

Committee on Community Affairs

CS/CS/CS/HB 849 — Building Construction and Inspection

by Economic Affairs Committee; Rulemaking and Regulation Subcommittee; Business and Consumer Affairs Subcommittee; and Rep. Davis and others (CS/CS/SB 396 by Regulated Industries Committee; Community Affairs Committee; and Senator Bennett)

This bill exempts the Florida Building Code (Code) and the Florida Fire Prevention Code from being required to provide a statement of estimated regulatory costs and requires that proposed amendments to the foundation of the Code demonstrate a need for incorporation. Code amendments or modifications relating to the wind-resistance design of buildings and structures in the high-velocity hurricane zone of Miami-Dade and Broward Counties shall not expire and shall be carried forward to the next edition of the Code.

The bill redefines the term “sustainable building rating or national model building code” to include the International Green Construction Code and amends the membership composition requirements for the Florida Building Commission (Commission). The bill also expands the categories of persons who may be certified as qualified for licensure by endorsement as a home inspector and requires at least 2 hours of hurricane mitigation training to be included as part of a home inspector’s continuing education requirements.

The bill repeals the exemption that permits Division I contractors to perform both the inspection and repairs on a home and authorizes individuals who are licensed as a landscape architect to submit landscape design plans to government agencies for approval.

This bill replaces one of the public lodging industry seats on the Department of Health advisory review board with a county or local building official and clarifies that the Habitat for Humanity exemption also applies to the rehabilitation of certain family residences.

Part II of ch. 533, F.S., relating to the accessibility requirements for handicapped persons is amended in order to revise references to the current 2010 ADA Standards for Accessible Design standards and to conform the Florida-specific provisions to those standards. A license classification for “glass and glazing contractor” is created.

The bill provides for state agency compliance with the 2011 version of the National Fire Protection Association standard (NFPA 58) for LP gas tank separation and replaces specific references to energy efficiency requirements with a reference to the Florida Energy Efficiency Code for Building Construction.

As a result of this bill, products advertised as hurricane windstorm or impact protection from wind-borne debris are required to be approved as such under Florida’s product approval program and the Commission is prohibited from adopting rules that limit any of the statutory exceptions or exemptions to coastal construction control and erosion projection requirements.

The bill repeals current statutory provisions relating to requirements for scheduled increases in the energy performance of buildings subject to the Florida Energy Efficiency Code for Building

Construction and requires certain public swimming pools and spas to be equipped with specified safety features.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 37-1; House 114-2