

CHAPTER 2018-179

Committee Substitute for Committee Substitute for House Bill No. 1137

An act relating to the Pinellas County Construction Licensing Board; amending ch. 75-489, Laws of Florida, as amended; revising the composition of the Pinellas County Construction Licensing Board; revising the terms of the board members; providing for termination of members; providing for the election and terms of a chair and vice chair; providing that board staff are employees of Pinellas County; providing that the board is a dependent agency of the Board of County Commissioners of Pinellas County; authorizing the board of county commissioners to adopt rules; requiring the board to provide an annual report on finances and administrative activities; subjecting the board to periodic audits; requiring members of the board to file financial disclosure statements; specifying the board is eligible for state funding to support its operations during transition to the county; providing for dissolution of board upon approval at referendum; providing an effective date.

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

Section 1. Subsections (1) and (3) of section 12 of part II of chapter 75-489, Laws of Florida, as amended by chapters 89-504, 93-387, and 2003-319, Laws of Florida, are amended, and subsections (13) through (17) are added to that section, to read:

Section 12. Pinellas County Construction Licensing Board; organization; meetings, and powers.—

(1) The Pinellas County Construction Licensing Board is created, within the county of Pinellas, consisting of 15 members, as follows:

(a) Eight members, including the following:

1. One general contractor who is licensed to do business in this state and actively engaged in the profession.

2. One architect who is registered to practice in this state and actively engaged in the profession.

3. One residential contractor who is licensed to do business in this state and actively engaged in the profession.

4. One electrical contractor who is licensed to do business in this state and actively engaged in the profession.

5. One plumbing contractor who is licensed to do business in this state and actively engaged in the profession.

6. One mechanical contractor or Class A air-conditioning contractor who is licensed to do business in this state and actively engaged in the profession.

7. One roofing contractor or sheet metal contractor who is licensed in this state and actively engaged in the profession.

8. One swimming pool contractor, aluminum specialty contractor, or veneer specialty contractor who is licensed in this state and actively engaged in the profession.

(b) The Pinellas County building official.

(c) Two consumer representatives not affiliated with the construction industry.

(d) A fire official.

(e) Three building officials, as follows:

1. A North county building official from one of the following municipalities: Clearwater, Tarpon Springs, Dunedin, Oldsmar, Safety Harbor, Belleair, Belleair Bluffs, or Largo;

2. A South county building official from one of the following municipalities: St. Petersburg, South Pasadena, Gulfport, Seminole, Kenneth City, or Pinellas Park; and

3. A Beach Community building official from one of the following municipalities: the City of Belleair Beach, the Town of Belleair Shore, the Town of Redington Beach, the Town of North Redington Beach, the City of Madeira Beach, the City of Indian Rocks Beach, the Town of Indian Shores, the Town of Redington Shores, the City of Treasure Island, or the City of St. Pete Beach ~~twenty-one (21) members, two (2) of whom are primarily engaged in business as general contractors; two (2) of whom are primarily engaged in business as building contractors, two (2) of whom are primarily engaged in business as residential contractors, one (1) who is a Florida registered architect doing business in Pinellas County, one (1) who is an electrical contractor, one (1) who is a plumbing contractor, one (1) who is a mechanical contractor, one who is a roofing or sheet metal contractor, one (1) who is a swimming pool, aluminum or veneer specialty contractor, two (2) fire marshals, the three (3) building directors of the following: City of St. Petersburg, City of Clearwater and County of Pinellas, one (1) North county building director from one of the following municipalities: Tarpon Springs, Dunedin, Oldsmar, Safety Harbor, Belleair, Belleair Bluffs, or Largo, one (1) South county building director from one of the following municipalities: South Pasadena, Gulfport, Seminole, Kenneth City, or Pinellas Park, one (1) Beach Community building director from one of the following: the Town of Belleair Beach, the Town of Belleair Shores, the City of Redington Beach, the City of North Redington Beach, the City of Madeira Beach, the City of Indian Rocks Beach, the Town of Indian Shores, the Town of Redington Shores, the City of Treasure Island, and the City of St. Pete Beach, and one~~

~~(1) consumer member who is a resident and citizen of Pinellas County and who is not and never has been a member or practitioner of any of the trades or professions regulated by the board or a member or practitioner of any closely related trade or profession. All members of the board must shall be residents of Pinellas County and are appointed by the ~~Chairman~~ of the Board of County Commissioners.~~

~~(3)(a) A board member may not serve more than two consecutive terms of 4 years, but may be reappointed after a 2-year hiatus. This limitation shall not apply to any of the governmental building official or fire official appointees. Members of the board shall be selected as follows: The three (3) building directors of the City of Clearwater, City of St. Petersburg and the County of Pinellas; one (1) North county building director and one (1) South county building director selected by the Chairman of the Board of County Commissioners from the municipalities listed in subsection (1); one (1) Beach Community building director appointed from a list of three (3) nominees submitted by The Barrier Island Governmental Council; a Florida Registered Architect appointed from a list of three recommended architects submitted by the American Institute of Architects Florida Central Chapter, St. Petersburg and Clearwater Sections; two (2) of whom are primarily engaged in business as general contractors from a list of five (5) submitted by The Associated General Contractors of Mid-Florida, Inc.; two (2) of whom are primarily engaged in business as Building Contractors from a list of five (5) submitted by the Contractors and Builders Association of Pinellas County; two (2) of whom are primarily engaged in the business as residential building contractors from a list of five (5) submitted by the Contractors and Builders Association of Pinellas County; one (1) who is an electrical contractor from a list of five (5) supplied by the Electrical Council of Florida, Pinellas County Chapter; one (1) who is a Plumbing contractor from a list of five (5) supplied by the Pinellas Association of Plumbing Heating-Cooling Contractors, Inc.; two (2) of whom are fire marshals, who shall be active members of the Tampa Bay Area Fire Marshals Association, from a list of five (5) supplied by said association, one (1) of whom shall serve an initial term of three (3) years, the other to serve an initial term of two (2) years, with successors to serve for a term of two (2) years thereafter; one (1) who is a mechanical or Class A air conditioning contractor from a list of five (5), supplied by the Refrigeration and Air Conditioning Contractors' Association ("RACCA"); one (1) roofing or sheet metal contractor and one (1) swimming pool, aluminum or veneer specialty contractor selected by the Chairman of the Board of County Commissioners; one consumer member to be appointed by the Chairman of the Board of County Commissioners in accordance with paragraph 2(a). The building director members from the City of Clearwater, from the City of St. Petersburg and Pinellas County, shall be permanent members of the board. All other members shall serve terms of two (2) years.~~

~~(b) The terms of the following members expire shall ~~commence~~ their terms in even-numbered years: the licensed general contractor, the Florida registered architect, the licensed residential one (1) general contractor, one (1) building contractor, the licensed or, one (1) residential building~~

~~contractor, one (1) electrical contractor, a consumer representative, and one (1) fire marshal, the North county, South county, and Beach Community building officials directors. The terms of the following members expire shall commence their terms in odd-numbered years: the one (1) general contractor, one (1) building contractor, one (1) residential building contractor, one (1) mechanical contractor or Class A air conditioning contractor; the, one (1) plumbing contractor, one (1) fire official; the licensed marshal, one (1) roofing or sheet metal contractor; the, one (1) swimming pool, aluminum, or veneer specialty contractor; the licensed plumbing contractor; a, and one (1) consumer representative; and the South county building official member.~~

(c) As the terms of members expire, the Chairman of the Board of County Commissioners of Pinellas County shall appoint a member to fill the vacancy for a term of ~~4~~ two (2) years in the same manner as that membership was originally filled. The architect, contractor, electrical, plumbing and mechanical members shall be selected from the county at large. The board shall elect from one of its members a chair to serve as chairman and a vice chair one of its members to serve as vice-chairman, for terms of up to 2 years a term to be set by the board. All terms of office expire on September 30 of the last year of the term. Vacancies in the membership occurring prior to the end of a member's term for any cause shall be filled by the Pinellas County Board of County Commissioners appointment in the same manner as that membership was originally filled.

(13) Board staff are employees of Pinellas County, and Pinellas County is responsible for all costs associated therewith. The board is a dependent agency of the Board of County Commissioners. The Board of County Commissioners may adopt rules to implement this act, including, but not limited to, rules relating to board finances and contribution for costs associated with this act to be borne by the county, and may remove any member of the board at will.

(14)(a) The board shall submit to all local governments in Pinellas County, and make available to the public, a complete report on finances and administrative activities of the board as of the end of each fiscal year.

(b) The board is subject to periodic audits performed by a certified auditor chosen by the Board of County Commissioners.

(15) Each member of the board who is not otherwise required to file a financial disclosure statement pursuant to s. 8, Art. II of the State Constitution or s. 112.3144, Florida Statutes, must file an annual disclosure of financial interests pursuant to s. 112.3145, Florida Statutes.

(16) The board is eligible for state funding for 3 years after July 1, 2018, to support its operations and staff costs as it transitions to Pinellas County.

(17) Notwithstanding any law to the contrary, if the qualified electors of Pinellas County voting in a referendum approve the transfer of all authority

of the board to the Board of County Commissioners, the board shall stand dissolved as of the effective date of the referendum.

Section 2. This act shall take effect July 1, 2018.

Approved by the Governor March 23, 2018.

Filed in Office Secretary of State March 23, 2018.