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CS/CS/HB 1137

2018 Legislature

1
2 An act relating to the Pinellas County Construction
3 Licensing Board; amending ch. 75-489, Laws of Florida,
4 as amended; revising the composition of the Pinellas
5 County Construction Licensing Board; revising the
6 terms of the board members; providing for termination
7 of members; providing for the election and terms of a
8 chair and vice chair; providing that board staff are
9 employees of Pinellas County; providing that the board
10 is a dependent agency of the Board of County
11 Commissioners of Pinellas County; authorizing the
12 board of county commissioners to adopt rules;
13 requiring the board to provide an annual report on
14 finances and administrative activities; subjecting the
15 board to periodic audits; requiring members of the
16 board to file financial disclosure statements;
17 specifying the board is eligible for state funding to
18 support its operations during transition to the
19 county; providing for dissolution of board upon
20 approval at referendum; providing an effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. Subsections (1) and (3) of section 12 of part
25 II of chapter 75-489, Laws of Florida, as amended by chapters

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26 | 89-504, 93-387, and 2003-319, Laws of Florida, are amended, and
 27 | subsections (13) through (17) are added to that section, to
 28 | read:

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

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

34 | (a) Eight members, including the following:

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

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

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

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

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

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

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

50 | 8. One swimming pool contractor, aluminum specialty

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51 contractor, or veneer specialty contractor who is licensed in
 52 this state and actively engaged in the profession.
 53 (b) The Pinellas County building official.
 54 (c) Two consumer representatives not affiliated with the
 55 construction industry.
 56 (d) A fire official.
 57 (e) Three building officials, as follows:
 58 1. A North county building official from one of the
 59 following municipalities: Clearwater, Tarpon Springs, Dunedin,
 60 Oldsmar, Safety Harbor, Belleair, Belleair Bluffs, or Largo;
 61 2. A South county building official from one of the
 62 following municipalities: St. Petersburg, South Pasadena,
 63 Gulfport, Seminole, Kenneth City, or Pinellas Park; and
 64 3. A Beach Community building official from one of the
 65 following municipalities: the City of Belleair Beach, the Town
 66 of Belleair Shore, the Town of Redington Beach, the Town of
 67 North Redington Beach, the City of Madeira Beach, the City of
 68 Indian Rocks Beach, the Town of Indian Shores, the Town of
 69 Redington Shores, the City of Treasure Island, or the City of
 70 St. Pete Beach ~~twenty-one (21) members, two (2) of whom are~~
 71 ~~primarily engaged in business as general contractors; two (2) of~~
 72 ~~whom are primarily engaged in business as building contractors,~~
 73 ~~two (2) of whom are primarily engaged in business as residential~~
 74 ~~contractors, one (1) who is a Florida registered architect doing~~
 75 ~~business in Pinellas County, one (1) who is an electrical~~

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76 ~~contractor, one (1) who is a plumbing contractor, one (1) who is~~
 77 ~~a mechanical contractor, one who is a roofing or sheet metal~~
 78 ~~contractor, one (1) who is a swimming pool, aluminum or veneer~~
 79 ~~specialty contractor, two (2) fire marshals, the three (3)~~
 80 ~~building directors of the following: City of St. Petersburg,~~
 81 ~~City of Clearwater and County of Pinellas, one (1) North county~~
 82 ~~building director from one of the following municipalities:~~
 83 ~~Tarpon Springs, Dunedin, Oldsmar, Safety Harbor, Belleair,~~
 84 ~~Belleair Bluffs, or Largo, one (1) South county building~~
 85 ~~director from one of the following municipalities: South~~
 86 ~~Pasadena, Gulfport, Seminole, Kenneth City, or Pinellas Park,~~
 87 ~~one (1) Beach Community building director from one of the~~
 88 ~~following: the Town of Belleair Beach, the Town of Belleair~~
 89 ~~Shores, the City of Redington Beach, the City of North Redington~~
 90 ~~Beach, the City of Madeira Beach, the City of Indian Rocks~~
 91 ~~Beach, the Town of Indian Shores, the Town of Redington Shores,~~
 92 ~~the City of Treasure Island, and the City of St. Pete Beach, and~~
 93 ~~one (1) consumer member who is a resident and citizen of~~
 94 ~~Pinellas County and who is not and never has been a member or~~
 95 ~~practitioner of any of the trades or professions regulated by~~
 96 ~~the board or a member or practitioner of any closely related~~
 97 ~~trade or profession. All members of the board must ~~shall~~ be~~
 98 ~~residents of Pinellas County and are appointed by ~~the~~ Chairman~~
 99 ~~of the Board of County Commissioners.~~

100 (3) (a) A board member may not serve more than two

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101 consecutive terms of 4 years, but may be reappointed after a 2-
 102 year hiatus. This limitation shall not apply to any of the
 103 governmental building official or fire official appointees.
 104 ~~Members of the board shall be selected as follows: The three (3)~~
 105 ~~building directors of the City of Clearwater, City of St.~~
 106 ~~Petersburg and the County of Pinellas; one (1) North county~~
 107 ~~building director and one (1) South county building director~~
 108 ~~selected by the Chairman of the Board of County Commissioners~~
 109 ~~from the municipalities listed in subsection (1); one (1) Beach~~
 110 ~~Community building director appointed from a list of three (3)~~
 111 ~~nominees submitted by The Barrier Island Governmental Council; a~~
 112 ~~Florida Registered Architect appointed from a list of three~~
 113 ~~recommended architects submitted by the American Institute of~~
 114 ~~Architects Florida Central Chapter, St. Petersburg and~~
 115 ~~Clearwater Sections; two (2) of whom are primarily engaged in~~
 116 ~~business as general contractors from a list of five (5)~~
 117 ~~submitted by The Associated General Contractors of Mid-Florida,~~
 118 ~~Inc.; two (2) of whom are primarily engaged in business as~~
 119 ~~Building Contractors from a list of five (5) submitted by the~~
 120 ~~Contractors and Builders Association of Pinellas County; two (2)~~
 121 ~~of whom are primarily engaged in the business as residential~~
 122 ~~building contractors from a list of five (5) submitted by the~~
 123 ~~Contractors and Builders Association of Pinellas County; one (1)~~
 124 ~~who is an electrical contractor from a list of five (5) supplied~~
 125 ~~by the Electrical Council of Florida, Pinellas County Chapter;~~

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126 | ~~one (1) who is a Plumbing contractor from a list of five (5)~~
 127 | ~~supplied by the Pinellas Association of Plumbing Heating Cooling~~
 128 | ~~Contractors, Inc.; two (2) of whom are fire marshals, who shall~~
 129 | ~~be active members of the Tampa Bay Area Fire Marshals~~
 130 | ~~Association, from a list of five (5) supplied by said~~
 131 | ~~association, one (1) of whom shall serve an initial term of~~
 132 | ~~three (3) years, the other to serve an initial term of two (2)~~
 133 | ~~years, with successors to serve for a term of two (2) years~~
 134 | ~~thereafter; one (1) who is a mechanical or Class A air~~
 135 | ~~conditioning contractor from a list of five (5), supplied by the~~
 136 | ~~Refrigeration and Air Conditioning Contractors' Association~~
 137 | ~~("RACCA"); one (1) roofing or sheet metal contractor and one (1)~~
 138 | ~~swimming pool, aluminum or veneer specialty contractor selected~~
 139 | ~~by the Chairman of the Board of County Commissioners; one~~
 140 | ~~consumer member to be appointed by the Chairman of the Board of~~
 141 | ~~County Commissioners in accordance with paragraph 2(a). The~~
 142 | ~~building director members from the City of Clearwater, from the~~
 143 | ~~City of St. Petersburg and Pinellas County, shall be permanent~~
 144 | ~~members of the board. All other members shall serve terms of two~~
 145 | ~~(2) years.~~

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

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

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

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176 County Board of County Commissioners ~~appointment in the same~~
 177 ~~manner as that membership was originally filled.~~

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

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

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

192 (15) Each member of the board who is not otherwise
 193 required to file a financial disclosure statement pursuant to s.
 194 8, Art. II of the State Constitution or s. 112.3144, Florida
 195 Statutes, must file an annual disclosure of financial interests
 196 pursuant to s. 112.3145, Florida Statutes.

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

200 (17) Notwithstanding any law to the contrary, if the

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201 | qualified electors of Pinellas County voting in a referendum
202 | approve the transfer of all authority of the board to the Board
203 | of County Commissioners, the board shall stand dissolved as of
204 | the effective date of the referendum.

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