

BCAB



Building Code Advisory Board of Palm Beach County

TECHNICAL ADVISORY

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By: Building Code Advisory Board

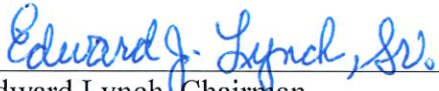
To the Florida Legislature:

On behalf of the Building Code Advisory Board of Palm Beach County, we are writing this letter to express our concerns with what our respective board has determined to be a flawed piece of legislation. House Bill (HB) 735, enacted in 2021 and effective this July, prohibits local contractor licensing authorities from requiring licensing for job scopes that do not substantially correspond to a job scope at the state level. Furthermore, HB 735 restricts local jurisdictions from creating new licenses or modifying its existing ones. We have held several publicly noticed meetings to discuss HB 735 and its troubling language, and we have listened to members of the public share their anxieties about the Bill's impact and what it means for their licensed businesses. Below we have compiled a list of the deficiencies, questions and concerns regarding HB 735, as expressed by members of the public (i.e. concerned citizens, licensed contractors and business owners) and the Board during our meetings:

- HB 735 will reduce protection for customers against unlicensed activity and reduce measures of accountability.
- It will greatly reduce the quality and the standards required to perform contracting work across the State.
- It will limit remedies available to consumers for incomplete or poor work quality performed by unlicensed contractors.
- HB 735 will reduce protection for customers against unlicensed activity and reduce measures of accountability.
- It will greatly reduce the quality and the standards required to perform contracting work across the State.
- HB 735's prohibition on creating new licenses or modifying the current ones limit local jurisdictions' ability to respond to updates and change particular to their local industries and trades.
- It limits local jurisdictions' ability to execute their mission of protecting the public, improving competency levels, and providing the public access to skilled, reliable, and safe tradesmen.
- The bill's language fails to provide a corresponding job scope for the trades for which it expressly prohibits local licenses.
- The bill's language fails to provide a clear definition for "substantially correspond."
- The ambiguous language puts local jurisdictions at risk of violating the law due to no fault of their own, and it puts local licensees at risk of losing their licensed status due to misinterpretations of the law.

To address the issues enumerated above and to prevent further unintended consequences, we are requesting that the Legislature rescind HB 735 in its entirety. If the legislature is not inclined to rescind, we are alternatively in favor of amending the law in its current form to clarify and account for the ambiguities and unanswered questions that local agencies and members of the public are grappling with. In that same vein, we are requesting that the effective date of HB 735 be extended from July 1, 2023 to July 1, 2024.

Thank you for your consideration,



Edward Lynch, Chairman
Building Code Advisory Board

CC: Senator, Kathleen Passidomo
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Representative, Tyler I. Sirois, Chair
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