university,
13346 | state or federal agency or commission, or proprietary real
13347 | estate school that holds a permit pursuant to s. 475.451. All
13348 | qualifying education courses may be completed through in-person
13349 | classroom instruction or distance learning. A classroom hour is
13350 | defined as 50 minutes out of each 60-minute segment. Past

13351 | courses may be approved by the department ~~board~~ and substituted
 13352 | on an hour-for-hour basis.

13353 | (4) A distance learning course may be approved by the
 13354 | department ~~board~~ as an option to classroom hours for
 13355 | satisfactory completion of the academic courses required under
 13356 | this section. The schools authorized by this section have the
 13357 | option of providing classroom courses, distance learning
 13358 | courses, or both.

13359 | (a) A distance learning course must use a delivery method
 13360 | that is certified or approved by a department-authorized ~~board-~~
 13361 | ~~authorized~~ independent certifying organization.

13362 | (b) A distance learning course intended for use as
 13363 | academic education must include a written, closed-book final
 13364 | examination. As used in this paragraph, the term "written"
 13365 | refers to an exam that might be written on paper or administered
 13366 | electronically on a computer workstation or other device. Oral
 13367 | exams are not acceptable.

13368 | (5) Each applicant must furnish, under oath, a detailed
 13369 | statement of the experience for each year of experience she or
 13370 | he claims. Upon request, the applicant shall furnish to the
 13371 | department ~~board~~, for its examination, copies of appraisal
 13372 | reports or file memoranda to support the claim for experience.
 13373 | Any appraisal report or file memoranda used to support a claim
 13374 | for experience must be maintained by the applicant for no less
 13375 | than 5 years after the date of certification.

13376 (6) The department ~~board~~ may implement the provisions of
 13377 this section by rule.

13378 **Section 368. Section 475.6171, Florida Statutes, is**
 13379 **amended to read:**

13380 475.6171 Issuance of registration or certification.—The
 13381 registration or certification of an applicant may be issued upon
 13382 receipt by the department ~~board~~ of the following:

13383 (1) A complete application indicating compliance with
 13384 qualifications as specified in s. 475.615.

13385 (2) Proof of successful course completion as specified in
 13386 s. 475.617.

13387 (3) Proof of experience for certification as specified in
 13388 s. 475.617.

13389 (4) If required, proof of passing a written examination as
 13390 specified in s. 475.616.

13391 (5) The department ~~board~~ shall implement this section by
 13392 rule.

13393 **Section 369. Subsection (1) of section 475.618, Florida**
 13394 **Statutes, is amended to read:**

13395 475.618 Renewal of registration, license, certification,
 13396 or instructor permit; continuing education.—

13397 (1)(a) The department shall renew a registration, license,
 13398 certification, or instructor permit upon receipt of the renewal
 13399 application and proper fee. Such application shall include proof
 13400 satisfactory to the department ~~board~~ that the individual has

13401 satisfactorily completed any continuing education that has been
 13402 prescribed by the department ~~board~~.

13403 (b) A distance learning course or courses shall be
 13404 approved by the department ~~board~~ as an option to classroom hours
 13405 as satisfactory completion of the course or courses as required
 13406 by this section. The schools authorized by this section have the
 13407 option of providing classroom courses, distance learning
 13408 courses, or both.

13409 (c) The department ~~board~~ may authorize independent
 13410 certification organizations to certify or approve the delivery
 13411 method of distance learning courses. Certification from such
 13412 authorized organizations must be provided at the time a distance
 13413 learning course is submitted to the department ~~board~~ by an
 13414 accredited college, university, community college, career
 13415 center, proprietary real estate school, or department-approved
 13416 ~~board-approved~~ sponsor for content approval.

13417 **Section 370. Section 475.619, Florida Statutes, is amended**
 13418 **to read:**

13419 475.619 Inactive status.—

13420 (1) A registration, license, or certification which has
 13421 become inactive may be renewed upon application to the
 13422 department. The department ~~board~~ shall prescribe by rule
 13423 continuing education requirements for each year the
 13424 registration, license, or certification was inactive, as a
 13425 condition of renewing an inactive registration, license, or

13426 certification.

13427 (2) Any registration, license, or certification which has
 13428 been inactive for more than 4 years shall automatically expire.
 13429 Once a registration, license, or certification expires, it
 13430 becomes null and void without any further action by the
 13431 department board ~~board~~ or department. Two years prior to the
 13432 expiration of the registration, license, or certification, the
 13433 department shall give notice by mail to the registered trainee,
 13434 licensee, or certificateholder at her or his last known address.
 13435 The department board ~~board~~ shall prescribe by rule a fee not to exceed
 13436 \$100 for the late renewal of an inactive registration, license,
 13437 or certification. The department shall collect the current
 13438 renewal fee for each renewal period in which the registration,
 13439 license, or certification was inactive, in addition to any
 13440 applicable late renewal fee.

13441 (3) The department board ~~board~~ shall adopt rules relating to
 13442 inactive registrations, licenses, and certifications and for the
 13443 renewal of such registrations, licenses, and certifications.

13444 **Section 371. Subsections (2) and (3) of section 475.621,**
 13445 **Florida Statutes, are amended to read:**

13446 475.621 Registry of licensed and certified appraisers;
 13447 registry of appraisal management companies.—

13448 (2) The department shall collect from such individuals who
 13449 perform or seek to perform appraisals in federally related
 13450 transactions an annual fee as set by rule of, and transmitted

13451 to, the appraisal subcommittee. The department shall collect
13452 from such appraisal management companies that perform or seek to
13453 perform appraisal management services in covered transactions an
13454 annual fee set by rule of the department ~~board~~ and transmitted
13455 to the appraisal subcommittee.

13456 (3) Notwithstanding the prohibition against requiring
13457 registration of a federally regulated appraisal management
13458 company as provided in s. 475.6235(8)(b), the department ~~board~~
13459 shall establish a procedure to collect from a federally
13460 regulated appraisal management company an annual fee as set by
13461 rule of the department ~~board~~ and transmitted to the appraisal
13462 subcommittee.

13463 **Section 372. Section 475.6222, Florida Statutes, is**
13464 **amended to read:**

13465 475.6222 Supervision and training of registered trainee
13466 appraisers.—The primary or secondary supervisory appraiser of a
13467 registered trainee appraiser shall provide direct supervision
13468 and training to the registered trainee appraiser. The role and
13469 responsibility of the supervisory appraiser is determined by
13470 rule of the department ~~board~~.

13471 **Section 373. Subsections (3) and (4) of section 475.6235,**
13472 **Florida Statutes, are amended to read:**

13473 475.6235 Registration of appraisal management companies
13474 required; exemptions.—

13475 (3) Appropriate fees, as set forth in the rules of the

13476 | department board pursuant to s. 475.6147, and a complete set of
13477 | fingerprints for each person listed in paragraph (2)(f) must
13478 | accompany all applications for registration. The fingerprints
13479 | shall be forwarded to the Division of Criminal Justice
13480 | Information Systems within the Department of Law Enforcement for
13481 | purposes of processing the fingerprints to determine whether the
13482 | person has a criminal history record. The fingerprints shall
13483 | also be forwarded to the Federal Bureau of Investigation for
13484 | purposes of processing the fingerprints to determine whether the
13485 | person has a criminal history record. The information obtained
13486 | by the processing of fingerprints by the Department of Law
13487 | Enforcement and the Federal Bureau of Investigation shall be
13488 | sent to the department for the purpose of determining whether
13489 | the appraisal management company is statutorily qualified for
13490 | registration.

13491 | (4) At the time of filing an application for registration
13492 | of an appraisal management company, each person listed in
13493 | paragraph (2)(f) must sign a pledge to comply with applicable
13494 | standards of professional practice established by rule of the
13495 | department board, including standards for the development or
13496 | communication of a real estate appraisal, and must indicate in
13497 | writing that she or he understands the types of misconduct for
13498 | which disciplinary proceedings may be initiated. The application
13499 | expires 1 year after the date received.

13500 | **Section 374. Section 475.624, Florida Statutes, is amended**

13501 **to read:**

13502 475.624 Discipline of appraisers.—The department ~~board~~ may
 13503 deny an application for registration or certification of an
 13504 appraiser; may investigate the actions of any appraiser
 13505 registered, licensed, or certified under this part; may
 13506 reprimand or impose an administrative fine not to exceed \$5,000
 13507 for each count or separate offense against any such appraiser;
 13508 and may revoke or suspend, for a period not to exceed 10 years,
 13509 the registration, license, or certification of any such
 13510 appraiser, or place any such appraiser on probation, if the
 13511 department ~~board~~ finds that the registered trainee, licensee, or
 13512 certificateholder:

13513 (1) Has violated any provision of this part or s.
 13514 455.227(1); however, any appraiser registered, licensed, or
 13515 certified under this part is exempt from s. 455.227(1)(i).

13516 (2) Has been guilty of fraud, misrepresentation,
 13517 concealment, false promises, false pretenses, dishonest conduct,
 13518 culpable negligence, or breach of trust in any business
 13519 transaction in this state or any other state, nation, or
 13520 territory; has violated a duty imposed upon her or him by law or
 13521 by the terms of a contract, whether written, oral, express, or
 13522 implied, in an appraisal assignment; has aided, assisted, or
 13523 conspired with any other person engaged in any such misconduct
 13524 and in furtherance thereof; or has formed an intent, design, or
 13525 scheme to engage in such misconduct and committed an overt act

13526 | in furtherance of such intent, design, or scheme. It is
13527 | immaterial to the guilt of the registered trainee appraiser or
13528 | licensed or certified appraiser that the victim or intended
13529 | victim of the misconduct has sustained no damage or loss; that
13530 | the damage or loss has been settled and paid after discovery of
13531 | the misconduct; or that such victim or intended victim was a
13532 | customer or a person in confidential relation with the
13533 | registered trainee appraiser or licensed or certified appraiser,
13534 | or was an identified member of the general public.

13535 | (3) Has advertised services in a manner that is
13536 | fraudulent, false, deceptive, or misleading in form or content.

13537 | (4) Has violated any provision of this part or any lawful
13538 | order or rule issued under this part or chapter 455.

13539 | (5) Has been convicted or found guilty of, or entered a
13540 | plea of nolo contendere to, regardless of adjudication, a crime
13541 | in any jurisdiction that directly relates to the activities of a
13542 | registered trainee appraiser or licensed or certified appraiser
13543 | or that involves moral turpitude or fraudulent or dishonest
13544 | conduct. The record of a conviction certified or authenticated
13545 | in such form as admissible in evidence under the laws of the
13546 | state shall be admissible as prima facie evidence of such guilt.

13547 | (6) Has had a registration, license, or certification as
13548 | an appraiser revoked, suspended, or otherwise acted against; has
13549 | been disbarred; has had her or his registration, license, or
13550 | certificate to practice or conduct any regulated profession,

13551 business, or vocation revoked or suspended by this or any other
 13552 state, any nation, or any possession or district of the United
 13553 States; or has had an application for such registration,
 13554 licensure, or certification to practice or conduct any regulated
 13555 profession, business, or vocation denied by this or any other
 13556 state, any nation, or any possession or district of the United
 13557 States.

13558 (7) Has become temporarily incapacitated from acting as an
 13559 appraiser with safety to those in a fiduciary relationship with
 13560 her or him because of drunkenness, use of drugs, or temporary
 13561 mental derangement; however, suspension of a license,
 13562 certification, or registration in such cases shall only be for
 13563 the period of such incapacity.

13564 (8) Is confined in any county jail, postadjudication; is
 13565 confined in any state or federal prison or mental institution;
 13566 or, through mental disease or deterioration, can no longer
 13567 safely be entrusted to deal with the public or in a confidential
 13568 capacity.

13569 (9) Has failed to inform the department ~~board~~ in writing
 13570 within 30 days after pleading guilty or nolo contendere to, or
 13571 being convicted or found guilty of, any felony.

13572 (10) Has been found guilty, for a second time, of any
 13573 misconduct that warrants disciplinary action, or has been found
 13574 guilty of a course of conduct or practice that shows that she or
 13575 he is incompetent, negligent, dishonest, or untruthful to an

13576 | extent that those with whom she or he may sustain a confidential
 13577 | relationship may not safely do so.

13578 | (11) Has made or filed a report or record, either written
 13579 | or oral, that the registered trainee appraiser or licensed or
 13580 | certified appraiser knows to be false; has willfully failed to
 13581 | file a report or record required by state or federal law; has
 13582 | willfully impeded or obstructed such filing; or has induced
 13583 | another person to impede or obstruct such filing. However, such
 13584 | reports or records shall include only those that are signed or
 13585 | presented in the capacity of a registered trainee appraiser or
 13586 | licensed or certified appraiser.

13587 | (12) Has obtained or attempted to obtain a registration,
 13588 | license, or certification by means of knowingly making a false
 13589 | statement, submitting false information, refusing to provide
 13590 | complete information in response to an application question, or
 13591 | engaging in fraud, misrepresentation, or concealment.

13592 | (13) Has paid money or other valuable consideration,
 13593 | except as required by this section, to any member or employee of
 13594 | the department ~~board~~ to obtain a registration, license, or
 13595 | certification under this section.

13596 | (14) Has violated any standard of professional practice
 13597 | established by rule of the department ~~board~~, including standards
 13598 | for the development or communication of a real estate appraisal.

13599 | (15) Has failed or refused to exercise reasonable
 13600 | diligence in developing an appraisal or preparing an appraisal

13601 report.

13602 (16) Has failed to communicate an appraisal without good
13603 cause.

13604 (17) Has accepted an appraisal assignment if the
13605 employment itself is contingent upon the appraiser reporting a
13606 predetermined result, analysis, or opinion or if the fee to be
13607 paid for the performance of the appraisal assignment is
13608 contingent upon the opinion, conclusion, or valuation reached
13609 upon the consequences resulting from the appraisal assignment.

13610 (18) Has failed to timely notify the department of any
13611 change in business location, or has failed to fully disclose all
13612 business locations from which she or he operates as a registered
13613 trainee appraiser or licensed or certified appraiser.

13614 **Section 375. Section 475.6245, Florida Statutes, is**
13615 **amended to read:**

13616 475.6245 Discipline of appraisal management companies.—

13617 (1) The department ~~board~~ may deny an application for
13618 registration or renewal registration of an appraisal management
13619 company; may investigate the actions of any appraisal management
13620 company registered under this part; may reprimand or impose an
13621 administrative fine not to exceed \$5,000 for each count or
13622 separate offense against any such appraisal management company;
13623 and may revoke or suspend, for a period not to exceed 10 years,
13624 the registration of any such appraisal management company, or
13625 place any such appraisal management company on probation, if the

13626 department board finds that the appraisal management company or
13627 any person listed in s. 475.6235(2)(f):

13628 (a) Has violated any provision of this part or s.
13629 455.227(1); however, any appraisal management company registered
13630 under this part is exempt from s. 455.227(1)(i).

13631 (b) Has been guilty of fraud, misrepresentation,
13632 concealment, false promises, false pretenses, dishonest conduct,
13633 culpable negligence, or breach of trust in any business
13634 transaction in this state or any other state, nation, or
13635 territory; has violated a duty imposed upon her or him by law or
13636 by the terms of a contract, whether written, oral, express, or
13637 implied, in an appraisal assignment; has aided, assisted, or
13638 conspired with any other person engaged in any such misconduct
13639 and in furtherance thereof; or has formed an intent, design, or
13640 scheme to engage in such misconduct and committed an overt act
13641 in furtherance of such intent, design, or scheme. It is
13642 immaterial to the guilt of the appraisal management company that
13643 the victim or intended victim of the misconduct has sustained no
13644 damage or loss; that the damage or loss has been settled and
13645 paid after discovery of the misconduct; or that such victim or
13646 intended victim was a customer or a person in confidential
13647 relation with the appraisal management company or was an
13648 identified member of the general public.

13649 (c) Has advertised services in a manner that is
13650 fraudulent, false, deceptive, or misleading in form or content.

13651 (d) Has violated any provision of this part or any lawful
13652 order or rule issued under this part or chapter 455.

13653 (e) Has been convicted or found guilty of, or entered a
13654 plea of nolo contendere to, regardless of adjudication, a crime
13655 in any jurisdiction that directly relates to the activities of
13656 an appraisal management company or that involves moral turpitude
13657 or fraudulent or dishonest conduct. The record of a conviction
13658 certified or authenticated in such form as admissible in
13659 evidence under the laws of the state shall be admissible as
13660 prima facie evidence of such guilt.

13661 (f) Has had a registration, license, or certification as
13662 an appraiser or a registration as an appraisal management
13663 company revoked, suspended, or otherwise acted against; has been
13664 disbarred; has had her or his registration, license, or
13665 certificate to practice or conduct any regulated profession,
13666 business, or vocation revoked or suspended by this or any other
13667 state, any nation, or any possession or district of the United
13668 States; or has had an application for such registration,
13669 licensure, or certification to practice or conduct any regulated
13670 profession, business, or vocation denied by this or any other
13671 state, any nation, or any possession or district of the United
13672 States.

13673 (g) Has become temporarily incapacitated from acting as an
13674 appraisal management company with safety to those in a fiduciary
13675 relationship with her or him because of drunkenness, use of

13676 | drugs, or temporary mental derangement; however, suspension of a
13677 | registration in such cases shall only be for the period of such
13678 | incapacity.

13679 | (h) Is confined in any county jail, postadjudication; is
13680 | confined in any state or federal prison or mental institution;
13681 | or, through mental disease or deterioration, can no longer
13682 | safely be entrusted to deal with the public or in a confidential
13683 | capacity.

13684 | (i) Has failed to inform the department ~~board~~ in writing
13685 | within 30 days after pleading guilty or nolo contendere to, or
13686 | being convicted or found guilty of, any felony.

13687 | (j) Has been found guilty, for a second time, of any
13688 | misconduct that warrants disciplinary action, or has been found
13689 | guilty of a course of conduct or practice that shows that she or
13690 | he is incompetent, negligent, dishonest, or untruthful to an
13691 | extent that those with whom she or he may sustain a confidential
13692 | relationship may not safely do so.

13693 | (k) Has made or filed a report or record, either written
13694 | or oral, that the appraisal management company knows to be
13695 | false; has willfully failed to file a report or record required
13696 | by state or federal law; has willfully impeded or obstructed
13697 | such filing; or has induced another person to impede or obstruct
13698 | such filing. However, such reports or records shall include only
13699 | those that are signed or presented in the capacity of an
13700 | appraisal management company.

13701 (1) Has obtained or attempted to obtain a registration,
13702 license, or certification by means of knowingly making a false
13703 statement, submitting false information, refusing to provide
13704 complete information in response to an application question, or
13705 engaging in fraud, misrepresentation, or concealment.

13706 (m) Has paid money or other valuable consideration, except
13707 as required by this section, to any member or employee of the
13708 department ~~board~~ to obtain a registration, license, or
13709 certification under this section.

13710 (n) Has instructed an appraiser to violate any standard of
13711 professional practice established by rule of the department
13712 ~~board~~, including standards for the development or communication
13713 of a real estate appraisal or other provision of the Uniform
13714 Standards of Professional Appraisal Practice.

13715 (o) Has engaged in the development of an appraisal or the
13716 preparation of an appraisal report, unless the appraisal
13717 management company is owned or controlled by certified
13718 appraisers.

13719 (p) Has failed to communicate an appraisal without good
13720 cause.

13721 (q) Has accepted an appraisal assignment if the employment
13722 itself is contingent upon the appraisal management company
13723 reporting a predetermined result, analysis, or opinion or if the
13724 fee to be paid for the performance of the appraisal assignment
13725 is contingent upon the opinion, conclusion, or valuation reached

13726 upon the consequences resulting from the appraisal assignment.

13727 (r) Has failed to timely notify the department of any
 13728 change in principal business location as an appraisal management
 13729 company.

13730 (s) Has influenced or attempted to influence the
 13731 development, reporting, or review of an appraisal through
 13732 coercion, extortion, collusion, compensation, inducement,
 13733 intimidation, bribery, or any other means, including, but not
 13734 limited to:

13735 1. Withholding or threatening to withhold timely payment
 13736 for an appraisal, unless such nonpayment is based upon specific
 13737 quality or other service issues that constitute noncompliance
 13738 with the appraisal engagement agreement.

13739 2. Withholding or threatening to withhold future business
 13740 from an appraiser.

13741 3. Promising future business, promotions, or increased
 13742 compensation for an appraiser, whether the promise is express or
 13743 implied.

13744 4. Conditioning a request for appraisal services or the
 13745 payment of an appraisal fee, salary, or bonus upon the opinion,
 13746 conclusion, or valuation to be reached or upon a preliminary
 13747 estimate or opinion requested from an appraiser.

13748 5. Requesting that an appraiser provide an estimated,
 13749 predetermined, or desired valuation in an appraisal report or
 13750 provide estimated values or comparable sales at any time before

13751 the appraiser's completion of appraisal services.

13752 6. Providing to an appraiser an anticipated, estimated,
13753 encouraged, or desired value for a subject property or a
13754 proposed or target amount to be loaned to the borrower, except
13755 that a copy of the sales contract for purchase transactions may
13756 be provided.

13757 7. Providing to an appraiser, or any person related to the
13758 appraiser, stock or other financial or nonfinancial benefits.

13759 8. Allowing the removal of an appraiser from an appraiser
13760 panel without prior written notice to the appraiser.

13761 9. Obtaining, using, or paying for a second or subsequent
13762 appraisal or ordering an automated valuation model in connection
13763 with a mortgage financing transaction unless there is a
13764 reasonable basis to believe that the initial appraisal was
13765 flawed or tainted and such basis is clearly and appropriately
13766 noted in the loan file, or unless such appraisal or automated
13767 valuation model is issued pursuant to a bona fide prefunding or
13768 postfunding appraisal review or quality control process.

13769 10. Any other act or practice that impairs or attempts to
13770 impair an appraiser's independence, objectivity, or
13771 impartiality.

13772 (t) Has altered, modified, or otherwise changed a
13773 completed appraisal report submitted by an appraiser to an
13774 appraisal management company.

13775 (u) Has employed, contracted with, or otherwise retained

13776 an appraiser whose registration, license, or certification is
13777 suspended or revoked to perform appraisal services or appraisal
13778 management services.

13779 (v) Has required or attempted to require an appraiser to
13780 sign any indemnification agreement that would require the
13781 appraiser to hold harmless the appraisal management company or
13782 its owners, agents, employees, or independent contractors from
13783 any liability, damage, loss, or claim arising from the services
13784 performed by the appraisal management company or its owners,
13785 agents, employees, or independent contractors and not the
13786 services performed by the appraiser.

13787 (w) Has required or attempted to require a client to sign
13788 any indemnification agreement that would require the client to
13789 hold harmless the appraisal management company or its owners,
13790 agents, or employees from any liability, damage, loss, or claim
13791 arising from the services performed by an appraiser.

13792 (2) The department ~~board~~ may reprimand an appraisal
13793 management company, conditionally or unconditionally suspend or
13794 revoke any registration of an appraisal management company
13795 issued under this part, or impose administrative fines not to
13796 exceed \$5,000 for each count or separate offense against any
13797 such appraisal management company if the department ~~board~~
13798 determines that the appraisal management company is attempting
13799 to perform, has performed, or has attempted to perform any of
13800 the following acts:

- 13801 (a) Committing any act in violation of this part.
- 13802 (b) Violating any rule adopted by the department ~~board~~
- 13803 under this part.
- 13804 (c) Obtaining a registration of an appraisal management
- 13805 company by fraud, misrepresentation, or deceit.
- 13806 (3) This section does not prohibit an appraisal management
- 13807 company from requesting an appraiser to:
- 13808 (a) Provide additional information about the basis of a
- 13809 valuation, including consideration of additional comparable
- 13810 data; or
- 13811 (b) Correct objective factual errors in an appraisal
- 13812 report.

13813 **Section 376. Section 475.625, Florida Statutes, is amended**
 13814 **to read:**

13815 475.625 Final orders.—The department ~~board~~ may publish and
 13816 distribute, in such manner and form as it may prescribe, any of
 13817 its final orders or decisions made under this section, after
 13818 they become final by lapse of time or upon affirmance on appeal,
 13819 or opinions of appellate courts for the guidance of appraisers,
 13820 appraiser users, and the public. The department ~~board~~ may also
 13821 publish or withhold from publication the names and addresses of
 13822 any parties concerned. This section shall not be construed to
 13823 affect compliance with chapter 119.

13824 **Section 377. Paragraphs (c), (d), and (e) of subsection**
 13825 **(1) of section 475.626, Florida Statutes, are amended to read:**

13826 475.626 Violations and penalties.—

13827 (1) A person may not:

13828 (c) Make any false affidavit or affirmation intended for
 13829 use as evidence by or before the department ~~board~~ or any member
 13830 thereof, or by any of its authorized representatives, nor may
 13831 any person give false testimony under oath or affirmation to or
 13832 before the department ~~board~~ or any member thereof in any
 13833 proceeding authorized by this section.

13834 (d) Fail or refuse to appear at the time and place
 13835 designated in a subpoena issued with respect to a violation of
 13836 this section, unless such failure to appear is the result of
 13837 facts or circumstances that are sufficient to excuse appearance
 13838 in response to a subpoena from the circuit court; nor may a
 13839 person who is present before the department ~~board or a member~~
 13840 ~~thereof~~ or one of its authorized representatives acting under
 13841 authority of this section refuse to be sworn or to affirm or
 13842 fail or refuse to answer fully any question propounded by the
 13843 department ~~board, the member,~~ or such representative, or by any
 13844 person by the authority of such officer or appointee.

13845 (e) Obstruct or hinder in any manner the enforcement of
 13846 this section or the performance of any lawful duty by any person
 13847 acting under the authority of this section, or interfere with,
 13848 intimidate, or offer any bribe to any employee ~~member~~ of the
 13849 department ~~board or any of its employees~~ or any person who is,
 13850 or is expected to be, a witness in any investigation or

13851 proceeding relating to a violation of this section.

13852 **Section 378. Section 475.627, Florida Statutes, is amended**
 13853 **to read:**

13854 475.627 Appraisal course instructors.—

13855 (1) Where the course or courses to be taught are
 13856 prescribed by the department ~~board~~ or approved precedent to
 13857 registration, licensure, certification, or renewal as a
 13858 registered trainee appraiser, licensed appraiser, or certified
 13859 residential appraiser, before commencing to instruct noncredit
 13860 college courses in a college, university, or community college,
 13861 or courses in a career center or proprietary real estate school,
 13862 a person must certify her or his competency by meeting one of
 13863 the following requirements:

13864 (a) Hold a valid certification as a residential real
 13865 estate appraiser in this or any other state.

13866 (b) Pass an appraiser instructor's examination which shall
 13867 test knowledge of residential appraisal topics.

13868 (2) Where the course or courses to be taught are
 13869 prescribed by the department ~~board~~ or approved precedent to
 13870 registration, licensure, certification, or renewal as a
 13871 registered trainee appraiser, licensed appraiser, or certified
 13872 appraiser, before commencing to instruct noncredit college
 13873 courses in a college, university, or community college, or
 13874 courses in a career center or proprietary real estate school, a
 13875 person must certify her or his competency by meeting one of the

13876 following requirements:

13877 (a) Hold a valid certification as a general real estate
13878 appraiser in this or any other state.

13879 (b) Pass an appraiser instructor's examination which shall
13880 test knowledge of residential and nonresidential appraisal
13881 topics.

13882 (3) Possession of a permit to teach prescribed or approved
13883 appraisal courses does not entitle the permitholder to teach any
13884 courses outside the scope of the permit.

13885 **Section 379. Section 475.628, Florida Statutes, is amended**
13886 **to read:**

13887 475.628 Professional standards for appraisers registered,
13888 licensed, or certified under this part.—

13889 (1) The department ~~board~~ shall adopt rules establishing
13890 standards of professional practice which meet or exceed
13891 nationally recognized standards of appraisal practice, including
13892 standards adopted by the Appraisal Standards Board of the
13893 Appraisal Foundation. Each appraiser registered, licensed, or
13894 certified under this part must comply with the rules. Statements
13895 on appraisal standards which may be issued for the purpose of
13896 clarification, interpretation, explanation, or elaboration
13897 through the Appraisal Foundation are binding on any appraiser
13898 registered, licensed, or certified under this part, upon
13899 adoption by rule of the department ~~board~~.

13900 (2) The department ~~board~~ may adopt rules establishing

13901 standards of professional practice other than standards adopted
13902 by the Appraisal Standards Board of the Appraisal Foundation for
13903 nonfederally related transactions. The department ~~board~~ shall
13904 require that when performing an appraisal or appraisal service
13905 for any purpose other than a federally related transaction, an
13906 appraiser must comply with the Ethics and Competency Rules of
13907 the standards adopted by the Appraisal Standards Board of the
13908 Appraisal Foundation, and other requirements as determined by
13909 rule of the department ~~board~~. An assignment completed using
13910 alternate standards does not satisfy the experience requirements
13911 under s. 475.617 unless the assignment complies with the
13912 standards adopted by the Appraisal Standards Board of the
13913 Appraisal Foundation.

13914 **Section 380. Section 475.629, Florida Statutes, is amended**
13915 **to read:**

13916 475.629 Retention of records.—An appraiser registered,
13917 licensed, or certified under this part shall prepare and retain
13918 a work file for each appraisal, appraisal review, or appraisal
13919 consulting assignment. An appraisal management company
13920 registered under this part shall prepare and retain an order
13921 file for each appraisal, appraisal review, or appraisal
13922 consulting assignment. The work file and the order file shall be
13923 retained for 5 years or the period specified in the Uniform
13924 Standards of Professional Appraisal Practice, whichever is
13925 greater. The work file must contain original or true copies of

13926 any contracts engaging the appraiser's or appraisal management
13927 company's services, appraisal reports, and supporting data
13928 assembled and formulated by the appraiser or company in
13929 preparing appraisal reports or engaging in appraisal management
13930 services and all other data, information, and documentation
13931 required by the standards for the development or communication
13932 of a real estate appraisal as approved and adopted by the
13933 Appraisal Standards Board of The Appraisal Foundation, as
13934 established by rule of the department ~~board~~. The order file must
13935 contain original or true copies of any contracts engaging the
13936 appraiser's services, the appraisal reports, any engagement
13937 materials or instructions from the client, and all other
13938 documents required by the standards for the development or
13939 communication of a real estate appraisal as approved and adopted
13940 by the Appraisal Standards Board of The Appraisal Foundation, as
13941 established by rule of the department ~~board~~. Notwithstanding the
13942 foregoing, while general contracts and materials pertaining to
13943 impaneling of an appraiser by an appraisal management company
13944 shall be retained under this section, such contracts and
13945 materials are not required to be maintained within the order
13946 file. Except as otherwise specified in the Uniform Standards of
13947 Professional Appraisal Practice, the period for retention of the
13948 records applicable to each engagement of the services of the
13949 appraiser or appraisal management company runs from the date of
13950 the submission of the appraisal report to the client. Appraisal

13951 management companies shall also retain the company accounts,
 13952 correspondence, memoranda, papers, books, and other records in
 13953 accordance with administrative rules adopted by the department
 13954 ~~board~~. These records must be made available by the appraiser or
 13955 appraisal management company for inspection and copying by the
 13956 department upon reasonable notice to the appraiser or company.
 13957 If an appraisal has been the subject of or has served as
 13958 evidence for litigation, reports and records must be retained
 13959 for at least 2 years after the trial or the period specified in
 13960 the Uniform Standards of Professional Appraisal Practice,
 13961 whichever is greater.

13962 **Section 381. Section 475.630, Florida Statutes, is amended**
 13963 **to read:**

13964 475.630 Temporary practice.—

13965 (1) The department ~~board~~ shall recognize, on a temporary
 13966 basis, the license or certification of an appraiser issued by
 13967 another state, if:

13968 (a) The property to be appraised is part of a federally
 13969 related transaction.

13970 (b) The appraiser's business is of a temporary nature.

13971 (c) The appraiser registers with the department ~~board~~.

13972 (d) The person requesting recognition of a license or
 13973 certification as an appraiser issued by another state is a
 13974 nonresident of Florida.

13975 (2) In order to register with the department ~~board~~, the

13976 appraiser must:

13977 (a) Pay any required fee as established by rule.

13978 (b) Provide, or cause the state where the applicant may be
 13979 licensed or certified to furnish, proof of licensure or
 13980 certification along with the copies of the records of any
 13981 disciplinary actions taken against the applicant's license or
 13982 certification in that or other jurisdictions.

13983 (c) Agree in writing to cooperate with any investigation
 13984 initiated under this part by promptly supplying such documents
 13985 that any authorized representative of the department may
 13986 request. If the department sends a notice by certified mail to
 13987 the last known address of a nonresident appraiser to produce
 13988 documents or to appear in conjunction with an investigation and
 13989 the nonresident appraiser fails to comply with that request, the
 13990 department ~~board~~ may impose on that nonresident appraiser any
 13991 disciplinary action or penalty authorized under this part.

13992 (d) Sign a notarized statement that the applicant has read
 13993 this section and all applicable rules and agrees to abide by
 13994 these provisions in all appraisal activities.

13995 **Section 382. Section 475.631, Florida Statutes, is amended**
 13996 **to read:**

13997 475.631 Nonresident licenses and certifications.—

13998 (1) Any resident state-certified appraiser who becomes a
 13999 nonresident shall, within 60 days, notify the department ~~board~~
 14000 of the change in residency and comply with nonresident

14001 requirements. Failure to notify and comply is a violation of the
14002 license law, subject to the penalties in s. 475.624.

14003 (2) All nonresident applicants, certified appraisers, and
14004 licensees shall comply with all requirements of department ~~board~~
14005 rules and this part.

14006 **Section 383.** Except as otherwise expressly provided in
14007 this act, this act shall take effect July 1, 2025.