

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT

**CHRISTOPHER NATHANIAL JOHNSON,**  
Appellant,

v.

**STATE OF FLORIDA, DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION, CONSTRUCTION INDUSTRY  
LICENSING BOARD,**  
Appellee.

No. 4D15-3965

[February 1, 2017]

Appeal from the State of Florida, Department of Business and Professional Regulation, Division of Professions; DBPR File No. 2015-08318.

R.N. Koblegard, III of The Koblegard Law Firm, Fort Pierce, for appellant.

Pamela Jo Bondi, Attorney General, and Marlene K. Stern, Assistant Attorney General, Tallahassee, for appellee.

PER CURIAM.

We affirm the order of the Construction Industry Licensing Board (“CILB”) denying Christopher Nathaniel Johnson’s application to be a qualifying agent for his employer, Fort Pierce Utility Authority, a municipal corporation. Pursuant to section 489.119(2), Florida Statutes (2015), an individual who seeks “to engage in contracting as a business organization, including any partnership, corporation, business trust, or other legal entity, . . . must apply for registration or certification as the qualifying agent of the business organization.” However, employees of municipalities such as Mr. Johnson are expressly excluded from the requirements of part I of Chapter 489, Florida Statutes (2015), which encompasses section 489.119. See § 489.103(3), Fla. Stat. (2015) (providing that the part does not apply to “[a]n authorized employee of . . . any municipality . . . or any other municipal or political subdivision . . .”). Consequently, the CILB did not abuse its discretion in interpreting the term “legal entity,” as it is used in section 489.119, to exclude

municipalities and in denying Mr. Johnson's application.

*Affirmed.*

CIKLIN, C.J., MAY and KUNTZ, JJ., concur.

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***Not final until disposition of timely filed motion for rehearing.***