

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Regulatory Reform
2 Subcommittee

3 Representative Maggard offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (2) of section 553.79, Florida

8 Statutes, is amended to read:

9 553.79 Permits; applications; issuance; inspections.—

10 (2) (a)

11 1. Except as provided in subsection (8), an enforcing
12 agency may not issue any permit for construction, erection,
13 alteration, modification, repair, or demolition of any building
14 or structure until the local building code administrator or
15 inspector has reviewed the plans and specifications required by
16 the Florida Building Code, or local amendment thereto, for such

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17 | proposal and found the plans to be in compliance with the
18 | Florida Building Code. If the local building code administrator
19 | or inspector finds that the plans are not in compliance with the
20 | Florida Building Code, the local building code administrator or
21 | inspector shall identify the specific plan features that do not
22 | comply with the applicable codes, identify the specific code
23 | chapters and sections upon which the finding is based, and
24 | provide this information to the local enforcing agency. If such
25 | building code administrator or inspector requests review of such
26 | plans by any other person and such person identifies plan
27 | features that do not comply with the applicable codes, the
28 | building code administrator or inspector must provide this
29 | information to the local enforcing agency. The local enforcing
30 | agency shall provide this information to the permit applicant.
31 | ~~In addition,~~

32 | 2. An enforcing agency may not issue any permit for
33 | construction, erection, alteration, modification, repair, or
34 | demolition of any building until the appropriate firesafety
35 | inspector certified pursuant to s. 633.216 has reviewed the
36 | plans and specifications required by the Florida Building Code,
37 | or local amendment thereto, for such proposal and found that the
38 | plans comply with the Florida Fire Prevention Code and the Life
39 | Safety Code. Any building or structure which is not subject to a
40 | firesafety code shall not be required to have its plans reviewed
41 | by the firesafety inspector.

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42 3. Any building or structure that is exempt from the
43 local building permit process may not be required to have its
44 plans reviewed by the local building code administrator.
45 Industrial construction on sites where design, construction, and
46 firesafety are supervised by appropriate design and inspection
47 professionals and which contain adequate in-house fire
48 departments and rescue squads is exempt, subject to local
49 government option, from review of plans and inspections,
50 providing owners certify that applicable codes and standards
51 have been met and supply appropriate approved drawings to local
52 building and firesafety inspectors.

53 4. The enforcing agency shall issue a permit to
54 construct, erect, alter, modify, repair, or demolish any
55 building or structure when the plans and specifications for such
56 proposal comply with the Florida Building Code and the Florida
57 Fire Prevention Code and the Life Safety Code as determined by
58 the local authority in accordance with this chapter and chapter
59 633.

60 (b) After the local enforcing agency issues a permit, the
61 local enforcing agency may not make or require any substantive
62 change to the plans or specifications except those required for
63 compliance with the Florida Building Code, or local amendment
64 thereto, or the Florida Fire Prevention Code or the Life Safety
65 Code. Whenever a local enforcement authority makes or requires a
66 substantive change to the plans or specifications after a permit

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67 is issued, the local enforcement agency must identify the
68 specific plan or specifications that do not comply with the
69 applicable codes, identify the specific code chapters and
70 sections upon which the finding is based, and provide the
71 information to the permitholder.

72 (c)1. A plans reviewer or inspector who fails to provide to
73 the building code administrator with a reason or reasons for
74 making or requiring substantive changes to plans or
75 specifications is subject to disciplinary action against his or
76 her license pursuant to s. 468.621(1)(i).

77 2. A building code administrator who fails to provide a
78 permit applicant or permitholder with the reason or reasons for
79 making or requiring substantive changes to plans or
80 specifications is subject to disciplinary action against his or
81 her license pursuant to s. 468.621(1)(i).

82 Section 2. Subsection (2) of section 633.208, Florida
83 Statutes, is amended to read:

84 633.208 Minimum firesafety standards.—

85 (2)(a) Pursuant to subsection (1), each municipality,
86 county, and special district with firesafety responsibilities
87 shall enforce the Florida Fire Prevention Code as the minimum
88 firesafety code required by this section.

89 (b) If a municipality, county, or special district
90 determines that building plans for a building permit application
91 do not comply with the Florida Fire Prevention Code or Life

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92 Safety Code, or local amendment thereto, the local fire official
93 must identify the specific plan features that do not comply with
94 the applicable codes, identify the specific code chapters and
95 sections upon which the determination is based, and provide this
96 information to the permit applicant.

97 (c) After a municipality, county, or special district
98 issues a building permit, it may not make or require any
99 substantive change to the building plans except those required
100 for compliance with the Florida Fire Prevention Code or Life
101 Safety Code, or local amendment thereto. Whenever a
102 municipality, county, or special district makes or requires
103 substantive change to building plans after a permit is issued,
104 the local fire official must identify the specific plan or
105 specifications that do not comply with the Florida Fire
106 Prevention Code or Life Safety Code, or local amendment thereto,
107 identify the specific code chapters and sections upon which the
108 finding is based, and provide this information to the
109 permitholder.

110 (d) A local fire official, who is a certified firesafety
111 inspector, who fails to comply with paragraphs (b) or (c) is
112 subject to disciplinary action against his or her certificate
113 pursuant to s. 633.216(6)(f).

114 Section 3. This act shall take effect July 1, 2022.

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T I T L E A M E N D M E N T

117
118 Remove everything before the enacting clause and insert:
119 An act relating to building plan changes; amending s.
120 533.79, F.S.; requiring local building code
121 administrators or inspectors to provide certain
122 information to the local enforcing agency; requiring
123 local enforcement agencies that require substantive
124 changes to building plans to provide certain
125 information to the permitholder; providing that a
126 building code administrator, inspector, or plans
127 reviewer is subject to disciplinary action in certain
128 circumstances; amending s. 633.208, F.S.; requiring
129 local fire officials to provide certain information to
130 a permit applicant if building plans do not comply
131 with the Florida Fire Prevention Code or Life Safety
132 Code; requiring a local fire official to provide
133 certain information to the permitholder if a
134 municipality, county, or special district requires
135 substantive changes to building plans to provide
136 certain information to the permitholder; providing
137 that a certified firesafety inspector is subject to
138 disciplinary action in certain circumstances;
139 providing an effective date.