

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: CS/SB 2248

SPONSOR: Regulated Industries Committee and Senator Peaden

SUBJECT: Surveying and Mapping

DATE: April 12, 2004 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sumner	Imhof	RI	Fav/CS
2.			GO	
3.				
4.				
5.				
6.				

I. Summary:

The bill provides that the Department of Business and Professional Regulation (department) shall reinstate and reissue the license by July 1, 2005, of each individual whose license to practice surveying and mapping under chapter 472, F.S., has become null if all of the following circumstances and qualifications are met:

- the individual's license was scheduled to be renewed during the biennium period beginning in 2001;
- the license of the individual was in good standing at the time of the beginning of the renewal cycle;
- the individual properly petitioned the department for relief relating to the circumstances under which the license became null; and
- during the period that the license was null, the individual did not commit a felony, violate a practice act, or engage in unlicensed activity for which a penalty is imposed.

This bill creates an unnumbered section of the Florida Statutes.

II. Present Situation:

Chapter 455, F.S., provides for the general powers of the department. These powers include allowing a licensee to maintain a license in active or inactive status. A licensee is required to biennially renew an active license, as well as, an inactive license. Failure to renew before the expiration of the term of the license causes the licensee to be in delinquent status. If the licensee further fails to renew the license as active or inactive before the expiration of the licensure cycle,

the license becomes null by operation of law. A person whose license has been nullified is required to meet all prerequisites for an initial license if subsequent licensure is desired.

Section 455.271(6), F.S., provides that a delinquent status licensee must affirmatively apply with a complete application, as defined by rule of the board, or the department when there is no board, for active or inactive status during the licensure cycle in which a licensee becomes delinquent. Failure by a delinquent status licensee to become active or inactive before the expiration of the current licensure cycle shall render the license null with any further action by the board or the department. These provisions do not apply to real estate licensees or to harbor pilots.

Currently, s. 473.313, F.S., gives the Board of Accountancy the discretion, notwithstanding the provisions of s. 455.271, F.S., to reinstate the license of a person whose license has become null if the person has made a good-faith effort to comply with licensure renewal provisions but has failed to comply because of illness or unusual hardship. The board is authorized to establish by rule the procedure for applying for reinstatement and an application fee pursuant to exemptions provided in this section.

III. Effect of Proposed Changes:

The committee substitute provides that the department shall, reinstate and reissue the license by July 1, 2005, of each individual whose license to practice surveying and mapping under ch. 472, F.S., has become null if all of the following circumstances and qualifications are met:

- the individual's license was scheduled to be renewed during the biennium period beginning in 2001;
- the license of the individual was in good standing at the time of the beginning of the renewal cycle;
- the individual properly petitioned the department for relief relating to the circumstances under which the license became null; and
- during the period that the license was null, the individual did not commit a felony, violate a practice act, or engage in unlicensed activity for which a penalty is imposed.

The individual must submit an application to the Board of Professional Surveyors and Mappers (board) for reinstatement in a manner prescribed by rules of the board and pay the appropriate application fee in an amount equal to the fee currently imposed for initial licensure.

The act takes effect upon becoming a law and expires July 1, 2005.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.