

Senate Bill No. 1740

An act relating to the Florida Statutes; repealing or deleting various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 468.4571, F.S., relating to savings clauses applicable to the transition to licensure of athlete agents; amending s. 468.70, F.S.; deleting findings relating to regulation of athletic trainers; amending s. 470.001, F.S.; deleting findings relating to regulation of funeral directing, embalming, and direct disposition; repealing s. 470.0395(1), (2), F.S., relating to savings clauses applicable to regulation of funeral directing, embalming, and direct disposition; amending s. 471.001, F.S.; deleting findings relating to regulation of engineering; amending s. 472.001, F.S.; deleting findings relating to regulation of surveyors and mappers; repealing s. 472.013(2)(c) and (d), F.S., relating to obsolete education and experience requirements to take the examination for licensure as a surveyor or mapper; repealing ss. 472.039 and 472.041, F.S., relating to the validity of certain land surveyor registrations and the automatic licensure of certain persons as surveyors and mappers; repealing ss. 473.306(3)(e) and 473.307, F.S., relating to obsolete experience requirements to be licensed as a certified public accountant; amending s. 473.308, F.S.; deleting cross-references, to conform; repealing s. 473.3251, F.S., relating to a saving clause applicable to certain public accountancy licenses; repealing s. 474.219, F.S., relating to saving clauses applicable to regulation of veterinary medical practice; amending s. 475.001, F.S.; deleting findings relating to regulation of real estate brokers, salespersons, and schools; amending s. 475.610, F.S.; deleting findings relating to regulation of real estate appraisers; amending s. 476.024, F.S.; deleting findings relating to regulation of barbers; amending s. 477.012, F.S.; deleting findings relating to regulation of cosmetology practice; amending s. 481.201, F.S.; deleting findings relating to regulation of the practice of architecture; repealing s. 481.209(2)(e), F.S., relating to obsolete experience requirements to take the examination for licensure as an interior designer; repealing s. 481.24, F.S., relating to licensure or transitional licensure of certain interior designers; amending s. 489.101, F.S.; deleting findings relating to regulation of construction contracting; amending s. 489.501, F.S.; deleting findings relating to regulation of electrical and alarm system contracting; repealing s. 489.518(2)(d), F.S., relating to training required to be employed as a burglar alarm system agent; repealing s. 489.537(8)(b), F.S., relating to experience requirements for registration as an alarm system contractor II; providing an effective date.

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

Section 1. Section 468.4571, Florida Statutes, is repealed.

Section 2. Section 468.70, Florida Statutes, is amended to read:

~~468.70 Legislative findings and intent.—The Legislature finds that without regulation of athletic training and trainers there is substantial threat to the public welfare. It is the intent of the Legislature that athletes be assisted by persons adequately trained to recognize, prevent, and treat physical injuries sustained during athletic activities. Therefore, it is the further intent of the Legislature to protect the public by licensing and fully regulating athletic trainers.~~

Section 3. Section 470.001, Florida Statutes, is amended to read:

~~470.001 Legislative findings and intent.—~~

~~(4) The Legislature deems it necessary in the interest of public health and safety to establish finds that the practice of embalming, funeral directing, and final disposition by unskilled and incompetent practitioners presents a danger to the public health and safety. The Legislature finds further that it is difficult for the public to make an informed choice about embalmers and funeral directors and that the consequences of a wrong choice could endanger the public health and welfare. The only way to protect the public from the incompetent practice of embalming, funeral directing, and final disposition is through the establishment of minimum qualifications for entry into the such professions of embalming and funeral directing and to provide for through swift and effective discipline for those practitioners who violate the law.~~

~~(2) The Legislature further finds that the unregistered practice of direct disposition presents a danger to the public welfare and, therefore, deems it necessary to provide for the registration of all direct disposers, to provide against improper conduct by practitioners of direct disposition, and to establish swift and effective discipline for those practitioners who violate the law.~~

Section 4. Subsections (1) and (2) of section 470.0395, Florida Statutes, are repealed.

Section 5. Section 471.001, Florida Statutes, is amended to read:

~~471.001 Purpose.—The Legislature finds that, if incompetent engineers performed engineering services, physical and economic injury to the citizens of the state would result and, therefore, deems it necessary in the interest of public health and safety to regulate the practice of engineering in this state.~~

Section 6. Section 472.001, Florida Statutes, is amended to read:

~~472.001 Purpose.—The Legislature finds that improper surveying and mapping of land, water, and space presents a significant threat to the public and therefore deems it necessary to regulate surveyors and mappers as provided in ss. 472.001-472.041.~~

Section 7. Paragraphs (c) and (d) of subsection (2) of section 472.013, Florida Statutes, are repealed.

Section 8. Sections 472.039 and 472.041, Florida Statutes, are repealed.

Section 9. Section 473.307 and paragraph (e) of subsection (3) of section 473.306, Florida Statutes, are repealed.

Section 10. Subsections (2) and (3) of section 473.308, Florida Statutes, are amended to read:

473.308 Licensure.—

(2) The board shall certify for licensure any applicant who successfully passes the licensure examination and satisfies the requirements of s. ss. 473.306 and 473.307 and shall certify for licensure any firm which satisfies the requirements of ss. 473.309 and 473.3101. The board may refuse to certify any applicant or firm that has violated any of the provisions of s. 473.322.

(3) The board shall certify as qualified for a license by endorsement an applicant who:

(a)1. Is not licensed and has not been licensed in another state or territory and who qualifies to take the examination as set forth in s. 473.306 and, who has passed a national, regional, state, or territorial licensing examination which is substantially equivalent to the examination required by s. 473.306, and who has satisfied the experience requirements set forth in s. 473.307; and

2. Has completed such continuing education courses as the board deems appropriate, within the limits for each applicable 2-year period as set forth in s. 473.312, but at least such courses as are equivalent to the continuing education requirements for a licensee in this state during the 2 years immediately preceding her or his application for licensure by endorsement; or

(b)1.

a. Holds a valid license to practice public accounting issued by another state or territory of the United States, if the criteria for issuance of such license were substantially equivalent to the licensure criteria which existed in this state at the time the license was issued; or

b. Holds a valid license to practice public accounting issued by another state or territory of the United States but the criteria for issuance of such license did not meet the requirements of sub-subparagraph a., who qualifies to take the examination as set forth in s. 473.306 and, who has passed a national, regional, state, or territorial licensing examination which is substantially equivalent to the examination required by s. 473.306, and who has satisfied the experience requirements set forth in s. 473.307; and

2. Has completed continuing education courses which are equivalent to the continuing education requirements for a licensee in this state during the 2 years immediately preceding her or his application for licensure by endorsement.

Section 11. Section 473.3251, Florida Statutes, is repealed.

Section 12. Section 474.219, Florida Statutes, is repealed.

Section 13. Section 475.001, Florida Statutes, is amended to read:

475.001 Purpose.—~~The Legislature finds that a significant number of real property transactions are facilitated by real estate brokers and salespersons and that it is necessary to assure the minimal competence of real estate practitioners in order to protect the public from potential economic loss; therefore, the Legislature deems it necessary in the interest of the public welfare to regulate real estate brokers, salespersons, and schools in this state.~~

Section 14. Section 475.610, Florida Statutes, is amended to read:

475.610 Purpose.—~~The Legislature finds that a significant number of appraisals of real property are performed in conjunction with federally related transactions by appraisers and that it is necessary to assure the minimal competence of such appraisers in order to protect the public from potential economic loss; therefore, the Legislature deems it necessary in the interest of the public welfare to regulate real estate appraisers in this state.~~

Section 15. Section 476.024, Florida Statutes, is amended to read:

476.024 Purpose.—~~The Legislature deems it recognizes that barbering is potentially dangerous to the public in that barbers work in close proximity to patrons, thus risking transmission of disease and vermin, apply various caustic chemical agents to the hair and scalp of patrons, and employ instruments which could harm patrons if improperly used. Therefore, it is deemed necessary in the interest of public health, safety, and welfare to regulate the practice of barbering in this state. However, restrictions should be imposed only to the extent necessary to protect the public from these recognized dangers and in a manner which will not unreasonably affect the competitive market.~~

Section 16. Section 477.012, Florida Statutes, is amended to read:

477.012 Purpose.—~~The Legislature recognizes that the practice of cosmetology involves the use of tools and chemicals which may be dangerous when applied improperly and, therefore, deems it necessary in the interest of public health to regulate the practice of cosmetology in this state. However, restrictions shall be imposed only to the extent necessary to protect the public from significant and discernible danger to health and not in a manner which will unreasonably affect the competitive market. Further, consumer protection for both health and economic matters shall be afforded the public through legal remedies provided for in this act.~~

Section 17. Section 481.201, Florida Statutes, is amended to read:

481.201 Purpose.—~~The Legislature finds that the practice of architecture is a learned profession. The primary legislative purpose for enacting this part is to ensure that every architect practicing in this state meets~~

minimum requirements for safe practice. It is the legislative intent that architects who fall below minimum competency or who otherwise present a danger to the public shall be prohibited from practicing in this state. The Legislature further finds that it is in the interest of the public to limit the practice of interior design to interior designers or architects who have the design education and training required by this part or to persons who are exempted from the provisions of this part.

Section 18. Paragraph (e) of subsection (2) of section 481.209, Florida Statutes, is repealed.

Section 19. Section 481.24, Florida Statutes, is repealed.

Section 20. Section 489.101, Florida Statutes, is amended to read:

489.101 Purpose.—~~The Legislature deems recognizes that the construction and home improvement industries may pose a danger of significant harm to the public when incompetent or dishonest contractors provide unsafe, unstable, or short-lived products or services. Therefore, it is necessary~~ in the interest of the public health, safety, and welfare to regulate the construction industry.

Section 21. Section 489.501, Florida Statutes, is amended to read:

489.501 Purpose.—~~The Legislature finds that electrical contracting and alarm system contracting are important services and potentially dangerous if not properly provided and, therefore,~~ deems it necessary in the interest of public health, safety, and welfare to regulate the electrical and alarm system contractors in this state. This regulation seeks to enable qualified persons to obtain licensure, while ensuring that applicants have sufficient technical experience in the applicable trade prior to licensure, are tested on technical and business matters, and upon licensure are made subject to disciplinary procedures and effective policing of the profession.

Section 22. Paragraph (d) of subsection (2) of section 489.518, Florida Statutes, is repealed.

Section 23. Paragraph (b) of subsection (8) of section 489.537, Florida Statutes, is repealed.

Section 24. This act shall take effect upon becoming a law.

Approved by the Governor June 20, 2000.

Filed in Office Secretary of State June 20, 2000.