

By the Committee on Community Affairs; and Senator Hutson

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1 A bill to be entitled
2 An act relating to building codes; amending s.
3 468.609, F.S.; revising the certification examination
4 requirements for building code inspectors, plans
5 examiners, and building code administrators;
6 authorizing a local jurisdiction to allow an
7 individual who possesses a specified certification to
8 be a residential building code inspector or plans
9 examiner within the jurisdiction; requiring, rather
10 than authorizing, the Florida Building Code
11 Administrators and Inspectors Board to provide for
12 issuance of certain provisional certificates;
13 conforming a cross-reference; amending ss. 468.627,
14 471.0195, 481.215, and 481.313, F.S.; requiring a
15 licensee or certificateholder to undergo code-related
16 training as part of his or her continuing education
17 courses; amending s. 489.103, F.S.; providing an
18 exemption for certain employees who make minor repairs
19 to existing electric water heaters and to existing
20 electric heating, venting, and air-conditioning
21 systems under specified circumstances; amending s.
22 489.105, F.S.; revising the definition of the term
23 "plumbing contractor"; amending s. 489.115, F.S.;
24 requiring a certificateholder or registrant to undergo
25 code-related training as part of his or her continuing
26 education requirements; amending s. 489.1401, F.S.;
27 revising legislative intent with respect to the
28 purpose of the Florida Homeowners' Construction
29 Recovery Fund; providing legislative intent that
30 Division II contractors set apart funds to participate
31 in the fund; amending s. 489.1402, F.S.; revising
32 definitions; amending s. 489.141, F.S.; authorizing

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33 certain claimants to make a claim against the recovery
34 fund for certain contracts entered into before a
35 specified date; amending s. 489.1425, F.S.; revising a
36 notification provided by contractors to certain
37 residential property owners to state that payment from
38 the recovery fund is limited; amending s. 489.143,
39 F.S.; revising provisions concerning payments from the
40 recovery fund; specifying claim amounts for certain
41 contracts entered into before or after specified
42 dates; providing aggregate caps for payments; amending
43 s. 489.503, F.S.; exempting certain low-voltage
44 landscape lighting from licensed electrical contractor
45 installation requirements; amending s. 489.517, F.S.;
46 requiring a certificateholder or registrant to undergo
47 code-related training as part of his or her continuing
48 education requirements; amending s. 514.011, F.S.;
49 revising the definition of the term "private pool";
50 amending s. 514.0115, F.S.; prohibiting a portable
51 pool from being regulated as a public pool in certain
52 circumstances; amending s. 514.031, F.S.; providing
53 that a portable pool may not be used as a public pool
54 unless it is exempt under s. 514.0115, F.S.; amending
55 s. 553.512, F.S.; revising the membership of the
56 Accessibility Advisory Council; amending s. 553.721,
57 F.S.; directing the Florida Building Code Compliance
58 and Mitigation Program to fund, from existing
59 resources, the recommendations made by the Building
60 Code System Uniform Implementation Evaluation
61 Workgroup; providing a limitation; requiring that a

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62 specified amount of funds from the surcharge be used
63 to fund certain Florida Fire Prevention Code informal
64 interpretations; requiring the State Fire Marshal to
65 adopt specified rules; amending s. 553.73, F.S.;

66 authorizing local boards created to address specified
67 issues to combine the appeals boards to create a
68 single, local board; authorizing the local board to
69 grant alternatives or modifications through specified
70 procedures; requiring at least one member of a board
71 to be a fire protection contractor, a fire protection
72 design professional, a fire department operations
73 professional, or a fire code enforcement professional
74 in order to meet a specified quorum requirement;

75 authorizing the appeal to a local administrative board
76 of specified decisions made by a local fire official;
77 specifying the decisions of the local building
78 official and the local fire official which are subject
79 to review; prohibiting the Florida Building Code from
80 requiring more than one fire access elevator in
81 certain buildings; prohibiting a 1-hour fire-rated
82 fire service access elevator lobby from being required
83 in certain circumstances; requiring a 1-hour fire-
84 related fire service access elevator lobby in certain
85 circumstances; providing that the requirement for a
86 second fire service access elevator is not considered
87 a part of the Florida Building Code; amending s.
88 553.775, F.S.; revising the membership of a panel that
89 hears requests to review decisions of local building
90 officials; amending s. 553.79, F.S.; authorizing a

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91 building official to issue a permit for the
92 construction of the foundation or any other part of a
93 building or structure before the construction
94 documents for the whole building or structure have
95 been submitted; providing that the holder of such
96 permit shall begin building at the holder's own risk
97 and without assurance that a permit for the entire
98 structure will be granted; prohibiting a municipality
99 from denying certain development permit applications
100 under certain circumstances; amending s. 553.80, F.S.;
101 prohibiting a local enforcement agency from charging
102 additional fees related to proof or recording of a
103 contractor's license or workers' compensation
104 insurance; amending s. 553.841, F.S.; authorizing,
105 rather than requiring, the Department of Business and
106 Professional Regulation to maintain, update, develop,
107 or cause to be developed code-related training and
108 education; deleting provisions related to the
109 development of advanced courses with respect to the
110 Florida Building Code Compliance and Mitigation
111 Program and the accreditation of courses related to
112 the Florida Building Code; amending s. 553.842, F.S.;
113 providing that Underwriters Laboratories, Inc., is an
114 approved evaluation entity; reviving, readopting, and
115 amending s. 553.844, F.S.; deleting an obsolete
116 provision; amending s. 553.883, F.S.; exempting
117 certain devices from certain smoke alarm battery
118 requirements; amending s. 553.908, F.S.; providing
119 that certain provisions of the Florida Building Code

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120 or laws relating to air sealing and insulation cease
121 to be effective on a specified date; providing for
122 application of a specified section of the Florida
123 Building Code (2010) in lieu of the later version of
124 the code; prohibiting certain governmental entities
125 from requiring certain HVAC type tests in specific
126 buildings; authorizing such testing if a certain code
127 is voluntarily used; amending s. 633.202, F.S.;
128 requiring all new and existing high-rise buildings to
129 maintain a minimum radio signal strength for fire
130 department communications; providing a transitory
131 period for compliance; requiring existing buildings
132 and existing apartment buildings that are not in
133 compliance to initiate an application for an
134 appropriate permit by a specified date; requiring
135 areas of refuge to be required as determined by the
136 Florida Accessibility Code for Building Construction;
137 amending s. 633.206, F.S.; providing that certain
138 provisions may be applied to existing assisted living
139 facilities notwithstanding the edition of the codes
140 applied at the time of construction; amending s.
141 633.208, F.S.; authorizing fire officials to consider
142 certain systems as acceptable systems when identifying
143 low-cost alternatives; amending s. 633.336, F.S.;
144 authorizing a licensed fire protection contractor to
145 subcontract for advanced technical services under
146 certain circumstances; requiring the Florida Building
147 Commission to adopt a specified definition of the term
148 "fire separation distance" in the Florida Building

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149 Code; requiring the commission to amend the Florida
150 Building Code to allow specified openings and roof
151 overhang projections in certain circumstances;
152 creating the Construction Industry Workforce Task
153 Force within the University of Florida M.E. Rinker,
154 Sr. School of Construction Management; specifying the
155 goals of the task force; providing for membership;
156 requiring the University of Florida M.E. Rinker, Sr.
157 School of Construction Management to provide
158 assistance to the task force; providing for meetings;
159 requiring a report to the Governor and Legislature by
160 a specified date; providing an appropriation from
161 specified funds available to the Department of
162 Business and Professional Regulation; providing for
163 expiration of the task force; requiring a restaurant,
164 a cafeteria, or a similar dining facility, including
165 an associated commercial kitchen, to have a specified
166 fire area occupancy load; creating the Calder Sloan
167 Swimming Pool Electrical-Safety Task Force within the
168 Florida Building Commission; specifying the purpose of
169 the task force; requiring a report to the Governor and
170 the Legislature by a specified date; providing for
171 membership; requiring the Florida Building Commission
172 to provide staff, information, and other assistance to
173 the task force; providing that members of the task
174 force serve without compensation; authorizing the task
175 force to meet as often as necessary; providing for
176 future repeal of the task force; directing the Florida
177 Building Commission to adopt a specific energy rating

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178 index as an option for code compliance; specifying
179 Climate Zone indices; providing an effective date.

180

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

182

183 Section 1. Subsection (2) of section 468.609, Florida
184 Statutes, is amended, present subsections (4) through (10) of
185 that section are redesignated as subsections (5) through (11),
186 respectively, a new subsection (3) is added to that section, and
187 present subsections (3), (4), and (7) of that section are
188 amended, to read:

189 468.609 Administration of this part; standards for
190 certification; additional categories of certification.—

191 (2) A person may take the examination for certification as
192 a building code inspector or plans examiner pursuant to this
193 part if the person:

194 (a) Is at least 18 years of age.

195 (b) Is of good moral character.

196 (c) Meets eligibility requirements according to one of the
197 following criteria:

198 1. Demonstrates 5 years' combined experience in the field
199 of construction or a related field, building code inspection, or
200 plans review corresponding to the certification category sought;

201 2. Demonstrates a combination of postsecondary education in
202 the field of construction or a related field and experience
203 which totals 4 years, with at least 1 year of such total being
204 experience in construction, building code inspection, or plans
205 review;

206 3. Demonstrates a combination of technical education in the

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207 field of construction or a related field and experience which
208 totals 4 years, with at least 1 year of such total being
209 experience in construction, building code inspection, or plans
210 review;

211 4. Currently holds a standard certificate ~~as~~ issued by the
212 board, ~~or a firesafety fire-safety~~ inspector license issued
213 pursuant to chapter 633, has a minimum of 3 ~~5~~ years' verifiable
214 full-time experience in inspection or plan review, and has
215 satisfactorily completed ~~completes~~ a building code inspector or
216 plans examiner training program that provides at least 100
217 hours, but not more ~~of not less~~ than 200 hours, of cross-
218 training in the certification category sought. The board shall
219 establish by rule criteria for the development and
220 implementation of the training programs. The board shall accept
221 all classroom training offered by an approved provider if the
222 content substantially meets the intent of the classroom
223 component of the training program; ~~or~~

224 5. Demonstrates a combination of the completion of an
225 approved training program in the field of building code
226 inspection or plan review and a minimum of 2 years' experience
227 in the field of building code inspection, plan review, fire code
228 inspections and fire plans review of new buildings as a
229 firesafety inspector certified under s. 633.216, or
230 construction. The approved training portion of this requirement
231 must ~~shall~~ include proof of satisfactory completion of a
232 training program that provides at least 200 hours, but not more
233 of not less than 300 hours, of cross-training that ~~which~~ is
234 approved by the board in the chosen category of building code
235 inspection or plan review in the certification category sought

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236 with at least ~~not less than~~ 20 hours, but not more than 30
237 hours, of instruction in state laws, rules, and ethics relating
238 to professional standards of practice, duties, and
239 responsibilities of a certificateholder. The board shall
240 coordinate with the Building Officials Association of Florida,
241 Inc., to establish by rule the development and implementation of
242 the training program. However, the board shall accept all
243 classroom training offered by an approved provider if the
244 content substantially meets the intent of the classroom
245 component of the training program; or

246 6. Currently holds a standard certificate issued by the
247 board or a firesafety inspector license issued pursuant to
248 chapter 633 and:

249 a. Has at least 5 years' verifiable full-time experience as
250 an inspector or a plans examiner in a standard certification
251 category currently held or has a minimum of 5 years' verifiable
252 full-time experience as a firesafety inspector licensed pursuant
253 to chapter 633.

254 b. Has satisfactorily completed a building code inspector
255 or plans examiner classroom training course or program that
256 provides at least 200 hours, but not more than 300 hours, in the
257 certification category sought, except for one-family and two-
258 family dwelling training programs, which are required to provide
259 at least 500 hours, but not more than 800 hours, of training as
260 prescribed by the board. The board shall establish by rule
261 criteria for the development and implementation of classroom
262 training courses and programs in each certification category.

263 (3) Notwithstanding any law to the contrary, a local
264 jurisdiction may allow an individual who possesses a residential

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265 certification issued by the International Code Council to be a
266 residential building code inspector or plans examiner within the
267 jurisdiction.

268 (4)~~(3)~~ A person may take the examination for certification
269 as a building code administrator pursuant to this part if the
270 person:

271 (a) Is at least 18 years of age.

272 (b) Is of good moral character.

273 (c) Meets eligibility requirements according to one of the
274 following criteria:

275 1. Demonstrates 10 years' combined experience as an
276 architect, engineer, plans examiner, building code inspector,
277 registered or certified contractor, or construction
278 superintendent, with at least 5 years of such experience in
279 supervisory positions; or

280 2. Demonstrates a combination of postsecondary education in
281 the field of construction or related field, no more than 5 years
282 of which may be applied, and experience as an architect,
283 engineer, plans examiner, building code inspector, registered or
284 certified contractor, or construction superintendent which
285 totals 10 years, with at least 5 years of such total being
286 experience in supervisory positions. In addition, the applicant
287 must have completed training consisting of at least 20 hours,
288 but not more than 30 hours, of instruction in state laws, rules,
289 and ethics relating to the professional standards of practice,
290 duties, and responsibilities of a certificateholder.

291 (5)~~(4)~~ A ~~Ne~~ person may not engage in the duties of a
292 building code administrator, plans examiner, or building code
293 inspector pursuant to this part after October 1, 1993, unless

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294 such person possesses one of the following types of
295 certificates, currently valid, issued by the board attesting to
296 the person's qualifications to hold such position:

297 (a) A standard certificate.

298 (b) A limited certificate.

299 (c) A provisional certificate.

300 (d) A residential certificate pursuant to subsection (3).

301 (8) (a) ~~(7) (a)~~ The board shall ~~may~~ provide for the issuance
302 of provisional certificates valid for 1 year, as specified by
303 board rule, to any newly employed or promoted building code
304 inspector or plans examiner who meets the eligibility
305 requirements described in subsection (2) and any newly employed
306 or promoted building code administrator who meets the
307 eligibility requirements described in subsection (4) ~~(3)~~. The
308 provisional license may be renewed by the board for just cause;
309 however, a provisional license is not valid for a period longer
310 than 3 years.

311 (b) A ~~No~~ building code administrator, plans examiner, or
312 building code inspector may not have a provisional certificate
313 extended beyond the specified period by renewal or otherwise.

314 (c) The board shall ~~may~~ provide for appropriate levels of
315 provisional certificates and may issue these certificates with
316 such special conditions or requirements relating to the place of
317 employment of the person holding the certificate, the
318 supervision of such person on a consulting or advisory basis, or
319 other matters as the board may deem necessary to protect the
320 public safety and health.

321 (d) A newly employed or hired person may perform the duties
322 of a plans examiner or building code inspector for 120 days if a

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323 provisional certificate application has been submitted if such
324 person is under the direct supervision of a certified building
325 code administrator who holds a standard certification and who
326 has found such person qualified for a provisional certificate.
327 Direct supervision and the determination of qualifications may
328 also be provided by a building code administrator who holds a
329 limited or provisional certificate in a county having a
330 population of fewer than 75,000 and in a municipality located
331 within such county.

332 Section 2. Subsection (5) of section 468.627, Florida
333 Statutes, is amended to read:

334 468.627 Application; examination; renewal; fees.—

335 (5) The certificateholder shall provide proof, in a form
336 established by board rule, that the certificateholder has
337 completed at least 14 classroom hours of at least 50 minutes
338 each of continuing education courses during each biennium since
339 the issuance or renewal of the certificate, including code-
340 related training ~~the specialized or advanced coursework approved~~
341 ~~by the Florida Building Commission~~, as part of the building code
342 training program established pursuant to s. 553.841, appropriate
343 to the licensing category sought. A minimum of 3 of the required
344 14 classroom hours must be on state law, rules, and ethics
345 relating to professional standards of practice, duties, and
346 responsibilities of the certificateholder. The board shall by
347 rule establish criteria for approval of continuing education
348 courses and providers, and may by rule establish criteria for
349 accepting alternative nonclassroom continuing education on an
350 hour-for-hour basis.

351 Section 3. Section 471.0195, Florida Statutes, is amended

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352 to read:

353 471.0195 Florida Building Code training for engineers.—All
354 licensees actively participating in the design of engineering
355 works or systems in connection with buildings, structures, or
356 facilities and systems covered by the Florida Building Code
357 shall take continuing education courses and submit proof to the
358 board, at such times and in such manner as established by the
359 board by rule, that the licensee has completed any specialized
360 or code-related training ~~advanced courses~~ on any portion of the
361 Florida Building Code applicable to the licensee's area of
362 practice. The board shall record reported continuing education
363 courses on a system easily accessed by code enforcement
364 jurisdictions for evaluation when determining license status for
365 purposes of processing design documents. Local jurisdictions
366 shall be responsible for notifying the board when design
367 documents are submitted for building construction permits by
368 persons who are not in compliance with this section. The board
369 shall take appropriate action as provided by its rules when such
370 noncompliance is determined to exist.

371 Section 4. Subsection (5) of section 481.215, Florida
372 Statutes, is amended to read:

373 481.215 Renewal of license.—

374 (5) The board shall require, by rule adopted pursuant to
375 ss. 120.536(1) and 120.54, a specified number of hours in
376 specialized or code-related training ~~advanced courses, approved~~
377 ~~by the Florida Building Commission,~~ on any portion of the
378 Florida Building Code, adopted pursuant to part IV of chapter
379 553, relating to the licensee's respective area of practice.

380 Section 5. Subsection (5) of section 481.313, Florida

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381 Statutes, is amended to read:

382 481.313 Renewal of license.—

383 (5) The board shall require, by rule adopted pursuant to
384 ss. 120.536(1) and 120.54, a specified number of hours in
385 specialized or code-related training ~~advanced courses, approved~~
386 ~~by the Florida Building Commission,~~ on any portion of the
387 Florida Building Code, adopted pursuant to part IV of chapter
388 553, relating to the licensee's respective area of practice.

389 Section 6. Subsection (23) is added to section 489.103,
390 Florida Statutes, to read:

391 489.103 Exemptions.—This part does not apply to:

392 (23) An employee of an apartment community or apartment
393 community management company who makes minor repairs to existing
394 electric water heaters or to existing electric heating, venting,
395 and air-conditioning systems if:

396 (a) The employee:

397 1. Does not hold himself or herself or his or her employer
398 out to be licensed or qualified by a licensee.

399 2. Does not perform any acts, other than acts authorized by
400 this exemption, which constitute contracting.

401 3. Receives compensation from and is under the supervision
402 and control of an employer who deducts the FICA and withholding
403 tax and who provides workers' compensation, as prescribed by
404 law.

405 4. Holds a current certificate for apartment maintenance
406 technicians issued by the National Apartment Association and
407 accredited by the American National Standards Institute.

408 Requirements for obtaining such certificate must include at
409 least:

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410 a. One year of apartment or rental housing maintenance
411 experience.

412 b. Successful completion of at least 90 hours of courses or
413 online content that covers electrical maintenance and repair;
414 plumbing maintenance and repair; heating, venting, or air-
415 conditioning system maintenance and repair; appliance
416 maintenance and repair; and interior and exterior maintenance
417 and repair.

418 c. Completion of all examination requirements.

419 (b) The equipment:

420 1. Is already installed on the property owned by the
421 apartment community or managed by the apartment community
422 management company.

423 2. Is not being modified except to replace components
424 necessary to return the equipment to its original condition and
425 the partial disassembly associated with the replacement.

426 3. Is a type of equipment commonly installed in similar
427 locations.

428 4. Is repaired with new parts that are functionally
429 identical to the parts being replaced.

430 (c) An individual repair does not involve replacement parts
431 that cost more than \$1,000. An individual repair may not be so
432 extensive as to be a functional replacement of the electric
433 water heater or the existing electric heating, venting, or air-
434 conditioning system being repaired.

435 (d) The property owned by the apartment community or
436 managed by the apartment community management company includes
437 at least 100 apartments.

438 Section 7. Paragraph (m) of subsection (3) of section

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439 489.105, Florida Statutes, is amended to read:

440 489.105 Definitions.—As used in this part:

441 (3) "Contractor" means the person who is qualified for, and
442 is only responsible for, the project contracted for and means,
443 except as exempted in this part, the person who, for
444 compensation, undertakes to, submits a bid to, or does himself
445 or herself or by others construct, repair, alter, remodel, add
446 to, demolish, subtract from, or improve any building or
447 structure, including related improvements to real estate, for
448 others or for resale to others; and whose job scope is
449 substantially similar to the job scope described in one of the
450 paragraphs of this subsection. For the purposes of regulation
451 under this part, the term "demolish" applies only to demolition
452 of steel tanks more than 50 feet in height; towers more than 50
453 feet in height; other structures more than 50 feet in height;
454 and all buildings or residences. Contractors are subdivided into
455 two divisions, Division I, consisting of those contractors
456 defined in paragraphs (a)-(c), and Division II, consisting of
457 those contractors defined in paragraphs (d)-(q):

458 (m) "Plumbing contractor" means a contractor whose services
459 are unlimited in the plumbing trade and includes contracting
460 business consisting of the execution of contracts requiring the
461 experience, financial means, knowledge, and skill to install,
462 maintain, repair, alter, extend, or, if not prohibited by law,
463 design plumbing. A plumbing contractor may install, maintain,
464 repair, alter, extend, or, if not prohibited by law, design the
465 following without obtaining an additional local regulatory
466 license, certificate, or registration: sanitary drainage or
467 storm drainage facilities, water and sewer plants and

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468 substations, venting systems, public or private water supply
469 systems, septic tanks, drainage and supply wells, swimming pool
470 piping, irrigation systems, and solar heating water systems and
471 all appurtenances, apparatus, or equipment used in connection
472 therewith, including boilers and pressure process piping and
473 including the installation of water, natural gas, liquefied
474 petroleum gas and related venting, and storm and sanitary sewer
475 lines. The scope of work of the plumbing contractor also
476 includes the design, if not prohibited by law, and installation,
477 maintenance, repair, alteration, or extension of air-piping,
478 vacuum line piping, oxygen line piping, nitrous oxide piping,
479 and all related medical gas systems; fire line standpipes and
480 fire sprinklers if authorized by law; ink and chemical lines;
481 fuel oil and gasoline piping and tank and pump installation,
482 except bulk storage plants; and pneumatic control piping
483 systems, all in a manner that complies with all plans,
484 specifications, codes, laws, and regulations applicable. The
485 scope of work of the plumbing contractor applies to private
486 property and public property, including any excavation work
487 incidental thereto, and includes the work of the specialty
488 plumbing contractor. Such contractor shall subcontract, with a
489 qualified contractor in the field concerned, all other work
490 incidental to the work but which is specified as being the work
491 of a trade other than that of a plumbing contractor. This
492 definition does not limit the scope of work of any specialty
493 contractor certified pursuant to s. 489.113(6), and does not
494 require certification or registration under this part as a
495 category I liquefied petroleum gas dealer, LP gas installer, or
496 specialty installer who is licensed under chapter 527 or an ~~of~~

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497 ~~any~~ authorized employee of a public natural gas utility or of a
498 private natural gas utility regulated by the Public Service
499 Commission when disconnecting and reconnecting water lines in
500 the servicing or replacement of an existing water heater. A
501 plumbing contractor may perform drain cleaning and clearing and
502 install or repair rainwater catchment systems; however, a
503 mandatory licensing requirement is not established for the
504 performance of these specific services.

505 Section 8. Paragraph (b) of subsection (4) of section
506 489.115, Florida Statutes, is amended to read:

507 489.115 Certification and registration; endorsement;
508 reciprocity; renewals; continuing education.—

509 (4)

510 (b)1. Each certificateholder or registrant shall provide
511 proof, in a form established by rule of the board, that the
512 certificateholder or registrant has completed at least 14
513 classroom hours of at least 50 minutes each of continuing
514 education courses during each biennium since the issuance or
515 renewal of the certificate or registration. The board shall
516 establish by rule that a portion of the required 14 hours must
517 deal with the subject of workers' compensation, business
518 practices, workplace safety, and, for applicable licensure
519 categories, wind mitigation methodologies, and 1 hour of which
520 must deal with laws and rules. The board shall by rule establish
521 criteria for the approval of continuing education courses and
522 providers, including requirements relating to the content of
523 courses and standards for approval of providers, and may by rule
524 establish criteria for accepting alternative nonclassroom
525 continuing education on an hour-for-hour basis. The board shall

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526 prescribe by rule the continuing education, if any, which is
527 required during the first biennium of initial licensure. A
528 person who has been licensed for less than an entire biennium
529 must not be required to complete the full 14 hours of continuing
530 education.

531 2. In addition, the board may approve specialized
532 continuing education courses on compliance with the wind
533 resistance provisions for one and two family dwellings contained
534 in the Florida Building Code and any alternate methodologies for
535 providing such wind resistance which have been approved for use
536 by the Florida Building Commission. Division I
537 certificateholders or registrants who demonstrate proficiency
538 upon completion of such specialized courses may certify plans
539 and specifications for one and two family dwellings to be in
540 compliance with the code or alternate methodologies, as
541 appropriate, except for dwellings located in floodways or
542 coastal hazard areas as defined in ss. 60.3D and E of the
543 National Flood Insurance Program.

544 3. The board shall require, by rule adopted pursuant to ss.
545 120.536(1) and 120.54, a specified number of hours in
546 specialized or code-related training ~~advanced module courses,~~
547 ~~approved by the Florida Building Commission,~~ on any portion of
548 the Florida Building Code, adopted pursuant to part IV of
549 chapter 553, relating to the contractor's respective discipline.

550 Section 9. Subsections (2) and (3) of section 489.1401,
551 Florida Statutes, are amended to read:

552 489.1401 Legislative intent.—

553 (2) It is the intent of the Legislature that the sole
554 purpose of the Florida Homeowners' Construction Recovery Fund is

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555 to compensate an ~~any~~ aggrieved claimant who contracted for the
556 construction or improvement of the homeowner's residence located
557 within this state and who has obtained a final judgment in a ~~any~~
558 court of competent jurisdiction, was awarded restitution by the
559 Construction Industry Licensing Board, or received an award in
560 arbitration against a licensee on grounds of financial
561 mismanagement or misconduct, abandoning a construction project,
562 or making a false statement with respect to a project. Such
563 grievance must arise ~~and arising~~ directly out of a ~~any~~
564 transaction conducted when the judgment debtor was licensed and
565 must involve an act ~~performed any of the activities~~ enumerated
566 under s. 489.129(1)(g), (j) or (k) ~~on the homeowner's residence~~.

567 (3) It is the intent of the Legislature that Division I and
568 Division II contractors set apart funds for the specific
569 objective of participating in the fund.

570 Section 10. Paragraphs (d), (i), (k), and (l) of subsection
571 (1) of section 489.1402, Florida Statutes, are amended to read:

572 489.1402 Homeowners' Construction Recovery Fund;
573 definitions.—

574 (1) The following definitions apply to ss. 489.140-489.144:

575 (d) "Contractor" means a Division I or Division II
576 contractor performing his or her respective services described
577 in s. 489.105(3) ~~s. 489.105(3)(a)-(c)~~.

578 (i) "Residence" means a single-family residence, an
579 individual residential condominium or cooperative unit, or a
580 residential building containing not more than two residential
581 units in which the owner contracting for the improvement is
582 residing or will reside 6 months or more each calendar year upon
583 completion of the improvement.

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584 (k) "Same transaction" means a contract, or a ~~any~~ series of
585 contracts, between a claimant and a contractor or qualified
586 business, when such contract or contracts involve the same
587 property or contiguous properties and are entered into either at
588 one time or serially.

589 (l) "Valid and current license," for the purpose of s.
590 489.141(2) (d), means a ~~any~~ license issued pursuant to this part
591 to a licensee, including a license in an active, inactive,
592 delinquent, or suspended status.

593 Section 11. Subsections (1) and (2) of section 489.141,
594 Florida Statutes, are amended to read:

595 489.141 Conditions for recovery; eligibility.—

596 (1) A ~~Any~~ claimant is eligible to seek recovery from the
597 recovery fund after making ~~having made~~ a claim and exhausting
598 the limits of any available bond, cash bond, surety, guarantee,
599 warranty, letter of credit, or policy of insurance if, ~~provided~~
600 ~~that~~ each of the following conditions is satisfied:

601 (a) The claimant has received a final judgment in a court
602 of competent jurisdiction in this state or has received an award
603 in arbitration or the Construction Industry Licensing Board has
604 issued a final order directing the licensee to pay restitution
605 to the claimant. The board may waive this requirement if:

606 1. The claimant is unable to secure a final judgment
607 against the licensee due to the death of the licensee; or

608 2. The claimant has sought to have assets involving the
609 transaction that gave rise to the claim removed from the
610 bankruptcy proceedings so that the matter might be heard in a
611 court of competent jurisdiction in this state and, after due
612 diligence, the claimant is precluded by action of the bankruptcy

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613 court from securing a final judgment against the licensee.

614 (b) The judgment, award, or restitution is based upon a
615 violation of s. 489.129(1)(g), (j), or (k) or s. 713.35.

616 (c) The violation was committed by a licensee.

617 (d) The judgment, award, or restitution order specifies the
618 actual damages suffered as a consequence of such violation.

619 (e) The contract was executed and the violation occurred on
620 or after July 1, 1993, and provided that:

621 1. The claimant has caused to be issued a writ of execution
622 upon such judgment, and the officer executing the writ has made
623 a return showing that no personal or real property of the
624 judgment debtor or licensee liable to be levied upon in
625 satisfaction of the judgment can be found or that the amount
626 realized on the sale of the judgment debtor's or licensee's
627 property pursuant to such execution was insufficient to satisfy
628 the judgment;

629 2. If the claimant is unable to comply with subparagraph 1.
630 for a valid reason to be determined by the board, the claimant
631 has made all reasonable searches and inquiries to ascertain
632 whether the judgment debtor or licensee is possessed of real or
633 personal property or other assets subject to being sold or
634 applied in satisfaction of the judgment and by his or her search
635 has discovered no property or assets or has discovered property
636 and assets and has taken all necessary action and proceedings
637 for the application thereof to the judgment but the amount
638 thereby realized was insufficient to satisfy the judgment; and

639 3. The claimant has made a diligent attempt, as defined by
640 board rule, to collect the restitution awarded by the board.

641 (f) A claim for recovery is made within 1 year after the

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642 conclusion of any civil, criminal, or administrative action or
643 award in arbitration based on the act. This paragraph applies to
644 any claim filed with the board after October 1, 1998.

645 (g) Any amounts recovered by the claimant from the judgment
646 debtor or licensee, or from any other source, have been applied
647 to the damages awarded by the court or the amount of restitution
648 ordered by the board.

649 (h) The claimant is not a person who is precluded by this
650 act from making a claim for recovery.

651 (2) A claimant is not qualified to make a claim for
652 recovery from the recovery fund~~7~~ if:

653 (a) The claimant is the spouse of the judgment debtor or
654 licensee or a personal representative of such spouse;

655 (b) The claimant is a licensee who acted as the contractor
656 in the transaction that ~~which~~ is the subject of the claim;

657 (c) The claim is based upon a construction contract in
658 which the licensee was acting with respect to the property owned
659 or controlled by the licensee;

660 (d) The claim is based upon a construction contract in
661 which the contractor did not hold a valid and current license at
662 the time of the construction contract;

663 (e) The claimant was associated in a business relationship
664 with the licensee other than the contract at issue; or

665 ~~(f) The claimant has suffered damages as the result of~~
666 ~~making improper payments to a contractor as defined in part I of~~
667 ~~chapter 713; or~~

668 (f)(g) The claimant had entered into a contract ~~has~~
669 ~~contracted~~ with a licensee to perform a scope of work described
670 in s. 489.105(3)(d)-(g) before July 1, 2016 ~~s. 489.105(3)(d)-~~

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671 ~~(p)~~.

672 Section 12. Subsection (1) of section 489.1425, Florida
 673 Statutes, is amended to read:

674 489.1425 Duty of contractor to notify residential property
 675 owner of recovery fund.—

676 (1) Each ~~Any~~ agreement or contract for repair, restoration,
 677 improvement, or construction to residential real property must
 678 contain a written statement explaining the consumer’s rights
 679 under the recovery fund, except where the value of all labor and
 680 materials does not exceed \$2,500. The written statement must be
 681 substantially in the following form:

682
 683 FLORIDA HOMEOWNERS’ CONSTRUCTION
 684 RECOVERY FUND

685
 686 PAYMENT, UP TO A LIMITED AMOUNT, MAY BE AVAILABLE FROM THE
 687 FLORIDA HOMEOWNERS’ CONSTRUCTION RECOVERY FUND IF YOU LOSE MONEY
 688 ON A PROJECT PERFORMED UNDER CONTRACT, WHERE THE LOSS RESULTS
 689 FROM SPECIFIED VIOLATIONS OF FLORIDA LAW BY A LICENSED
 690 CONTRACTOR. FOR INFORMATION ABOUT THE RECOVERY FUND AND FILING A
 691 CLAIM, CONTACT THE FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD
 692 AT THE FOLLOWING TELEPHONE NUMBER AND ADDRESS:

693
 694 The statement must ~~shall~~ be immediately followed by the board’s
 695 address and telephone number as established by board rule.

696 Section 13. Section 489.143, Florida Statutes, is amended
 697 to read:

698 489.143 Payment from the fund.—

699 (1) The fund shall be disbursed as provided in s. 489.141

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700 on a final order of the board.

701 (2) A ~~Any~~ claimant who meets all of the conditions
702 prescribed in s. 489.141 may apply to the board to cause payment
703 to be made to a claimant from the recovery fund in an amount
704 equal to the judgment, award, or restitution order or \$25,000,
705 whichever is less, or an amount equal to the unsatisfied portion
706 of such person's judgment, award, or restitution order, but only
707 to the extent and amount of actual damages suffered by the
708 claimant, and only up to the maximum payment allowed for each
709 respective Division I and Division II claim. Payment from the
710 fund for other costs related to or pursuant to civil proceedings
711 such as postjudgment interest, attorney ~~attorney's~~ fees, court
712 costs, medical damages, and punitive damages is prohibited. The
713 recovery fund is not obligated to pay a ~~any~~ judgment, an award,
714 or a restitution order, or any portion thereof, which is not
715 expressly based on one of the grounds for recovery set forth in
716 s. 489.141.

717 (3) Beginning January 1, 2005, for each Division I contract
718 entered into after July 1, 2004, payment from the recovery fund
719 is ~~shall be~~ subject to a \$50,000 maximum payment for each
720 Division I claim. Beginning January 1, 2017, for each Division
721 II contract entered into on or after July 1, 2016, payment from
722 the recovery fund is subject to a \$15,000 maximum payment for
723 each Division II claim.

724 ~~(4)(3)~~ Upon receipt by a claimant under subsection (2) of
725 payment from the recovery fund, the claimant shall assign his or
726 her additional right, title, and interest in the judgment,
727 award, or restitution order, to the extent of such payment, to
728 the board, and thereupon the board shall be subrogated to the

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729 right, title, and interest of the claimant; and any amount
730 subsequently recovered on the judgment, award, or restitution
731 order, to the extent of the right, title, and interest of the
732 board therein, shall be for the purpose of reimbursing the
733 recovery fund.

734 (5)~~(4)~~ Payments for claims arising out of the same
735 transaction are ~~shall be~~ limited, in the aggregate, to the
736 lesser of the judgment, award, or restitution order or the
737 maximum payment allowed for a Division I or Division II claim,
738 regardless of the number of claimants involved in the
739 transaction.

740 (6)~~(5)~~ For contracts entered into before July 1, 2004,
741 payments for claims against any one licensee may ~~shall~~ not
742 exceed, in the aggregate, \$100,000 annually, up to a total
743 aggregate of \$250,000. For any claim approved by the board which
744 is in excess of the annual cap, the amount in excess of \$100,000
745 up to the total aggregate cap of \$250,000 is eligible for
746 payment in the next and succeeding fiscal years, but only after
747 all claims for the then-current calendar year have been paid.
748 Payments may not exceed the aggregate annual or per claimant
749 limits under law. Beginning January 1, 2005, for each Division I
750 contract entered into after July 1, 2004, payment from the
751 recovery fund is subject only to a total aggregate cap of
752 \$500,000 for each Division I licensee. Beginning January 1,
753 2017, for each Division II contract entered into on or after
754 July 1, 2016, payment from the recovery fund is subject only to
755 a total aggregate cap of \$150,000 for each Division II licensee.

756 (7)~~(6)~~ Claims shall be paid in the order filed, up to the
757 aggregate limits for each transaction and licensee and to the

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758 limits of the amount appropriated to pay claims against the fund
759 ~~for the fiscal year in which the claims were filed.~~ Payments may
760 not exceed the total aggregate cap per license or per claimant
761 limits under this section.

762 (8)~~(7)~~ If the annual appropriation is exhausted with claims
763 pending, such claims shall be carried forward to the next fiscal
764 year. Any moneys in excess of pending claims remaining in the
765 recovery fund at the end of the fiscal year shall be paid as
766 provided in s. 468.631.

767 (9)~~(8)~~ Upon the payment of any amount from the recovery
768 fund in settlement of a claim in satisfaction of a judgment,
769 award, or restitution order against a licensee as described in
770 s. 489.141, the license of such licensee shall be automatically
771 suspended, without further administrative action, upon the date
772 of payment from the fund. The license of such licensee may ~~shall~~
773 not be reinstated until he or she has repaid in full, plus
774 interest, the amount paid from the fund. A discharge of
775 bankruptcy does not relieve a person from the penalties and
776 disabilities provided in this section.

777 (10)~~(9)~~ A ~~Any~~ firm, a corporation, a partnership, or an
778 association, or a ~~any~~ person acting in his or her individual
779 capacity, who aids, abets, solicits, or conspires with another
780 ~~any~~ person to knowingly present or cause to be presented a ~~any~~
781 false or fraudulent claim for the payment of a loss under this
782 act commits ~~is guilty of~~ a third-degree felony, punishable as
783 provided in s. 775.082 or s. 775.084 and by a fine of up to ~~not~~
784 ~~exceeding~~ \$30,000, unless the value of the fraud exceeds that
785 amount, ~~\$30,000~~ in which event the fine may not exceed double
786 the value of the fraud.

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787 ~~(11)(10)~~ Each payment ~~All payments~~ and disbursement
788 ~~disbursements~~ from the recovery fund shall be made by the Chief
789 Financial Officer upon a voucher signed by the secretary of the
790 department or the secretary's designee.

791 Section 14. Subsection (24) is added to section 489.503,
792 Florida Statutes, to read:

793 489.503 Exemptions.—This part does not apply to:

794 (24) A person who installs low-voltage landscape lighting
795 that contains a factory-installed electrical cord with plug
796 which does not require installation, wiring, or other
797 modification to the electrical wiring of a structure.

798 Section 15. Subsection (6) of section 489.517, Florida
799 Statutes, is amended to read:

800 489.517 Renewal of certificate or registration; continuing
801 education.—

802 (6) The board shall require, by rule adopted pursuant to
803 ss. 120.536(1) and 120.54, a specialized number of hours in
804 specialized or code-related training ~~advanced module courses,~~
805 ~~approved by the Florida Building Commission,~~ on any portion of
806 the Florida Building Code, adopted pursuant to part IV of
807 chapter 553, relating to the contractor's respective discipline.

808 Section 16. Subsection (3) of section 514.011, Florida
809 Statutes, is amended to read:

810 514.011 Definitions.—As used in this chapter:

811 (3) "Private pool" means a facility used only by an
812 individual, family, or living unit members and their guests
813 which does not serve any type of cooperative housing or joint
814 tenancy of five or more living units. For purposes of the
815 exemptions provided under s. 514.0115, the term includes a

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816 portable pool used exclusively for providing swimming lessons or
817 related instruction in support of an established educational
818 program sponsored or provided by a county school district.

819 Section 17. Subsection (3) of section 514.0115, Florida
820 Statutes, is amended to read:

821 514.0115 Exemptions from supervision or regulation;
822 variances.—

823 (3) A private pool used for instructional purposes in
824 swimming may ~~shall~~ not be regulated as a public pool. A portable
825 pool used for instructional purposes or to further an approved
826 educational program may not be regulated as a public pool.

827 Section 18. Subsection (5) of section 514.031, Florida
828 Statutes, is amended to read:

829 514.031 Permit necessary to operate public swimming pool.—

830 (5) An owner or operator of a public swimming pool,
831 including, but not limited to, a spa, wading, or special purpose
832 pool, to which admittance is obtained by membership for a fee
833 shall post in a prominent location within the facility the most
834 recent pool inspection report issued by the department
835 pertaining to the health and safety conditions of such facility.
836 The report shall be legible and readily accessible to members or
837 potential members. The department shall adopt rules to enforce
838 this subsection. A portable pool may not be used as a public
839 pool unless it is exempt under s. 514.0115.

840 Section 19. Subsection (2) of section 553.512, Florida
841 Statutes, is amended to read:

842 553.512 Modifications and waivers; advisory council.—

843 (2) The Accessibility Advisory Council shall consist of the
844 following seven members, who shall be knowledgeable in the area

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845 of accessibility for persons with disabilities. The Secretary of
846 Business and Professional Regulation shall appoint the
847 following: a representative from the Advocacy Center for Persons
848 with Disabilities, Inc.; a representative from the Division of
849 Blind Services; a representative from the Division of Vocational
850 Rehabilitation; a representative from a statewide organization
851 representing the physically handicapped; a representative from
852 the hearing impaired; a representative from the Pensacola Pen
853 Wheels, Inc., Employ the Handicapped Council President, Florida
854 Council of Handicapped Organizations; and a representative of
855 the Paralyzed Veterans of America. The terms for the first three
856 council members appointed subsequent to October 1, 1991, shall
857 be for 4 years, the terms for the next two council members
858 appointed shall be for 3 years, and the terms for the next two
859 members shall be for 2 years. Thereafter, all council member
860 appointments shall be for terms of 4 years. No council member
861 shall serve more than two 4-year terms subsequent to October 1,
862 1991. Any member of the council may be replaced by the secretary
863 upon three unexcused absences. Upon application made in the form
864 provided, an individual waiver or modification may be granted by
865 the commission so long as such modification or waiver is not in
866 conflict with more stringent standards provided in another
867 chapter.

868 Section 20. Section 553.721, Florida Statutes, is amended
869 to read:

870 553.721 Surcharge.—In order for the Department of Business
871 and Professional Regulation to administer and carry out the
872 purposes of this part and related activities, there is created a
873 surcharge, to be assessed at the rate of 1.5 percent of the

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874 permit fees associated with enforcement of the Florida Building
875 Code as defined by the uniform account criteria and specifically
876 the uniform account code for building permits adopted for local
877 government financial reporting pursuant to s. 218.32. The
878 minimum amount collected on any permit issued shall be \$2. The
879 unit of government responsible for collecting a permit fee
880 pursuant to s. 125.56(4) or s. 166.201 shall collect the
881 surcharge and electronically remit the funds collected to the
882 department on a quarterly calendar basis for the preceding
883 quarter and continuing each third month thereafter. The unit of
884 government shall retain 10 percent of the surcharge collected to
885 fund the participation of building departments in the national
886 and state building code adoption processes and to provide
887 education related to enforcement of the Florida Building Code.
888 All funds remitted to the department pursuant to this section
889 shall be deposited in the Professional Regulation Trust Fund.
890 Funds collected from the surcharge shall be allocated to fund
891 the Florida Building Commission and the Florida Building Code
892 Compliance and Mitigation Program under s. 553.841. Funds
893 allocated to the Florida Building Code Compliance and Mitigation
894 Program shall be \$925,000 each fiscal year. The Florida Building
895 Code Compliance and Mitigation Program shall fund the
896 recommendations made by the Building Code System Uniform
897 Implementation Evaluation Workgroup, dated April 8, 2013, from
898 existing resources, not to exceed \$30,000 in the 2016-2017
899 fiscal year. Funds collected from the surcharge shall also be
900 used to fund Florida Fire Prevention Code informal
901 interpretations managed by the State Fire Marshal and shall be
902 limited to \$15,000 each fiscal year. The State Fire Marshal

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903 shall adopt rules to address the implementation and expenditure
904 of the funds allocated to fund the Florida Fire Prevention Code
905 informal interpretations under this section. The funds collected
906 from the surcharge may not be used to fund research on
907 techniques for mitigation of radon in existing buildings. Funds
908 used by the department as well as funds to be transferred to the
909 Department of Health and the State Fire Marshal shall be as
910 prescribed in the annual General Appropriations Act. The
911 department shall adopt rules governing the collection and
912 remittance of surcharges pursuant to chapter 120.

913 Section 21. Subsections (11) and (15) of section 553.73,
914 Florida Statutes, are amended, and subsection (19) is added to
915 that section, to read:

916 553.73 Florida Building Code.—

917 (11) (a) In the event of a conflict between the Florida
918 Building Code and the Florida Fire Prevention Code and the Life
919 Safety Code as applied to a specific project, the conflict shall
920 be resolved by agreement between the local building code
921 enforcement official and the local fire code enforcement
922 official in favor of the requirement of the code which offers
923 the greatest degree of lifesafety or alternatives which would
924 provide an equivalent degree of lifesafety and an equivalent
925 method of construction. Local boards created to address issues
926 arising under the Florida Building Code or the Florida Fire
927 Prevention Code may combine the appeals boards to create a
928 single, local board having jurisdiction over matters arising
929 under either code or both codes. The combined local appeals
930 board may grant alternatives or modifications through procedures
931 outlined in NFPA 1, Section 1.4, but may not waive the

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932 requirements of the Florida Fire Prevention Code. To meet the
933 quorum requirement for convening the combined local appeals
934 board, at least one member of the board who is a fire protection
935 contractor, a fire protection design professional, a fire
936 department operations professional, or a fire code enforcement
937 professional must be present.

938 (b) Any decision made by the local fire official regarding
939 application, interpretation, or enforcement of the Florida Fire
940 Prevention Code, by ~~and~~ the local building official regarding
941 application, interpretation, or enforcement of the Florida
942 Building Code, or the appropriate application of either code or
943 both codes in the case of a conflict between the codes may be
944 appealed to a local administrative board designated by the
945 municipality, county, or special district having firesafety
946 responsibilities. If the decision of the local fire official and
947 the local building official is to apply the provisions of either
948 the Florida Building Code or the Florida Fire Prevention Code
949 and the Life Safety Code, the board may not alter the decision
950 unless the board determines that the application of such code is
951 not reasonable. If the decision of the local fire official and
952 the local building official is to adopt an alternative to the
953 codes, the local administrative board shall give due regard to
954 the decision rendered by the local officials and may modify that
955 decision if the administrative board adopts a better
956 alternative, taking into consideration all relevant
957 circumstances. In any case in which the local administrative
958 board adopts alternatives to the decision rendered by the local
959 fire official and the local building official, such alternatives
960 shall provide an equivalent degree of lifesafety and an

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961 equivalent method of construction as the decision rendered by
962 the local officials.

963 (c) If the local building official and the local fire
964 official are unable to agree on a resolution of the conflict
965 between the Florida Building Code and the Florida Fire
966 Prevention Code and the Life Safety Code, the local
967 administrative board shall resolve the conflict in favor of the
968 code which offers the greatest degree of lifesafety or
969 alternatives which would provide an equivalent degree of
970 lifesafety and an equivalent method of construction.

971 (d) All decisions of the local administrative board~~7~~ or, if
972 none exists, ~~the decisions of~~ the local building official and
973 the local fire official in regard to the application,
974 enforcement, or interpretation of the Florida Fire Prevention
975 Code, or conflicts between the Florida Fire Prevention Code and
976 the Florida Building Code, are subject to review by a joint
977 committee composed of members of the Florida Building Commission
978 and the Fire Code Advisory Council. If the joint committee is
979 unable to resolve conflicts between the codes as applied to a
980 specific project, the matter shall be resolved pursuant to ~~the~~
981 ~~provisions of~~ paragraph (1) (d). Decisions of the local
982 administrative board related solely to the Florida Building Code
983 are subject to review as set forth in s. 553.775.

984 (e) The local administrative board shall, to the greatest
985 extent possible, be composed of members with expertise in
986 building construction and firesafety standards.

987 (f) All decisions of the local building official and local
988 fire official and all decisions of the administrative board
989 shall be in writing and shall be binding upon a person but do

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990 not limit the authority of the State Fire Marshal or the Florida
991 Building Commission pursuant to paragraph (1) (d) and ss. 633.104
992 and 633.228. Decisions of general application shall be indexed
993 by building and fire code sections and shall be available for
994 inspection during normal business hours.

995 (15) An agency or local government may not require that
996 existing mechanical equipment located on or above the surface of
997 a roof be installed in compliance with the requirements of the
998 Florida Building Code except during reroofing when the equipment
999 is being replaced or moved ~~during reroofing~~ and is not in
1000 compliance with the provisions of the Florida Building Code
1001 relating to roof-mounted mechanical units.

1002 (19) The Florida Building Code may not require more than
1003 one fire service access elevator in a residential occupancy
1004 where the highest occupiable floor is less than 420 feet above
1005 the level of fire service access and all remaining elevators are
1006 provided with Phase I and II emergency operations. Where fire
1007 service access elevators are required, the code may not require
1008 a 1-hour fire-rated fire service access elevator lobby with
1009 direct access from the fire service access elevators if the fire
1010 service access elevators open into an exit access corridor that
1011 is at least 150 square feet with the exception of door openings;
1012 is no less than 6 feet wide for its entire length; and has a
1013 minimum 1-hour fire rating with three-quarter hour fire and
1014 smoke rated openings and if, and during a fire event, the fire
1015 service access elevators are pressurized and floor-to-floor
1016 smoke control is provided. However, where transient residential
1017 occupancies occur at floor levels above 420 feet above the level
1018 of fire service access, a 1-hour fire-rated fire service access

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1019 elevator lobby with direct access from the fire service access
1020 elevators is required. The requirement for a second fire service
1021 access elevator is not considered a part of the Florida Building
1022 Code and therefore does not take effect until July 1, 2017.

1023 Section 22. Paragraph (c) of subsection (3) of section
1024 553.775, Florida Statutes, is amended to read:

1025 553.775 Interpretations.—

1026 (3) The following procedures may be invoked regarding
1027 interpretations of the Florida Building Code or the Florida
1028 Accessibility Code for Building Construction:

1029 (c) The commission shall review decisions of local building
1030 officials and local enforcement agencies regarding
1031 interpretations of the Florida Building Code or the Florida
1032 Accessibility Code for Building Construction after the local
1033 board of appeals has considered the decision, if such board
1034 exists, and if such appeals process is concluded within 25
1035 business days.

1036 1. The commission shall coordinate with the Building
1037 Officials Association of Florida, Inc., to designate a panel
1038 ~~panels~~ composed of seven ~~five~~ members to hear requests to review
1039 decisions of local building officials. Five ~~The~~ members must be
1040 licensed as building code administrators under part XII of
1041 chapter 468, one member must be licensed as an architect under
1042 chapter 481, and one member must be licensed as an engineer
1043 under chapter 471. Each member ~~and~~ must have experience
1044 interpreting or ~~and~~ enforcing provisions of the Florida Building
1045 Code and the Florida Accessibility Code for Building
1046 Construction.

1047 2. Requests to review a decision of a local building

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1048 official interpreting provisions of the Florida Building Code or
1049 the Florida Accessibility Code for Building Construction may be
1050 initiated by any substantially affected person, including an
1051 owner or builder subject to a decision of a local building
1052 official or an association of owners or builders having members
1053 who are subject to a decision of a local building official. In
1054 order to initiate review, the substantially affected person must
1055 file a petition with the commission. The commission shall adopt
1056 a form for the petition, which shall be published on the
1057 Building Code Information System. The form shall, at a minimum,
1058 require the following:

1059 a. The name and address of the county or municipality in
1060 which provisions of the Florida Building Code or the Florida
1061 Accessibility Code for Building Construction are being
1062 interpreted.

1063 b. The name and address of the local building official who
1064 has made the interpretation being appealed.

1065 c. The name, address, and telephone number of the
1066 petitioner; the name, address, and telephone number of the
1067 petitioner's representative, if any; and an explanation of how
1068 the petitioner's substantial interests are being affected by the
1069 local interpretation of the Florida Building Code or the Florida
1070 Accessibility Code for Building Construction.

1071 d. A statement of the provisions of the Florida Building
1072 Code or the Florida Accessibility Code for Building Construction
1073 which are being interpreted by the local building official.

1074 e. A statement of the interpretation given to provisions of
1075 the Florida Building Code or the Florida Accessibility Code for
1076 Building Construction by the local building official and the

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1077 manner in which the interpretation was rendered.

1078 f. A statement of the interpretation that the petitioner
1079 contends should be given to the provisions of the Florida
1080 Building Code or the Florida Accessibility Code for Building
1081 Construction and a statement supporting the petitioner's
1082 interpretation.

1083 g. Space for the local building official to respond in
1084 writing. The space shall, at a minimum, require the local
1085 building official to respond by providing a statement admitting
1086 or denying the statements contained in the petition and a
1087 statement of the interpretation of the provisions of the Florida
1088 Building Code or the Florida Accessibility Code for Building
1089 Construction which the local jurisdiction or the local building
1090 official contends is correct, including the basis for the
1091 interpretation.

1092 3. The petitioner shall submit the petition to the local
1093 building official, who shall place the date of receipt on the
1094 petition. The local building official shall respond to the
1095 petition in accordance with the form and shall return the
1096 petition along with his or her response to the petitioner within
1097 5 days after receipt, exclusive of Saturdays, Sundays, and legal
1098 holidays. The petitioner may file the petition with the
1099 commission at any time after the local building official
1100 provides a response. If no response is provided by the local
1101 building official, the petitioner may file the petition with the
1102 commission 10 days after submission of the petition to the local
1103 building official and shall note that the local building
1104 official did not respond.

1105 4. Upon receipt of a petition that meets the requirements

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1106 of subparagraph 2., the commission shall immediately provide
1107 copies of the petition to the ~~a~~ panel, and the commission shall
1108 publish the petition, including any response submitted by the
1109 local building official, on the Building Code Information System
1110 in a manner that allows interested persons to address the issues
1111 by posting comments.

1112 5. The panel shall conduct proceedings as necessary to
1113 resolve the issues; shall give due regard to the petitions, the
1114 response, and to comments posed on the Building Code Information
1115 System; and shall issue an interpretation regarding the
1116 provisions of the Florida Building Code or the Florida
1117 Accessibility Code for Building Construction within 21 days
1118 after the filing of the petition. The panel shall render a
1119 determination based upon the Florida Building Code or the
1120 Florida Accessibility Code for Building Construction or, if the
1121 code is ambiguous, the intent of the code. The panel's
1122 interpretation shall be provided to the commission, which shall
1123 publish the interpretation on the Building Code Information
1124 System and in the Florida Administrative Register. The
1125 interpretation shall be considered an interpretation entered by
1126 the commission, and shall be binding upon the parties and upon
1127 all jurisdictions subject to the Florida Building Code or the
1128 Florida Accessibility Code for Building Construction, unless it
1129 is superseded by a declaratory statement issued by the Florida
1130 Building Commission or by a final order entered after an appeal
1131 proceeding conducted in accordance with subparagraph 7.

1132 6. It is the intent of the Legislature that review
1133 proceedings be completed within 21 days after the date that a
1134 petition seeking review is filed with the commission, and the

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1135 time periods set forth in this paragraph may be waived only upon
1136 consent of all parties.

1137 7. Any substantially affected person may appeal an
1138 interpretation rendered by the ~~a hearing officer~~ panel by filing
1139 a petition with the commission. Such appeals shall be initiated
1140 in accordance with chapter 120 and the uniform rules of
1141 procedure and must be filed within 30 days after publication of
1142 the interpretation on the Building Code Information System or in
1143 the Florida Administrative Register. Hearings shall be conducted
1144 pursuant to chapter 120 and the uniform rules of procedure.
1145 Decisions of the commission are subject to judicial review
1146 pursuant to s. 120.68. The final order of the commission is
1147 binding upon the parties and upon all jurisdictions subject to
1148 the Florida Building Code or the Florida Accessibility Code for
1149 Building Construction.

1150 8. The burden of proof in any proceeding initiated in
1151 accordance with subparagraph 7. is on the party who initiated
1152 the appeal.

1153 9. In any review proceeding initiated in accordance with
1154 this paragraph, including any proceeding initiated in accordance
1155 with subparagraph 7., the fact that an owner or builder has
1156 proceeded with construction may not be grounds for determining
1157 an issue to be moot if the issue is one that is likely to arise
1158 in the future.

1159
1160 This paragraph provides the exclusive remedy for addressing
1161 requests to review local interpretations of the Florida Building
1162 Code or the Florida Accessibility Code for Building Construction
1163 and appeals from review proceedings.

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1164 Section 23. Subsection (6) of section 553.79, Florida
1165 Statutes, is amended, and subsection (20) is added to that
1166 section, to read:

1167 553.79 Permits; applications; issuance; inspections.-

1168 (6) A permit may not be issued for any building
1169 construction, erection, alteration, modification, repair, or
1170 addition unless the applicant for such permit complies with the
1171 requirements for plan review established by the Florida Building
1172 Commission within the Florida Building Code. However, the code
1173 shall set standards and criteria to authorize preliminary
1174 construction before completion of all building plans review,
1175 including, but not limited to, special permits for the
1176 foundation only, and such standards shall take effect concurrent
1177 with the first effective date of the Florida Building Code.
1178 After submittal of the appropriate construction documents, the
1179 building official may issue a permit for the construction of
1180 foundations or any other part of a building or structure before
1181 the construction documents for the whole building or structure
1182 have been submitted. The holder of such permit for the
1183 foundation or other parts of a building or structure shall
1184 proceed at the holder's own risk and without assurance that a
1185 permit for the entire structure will be granted. Corrections may
1186 be required to meet the requirements of the technical codes.

1187 (20) Notwithstanding any municipal ordinance to the
1188 contrary, a municipality may not deny a development permit
1189 application for a single-family home on any lot or combination
1190 of lots solely because such lot or combination of lots does not
1191 meet the current underlying zoning dimensional standards for
1192 minimum lot size and area. For the purposes of this subsection,

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1193 the term "combination of lots" means a parcel of property which
1194 consists of more than one lot and which is under common
1195 ownership.

1196 Section 24. Paragraph (d) is added to subsection (7) of
1197 section 553.80, Florida Statutes, to read:

1198 553.80 Enforcement.—

1199 (7) The governing bodies of local governments may provide a
1200 schedule of reasonable fees, as authorized by s. 125.56(2) or s.
1201 166.222 and this section, for enforcing this part. These fees,
1202 and any fines or investment earnings related to the fees, shall
1203 be used solely for carrying out the local government's
1204 responsibilities in enforcing the Florida Building Code. When
1205 providing a schedule of reasonable fees, the total estimated
1206 annual revenue derived from fees, and the fines and investment
1207 earnings related to the fees, may not exceed the total estimated
1208 annual costs of allowable activities. Any unexpended balances
1209 shall be carried forward to future years for allowable
1210 activities or shall be refunded at the discretion of the local
1211 government. The basis for a fee structure for allowable
1212 activities shall relate to the level of service provided by the
1213 local government and shall include consideration for refunding
1214 fees due to reduced services based on services provided as
1215 prescribed by s. 553.791, but not provided by the local
1216 government. Fees charged shall be consistently applied.

1217 (d) The local enforcement agency may not require the
1218 payment of any additional fees, charges, or expenses associated
1219 with:

- 1220 1. Providing proof of licensure pursuant to this chapter;
- 1221 2. Recording or filing a license issued pursuant to this

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1222 chapter; or

1223 3. Providing, recording, or filing evidence of workers'
1224 compensation insurance coverage as required by chapter 440.

1225 Section 25. Subsections (4) and (7) of section 553.841,
1226 Florida Statutes, are amended to read:

1227 553.841 Building code compliance and mitigation program.—

1228 (4) In administering the Florida Building Code Compliance
1229 and Mitigation Program, the department may ~~shall~~ maintain,
1230 update, develop, or cause to be developed code-related training
1231 and education advanced modules ~~designed~~ for use by each
1232 profession.

1233 ~~(7) The Florida Building Commission shall provide by rule~~
1234 ~~for the accreditation of courses related to the Florida Building~~
1235 ~~Code by accreditors approved by the commission. The commission~~
1236 ~~shall establish qualifications of accreditors and criteria for~~
1237 ~~the accreditation of courses by rule. The commission may revoke~~
1238 ~~the accreditation of a course by an accreditor if the~~
1239 ~~accreditation is demonstrated to violate this part or the rules~~
1240 ~~of the commission.~~

1241 Section 26. Paragraph (a) of subsection (8) of section
1242 553.842, Florida Statutes, is amended to read:

1243 553.842 Product evaluation and approval.—

1244 (8) The commission may adopt rules to approve the following
1245 types of entities that produce information on which product
1246 approvals are based. All of the following entities, including
1247 engineers and architects, must comply with a nationally
1248 recognized standard demonstrating independence or no conflict of
1249 interest:

1250 (a) Evaluation entities approved pursuant to this

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1251 paragraph. The commission shall specifically approve the
1252 National Evaluation Service, the International Association of
1253 Plumbing and Mechanical Officials Evaluation Service, the
1254 International Code Council Evaluation Services, Underwriters
1255 Laboratories, Inc., and the Miami-Dade County Building Code
1256 Compliance Office Product Control Division. Architects and
1257 engineers licensed in this state are also approved to conduct
1258 product evaluations as provided in subsection (5).

1259 Section 27. Subsection (4) of section 553.844, Florida
1260 Statutes, is revived, readopted, and amended to read:

1261 553.844 Windstorm loss mitigation; requirements for roofs
1262 and opening protection.—

1263 (4) Notwithstanding the provisions of this section, exposed
1264 mechanical equipment or appliances fastened to a roof or
1265 installed on the ground in compliance with the code using rated
1266 stands, platforms, curbs, slabs, walls, or other means are
1267 deemed to comply with the wind resistance requirements of the
1268 2007 Florida Building Code, as amended. Further support or
1269 enclosure of such mechanical equipment or appliances is not
1270 required by a state or local official having authority to
1271 enforce the Florida Building Code. ~~This subsection expires on~~
1272 ~~the effective date of the 2013 Florida Building Code.~~

1273 Section 28. Section 553.883, Florida Statutes, is amended
1274 to read:

1275 553.883 Smoke alarms in one-family and two-family dwellings
1276 and townhomes.—One-family and two-family dwellings and townhomes
1277 undergoing a repair, or a level 1 alteration as defined in the
1278 Florida Building Code, may use smoke alarms powered by 10-year
1279 nonremovable, nonreplaceable batteries in lieu of retrofitting

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1280 such dwelling with smoke alarms powered by the dwelling's
1281 electrical system. Effective January 1, 2015, a battery-powered
1282 smoke alarm that is newly installed or replaces an existing
1283 battery-powered smoke alarm must be powered by a nonremovable,
1284 nonreplaceable battery that powers the alarm for at least 10
1285 years. The battery requirements of this section do not apply to
1286 a fire alarm, smoke detector, smoke alarm, or ancillary
1287 component that is electronically connected as a part of a
1288 centrally monitored or supervised alarm system; that uses a low-
1289 power radio frequency wireless communication signal; or that
1290 contains multiple sensors, such as a smoke alarm combined with a
1291 carbon monoxide alarm or other devices, as the State Fire
1292 Marshal designates by rule.

1293 Section 29. Section 553.908, Florida Statutes, is amended
1294 to read:

1295 553.908 Inspection.—Before construction or renovation is
1296 completed, the local enforcement agency shall inspect buildings
1297 for compliance with the standards of this part. Notwithstanding
1298 any other provision of the code or law, effective July 1, 2016,
1299 section R402.4.1 of the Florida Building Code, 5th Edition
1300 (2014) Energy Conservation, which became effective on June 30,
1301 2015, shall cease to be effective. Instead, section 402.4.2 of
1302 the Florida Building Code (2010) Energy Conservation, relating
1303 to air sealing and insulation, in effect before June 30, 2015,
1304 shall govern and apply, effective June 30, 2016, and thereafter.
1305 Additionally, a state or local enforcement agency or code
1306 official may not require any type of mandatory blower door test
1307 or air infiltration test to determine specific air infiltration
1308 levels or air leakage rates in a residential building or

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1309 dwelling unit and may not require the installation of any
1310 mechanical ventilation devices designed to filter outside air
1311 through an HVAC system as a condition of a permit or to
1312 determine compliance with the code. However, if section R402.4.1
1313 of the 5th Edition (2014) of the Florida Building Code, Energy
1314 Conservation is voluntarily used, the local enforcement agency
1315 shall inspect the construction or renovation for compliance with
1316 that section.

1317 Section 30. Subsections (17) and (18) are added to section
1318 633.202, Florida Statutes, to read:

1319 633.202 Florida Fire Prevention Code.—

1320 (17) The authority having jurisdiction shall determine the
1321 minimum radio signal strength for fire department communications
1322 in all new high-rise and existing high-rise buildings. Existing
1323 buildings are not required to comply with minimum radio strength
1324 for fire department communications and two-way radio system
1325 enhancement communications as required by the Florida Fire
1326 Prevention Code until January 1, 2022. However, by December 31,
1327 2019, an existing building that is not in compliance with the
1328 requirements for minimum radio strength for fire department
1329 communications must apply for an appropriate permit for the
1330 required installation with the local governmental agency having
1331 jurisdiction and must demonstrate that the building will become
1332 compliant by January 1, 2022. Existing apartment buildings are
1333 not required to comply until January 1, 2025. However, existing
1334 apartment buildings are required to apply for the appropriate
1335 permit for the required communications installation by December
1336 31, 2022.

1337 (18) Areas of refuge shall be provided if required by the

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1338 Florida Accessibility Code for Building Construction. Required
1339 portions of an area of refuge shall be accessible from the space
1340 they serve by an accessible means of egress.

1341 Section 31. Subsection (5) is added to section 633.206,
1342 Florida Statutes, to read:

1343 633.206 Uniform firesafety standards—The Legislature hereby
1344 determines that to protect the public health, safety, and
1345 welfare it is necessary to provide for firesafety standards
1346 governing the construction and utilization of certain buildings
1347 and structures. The Legislature further determines that certain
1348 buildings or structures, due to their specialized use or to the
1349 special characteristics of the person utilizing or occupying
1350 these buildings or structures, should be subject to firesafety
1351 standards reflecting these special needs as may be appropriate.

1352 (5) The home environment provisions in the most current
1353 edition of the codes adopted by the division may be applied to
1354 existing assisted living facilities, at the option of each
1355 facility, notwithstanding the edition of the codes applied at
1356 the time of construction.

1357 Section 32. Subsection (5) of section 633.208, Florida
1358 Statutes, is amended to read:

1359 633.208 Minimum firesafety standards.—

1360 (5) With regard to existing buildings, the Legislature
1361 recognizes that it is not always practical to apply any or all
1362 of the provisions of the Florida Fire Prevention Code and that
1363 physical limitations may require disproportionate effort or
1364 expense with little increase in fire or life safety. Before
1365 ~~Prior to~~ applying the minimum firesafety code to an existing
1366 building, the local fire official shall determine whether ~~that~~ a

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1367 threat to lifesafety or property exists. If a threat to
1368 lifesafety or property exists, the fire official shall apply the
1369 applicable firesafety code for existing buildings to the extent
1370 practical to ensure ~~assure~~ a reasonable degree of lifesafety and
1371 safety of property or the fire official shall fashion a
1372 reasonable alternative that ~~which~~ affords an equivalent degree
1373 of lifesafety and safety of property. The local fire official
1374 may consider the firesafety evaluation systems found in NFPA
1375 101A, Guide on Alternative Solutions to Life Safety, adopted by
1376 the State Fire Marshal, as acceptable systems for the
1377 identification of low-cost, reasonable alternatives. It is
1378 acceptable to use the Fire Safety Evaluation System for Board
1379 and Care Facilities using prompt evacuation capabilities
1380 parameter values on existing residential high-rise buildings.
1381 The decision of the local fire official may be appealed to the
1382 local administrative board described in s. 553.73.

1383 Section 33. Section 633.336, Florida Statutes, is amended
1384 to read:

1385 633.336 Contracting without certificate prohibited;
1386 violations; penalty.—

1387 (1) It is unlawful for any organization or individual to
1388 engage in the business of layout, fabrication, installation,
1389 inspection, alteration, repair, or service of a fire protection
1390 system, other than a preengineered system, act in the capacity
1391 of a fire protection contractor, or advertise itself as being a
1392 fire protection contractor without having been duly certified
1393 and holding a valid and existing certificate, except as
1394 hereinafter provided. The holder of a certificate used to
1395 qualify an organization must be a full-time employee of the

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1396 qualified organization or business. A certificateholder who is
1397 employed by more than one fire protection contractor during the
1398 same time is deemed not to be a full-time employee of either
1399 contractor. The State Fire Marshal shall revoke, for a period
1400 determined by the State Fire Marshal, the certificate of a
1401 certificateholder who allows the use of the certificate to
1402 qualify a company of which the certificateholder is not a full-
1403 time employee. A contractor who maintains more than one place of
1404 business must employ a certificateholder at each location. This
1405 subsection does not prohibit an employee acting on behalf of
1406 governmental entities from inspecting and enforcing firesafety
1407 codes, provided such employee is certified under s. 633.216.

1408 (2) A fire protection contractor certified under this
1409 chapter may not:

1410 (a) Enter into a written or oral agreement to authorize, or
1411 otherwise knowingly allow, a contractor who is not certified
1412 under this chapter to engage in the business of, or act in the
1413 capacity of, a fire protection contractor.

1414 (b) Apply for or obtain a construction permit for fire
1415 protection work unless the fire protection contractor or the
1416 business organization qualified by the fire protection
1417 contractor has contracted to conduct the work specified in the
1418 application for the permit.

1419 (3) The Legislature recognizes that special expertise is
1420 required for fire pump control panels and maintenance of
1421 electric and diesel pump drivers and that it is not economically
1422 feasible for all contractors to employ these experts full-time
1423 whose work may be limited. It is therefore deemed acceptable for
1424 a fire protection contractor licensed under this chapter to

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1425 subcontract with companies providing advanced technical services
1426 for the installation, servicing, and maintenance of fire pump
1427 control panels and pump drivers. To ensure the integrity of the
1428 system and to protect the interests of the property owner, those
1429 providing technical support services for fire pump control
1430 panels and pump drivers must be under contract with a licensed
1431 fire protection contractor.

1432 (4) ~~(3)~~ A person who violates any provision of this act or
1433 commits any of the acts constituting cause for disciplinary
1434 action as herein set forth commits a misdemeanor of the second
1435 degree, punishable as provided in s. 775.082 or s. 775.083.

1436 (5) ~~(4)~~ In addition to the penalties provided in subsection
1437 (4) ~~(3)~~, a fire protection contractor certified under this
1438 chapter who violates any provision of this section or who
1439 commits any act constituting cause for disciplinary action is
1440 subject to suspension or revocation of the certificate and
1441 administrative fines pursuant to s. 633.338.

1442 Section 34. The Florida Building Commission shall define
1443 the term "fire separation distance" in Chapter 2, Definitions,
1444 of the Florida Building Code, 5th Edition (2014) Residential, as
1445 follows:

1446
1447 "FIRE SEPARATION DISTANCE. The distance measured from the
1448 building face to one of the following:
1449 1. To the closest interior lot line;
1450 2. To the centerline of a street, an alley, or a public way;
1451 3. To an imaginary line between two buildings on the lot; or
1452 4. To an imaginary line between two buildings when the exterior
1453 wall of one building is located on a zero lot line.

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1454
1455 The distance shall be measured at a right angle from the face of
1456 the wall."

1457 Section 35. The Florida Building Commission shall amend the
1458 Florida Building Code, 5th Edition (2014) Residential, to allow
1459 openings and roof overhang projections on the exterior wall of a
1460 building located on a zero lot line, when the building exterior
1461 wall is separated from an adjacent building exterior wall by a
1462 distance of 6 feet or more and the roof overhang projection is
1463 separated from an adjacent building projection by a distance of
1464 4 feet or more, with 1-hour fire-resistant construction on the
1465 underside of the overhang required, unless the separation
1466 between projections is 6 feet or more.

1467 Section 36. Construction Industry Workforce Task Force.-

1468 (1) The Construction Industry Workforce Task Force is
1469 created within the University of Florida M.E. Rinker, Sr. School
1470 of Construction Management. The goals of the task force are to:

1471 (a) Address the critical shortage of individuals trained in
1472 building construction and inspection.

1473 (b) Develop a consensus path for training the next
1474 generation of construction workers in the state.

1475 (c) Determine the causes for the current shortage of a
1476 trained construction industry work force and address the impact
1477 of the shortages on the recovery of the real estate market.

1478 (d) Review current methods and resources available for
1479 construction training.

1480 (e) Review the state of construction training available in
1481 K-12 schools.

1482 (f) Address training issues relating to building code

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1483 inspectors to increase the number of qualified inspectors.

1484 (2) The task force shall consist of 19 members. Except as
1485 otherwise specified, each member shall be chosen by the
1486 association that he or she represents, as follows:

1487 (a) A member of the House of Representatives appointed by
1488 the Speaker of the House of Representatives.

1489 (b) A member of the Senate appointed by the President of
1490 the Senate.

1491 (c) A member representing the Associated General
1492 Contractors of Greater Florida.

1493 (d) A member representing the Associated Builders and
1494 Contractors of Florida.

1495 (e) A member representing the Florida Home Builders
1496 Association.

1497 (f) A member representing the Florida Fire Sprinkler
1498 Association.

1499 (g) A member representing the Florida Roofing, Sheet Metal
1500 and Air Conditioning Contractors Association.

1501 (h) A member representing the Florida Refrigeration and Air
1502 Conditioning Contractors Association.

1503 (i) A member representing the Florida Association of
1504 Plumbing, Heating, and Cooling Contractors.

1505 (j) A member representing the Florida Swimming Pool
1506 Association.

1507 (k) A member representing the National Utility Contractors
1508 Association of Florida.

1509 (l) A member representing the Florida Concrete and Products
1510 Association.

1511 (m) A member representing the Alarm Association of Florida.

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- 1512 (n) A member representing the Independent Electrical
1513 Contractors.
- 1514 (o) A member representing the Florida AFL-CIO.
- 1515 (p) A member representing the Building Officials
1516 Association of Florida.
- 1517 (q) A member representing the Asphalt Contractors
1518 Association of Florida.
- 1519 (r) A member representing the American Fire Sprinkler
1520 Association-Florida Chapter.
- 1521 (s) The chair of the Florida Building Commission.
- 1522 (3) The task force shall elect a chair from among its
1523 members.
- 1524 (4) The University of Florida M.E. Rinker, Sr. School of
1525 Construction Management shall provide such assistance as is
1526 reasonably necessary to assist the task force in carrying out
1527 its responsibilities.
- 1528 (5) The task force shall meet as often as necessary to
1529 fulfill its responsibilities, but not fewer than three times.
1530 The first meeting must be held no later than September 1, 2016.
1531 Meetings may be conducted by conference call, teleconferencing,
1532 or similar technology.
- 1533 (6) The task force shall submit a final report to the
1534 Governor, the President of the Senate, and the Speaker of the
1535 House of Representatives by February 1, 2017.
- 1536 (7) The Department of Business and Professional Regulation
1537 shall provide \$50,000 from funds available for the Florida
1538 Building Code Compliance and Mitigation Program under s.
1539 553.841(5), Florida Statutes, to the University of Florida M.E.
1540 Rinker, Sr. School of Construction Management for purposes of

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1541 implementing this section.

1542 (8) This section expires July 1, 2017.

1543 Section 37. Notwithstanding any law, rule, or regulation to
1544 the contrary, a restaurant, a cafeteria, or a similar dining
1545 facility, including an associated commercial kitchen, must have
1546 a fire area occupancy load requiring sprinklers which is
1547 consistent with the Florida Fire Prevention Code.

1548 Section 38. The Calder Sloan Swimming Pool Electrical-
1549 Safety Task Force.—There is established within the Florida
1550 Building Commission the Calder Sloan Swimming Pool Electrical-
1551 Safety Task Force.

1552 (1) The purpose of the task force is to study standards on
1553 grounding, bonding, lighting, wiring, and all electrical aspects
1554 for safety in and around public and private swimming pools,
1555 especially with regard to minimizing risks of electrocutions
1556 linked to swimming pools. The task force shall submit a report
1557 of its findings, including recommended revisions to state law,
1558 if any, to the Governor, the President of the Senate, and the
1559 Speaker of the House of Representatives by November 1, 2016.

1560 (2) The task force shall consist of the swimming pool and
1561 electrical technical advisory committees of the Florida Building
1562 Commission.

1563 (3) The task force shall be chaired by the swimming pool
1564 contractor appointed to the Florida Building Commission pursuant
1565 to s. 553.74, Florida Statutes.

1566 (4) The Florida Building Commission shall provide such
1567 staff, information, and other assistance as is reasonably
1568 necessary to assist the task force in carrying out its
1569 responsibilities.

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1570 (5) Members of the task force shall serve without
1571 compensation.

1572 (6) The task force shall meet as often as necessary to
1573 fulfill its responsibilities. Meetings may be conducted by
1574 conference call, teleconferencing, or similar technology.

1575 (7) This section expires December 31, 2016.

1576 Section 39. The Florida Building Commission shall adopt
1577 into the Florida Building Code the following:

1578
1579 "Section 406 relating to the Alternative Performance Path,
1580 Energy Rating Index of the 2015 International Energy
1581 Conservation Code (IECC) may be used as an option for chapter
1582 553 and Florida Building Code compliance. TABLE R406.4 MAXIMUM
1583 ENERGY RATING INDEX shall reflect for Climate Zone 1, an index
1584 of 65; for Climate Zone 2, an index of 65."

1585 Section 40. This act shall take effect July 1, 2016.