

1 A bill to be entitled
2 An act relating to the Florida Building Code;
3 amending s. 553.415, F.S.; delaying the date
4 for inclusion of the Uniform Code for Public
5 Education Facilities in the Florida Building
6 Code; providing an effective date for the
7 Florida Building Code; amending s. 135 of ch.
8 2000-141, Laws of Florida, and ss. 62(2) and 68
9 of ch. 98-287, Laws of Florida, as amended;
10 delaying the amendment, repeal, and transfer
11 and renumbering of specified sections of the
12 Florida Statutes; amending s. 627.0629, F.S.;
13 delaying a deadline by which insurance
14 companies are required to make certain rate
15 filings; providing for the adoption of an
16 administrative rule; providing for the
17 treatment of permit applications submitted
18 before the effective date of the code;
19 requiring local jurisdictions to enact
20 ordinances establishing wind speed lines;
21 requiring that the Department of Community
22 Affairs adopt an emergency rule under certain
23 circumstances; specifying the effective date of
24 the residential swimming pool safety
25 requirements of the Florida Building Code;
26 amending s. 468.609, F.S.; extending the
27 deadline to apply for a limited certificate as
28 a building code administrator, plans examiner,
29 or inspector; expanding the list of eligible
30 persons who may apply for the certificate;
31

1 providing for the application of the act;
2 providing an effective date.

3
4 Be It Enacted by the Legislature of the State of Florida:

5
6 Section 1. Subsections (1), (5), (8), and (11) of
7 section 553.415, Florida Statutes, are amended to read:

8 553.415 Factory-built school buildings.--

9 (1) It is the purpose of this section to provide an
10 alternative procedure for the construction and installation of
11 factory-built school buildings designed or intended for use as
12 school buildings. As used in this section, the term
13 "factory-built school building" means any building designed or
14 intended for use as a school building, which is in whole or in
15 part, manufactured at an offsite facility in compliance with
16 the State Uniform Code for Public Educational Facilities and
17 Department of Education rule, effective on January 5, 2000.
18 After March ~~January~~ 1, 2002, the Uniform Code for Public
19 Educational Facilities shall be incorporated into the Florida
20 Building Code, including specific requirements for Public
21 Educational Facilities and the Department of Education rule,
22 effective on January 5, 2000. For the purpose of this
23 section, factory-built school buildings include prefabricated
24 educational facilities, factory-built educational facilities,
25 and modular-built educational facilities, that are designed to
26 be portable, relocatable, demountable, or reconstructible; are
27 used primarily as classrooms or the components of an entire
28 school; and do not fall under the provisions of ss.
29 320.822-320.862.

30 (5) The department, in accordance with the standards
31 and procedures adopted pursuant to this section and as such

1 standards and procedures may thereafter be modified, shall
2 approve or reject such plans, specifications, and methods of
3 construction. Approval shall not be given unless such plans,
4 specifications, and methods of construction are in compliance
5 with the State Uniform Building Code for Public Educational
6 Facilities and department rule. After March ~~January~~ 1, 2002,
7 the Uniform Code for Public Educational Facilities shall be
8 incorporated into the Florida Building Code, including
9 specific requirements for public educational facilities and
10 department rule.

11 (8) Any amendment to the State Uniform Code for Public
12 Educational Facilities, and after March ~~January~~ 1, 2002, the
13 Florida Building Code, shall become effective 180 days after
14 the amendment is filed with the Secretary of State.
15 Notwithstanding the 180-day delayed effective date, the
16 manufacturer shall submit and obtain a revised approved plan
17 within the 180 days. A revised plan submitted pursuant to
18 this subsection shall be processed as a renewal or revision
19 with appropriate fees. A plan submitted after the period of
20 time provided shall be processed as a new application with
21 appropriate fees.

22 (11) The department shall develop a unique
23 identification label to be affixed to all newly constructed
24 factory-built school buildings and existing factory-built
25 school buildings which have been brought into compliance with
26 the standards for existing "satisfactory" buildings pursuant
27 to chapter 5 of the Uniform Code for Public Educational
28 Facilities, and after March ~~January~~ 1, 2002, the Florida
29 Building Code. The department may charge a fee for issuing
30 such labels. Such labels, bearing the department's name and
31 state seal, shall at a minimum, contain:

- 1 (a) The name of the manufacturer.
- 2 (b) The standard plan approval number or alteration
3 number.
- 4 (c) The date of manufacture or alteration.
- 5 (d) The serial or other identification number.
- 6 (e) The following designed-for loads: lbs. per square
7 foot live load; lbs. per square foot floor live load; lbs. per
8 square foot horizontal wind load; and lbs. per square foot
9 wind uplift load.
- 10 (f) The designed-for flood zone usage.
- 11 (g) The designed-for wind zone usage.
- 12 (h) The designed-for enhanced hurricane protection
13 zone usage: yes or no.
- 14 Section 2. Notwithstanding any other provision in
15 chapter 2001-186, Laws of Florida, the effective date of the
16 following sections of chapter 2001-186, Laws of Florida, is
17 changed to March 1, 2002: sections 25, 26, and 27.
- 18 Section 3. Notwithstanding any other provision in
19 chapter 2001-186, Laws of Florida, the effective date of the
20 following sections of chapter 2000-141, Laws of Florida, as
21 amended by chapter 2001-186, Laws of Florida, is changed to
22 March 1, 2002: sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13,
23 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30,
24 32, 36, 39, 44, 47, 48, 49, 52, 54, 56, 58, 59, 60, 62, 70,
25 71, 72, 75, 79, 81, 84, 86, 87, 88, 91, 92, 93, 94, and 99.
- 26 Section 4. Notwithstanding any other provision in
27 chapter 2001-186, Laws of Florida, the effective date of the
28 following sections of chapter 98-287, Laws of Florida, as
29 amended by chapter 2000-141, Laws of Florida, as amended by
30 chapter 2001-186, Laws of Florida, is changed to March 1,
31

1 2002: sections 1, 2, 4, 5, 7, 9, 13, 14, 15, 16, 17, 18, 21,
2 24, 29, 31, 32, 34, 36, 38, 40, 44, 46, 47, 49, 51, and 56.

3 Section 5. Notwithstanding any other provision in
4 chapter 2001-186, Laws of Florida, the effective date of
5 section 61 of chapter 98-419, Laws of Florida, as amended by
6 chapter 2000-141, Laws of Florida, as amended by chapter
7 2001-186, Laws of Florida, is changed to March 1, 2002.

8 Section 6. Section 135 of chapter 2000-141, Laws of
9 Florida, as amended by section 37 of chapter 2001-186, Laws of
10 Florida, is amended to read:

11 Section 135. Effective March ~~January~~ 1, 2002
12 subsection (2) of section 255.21, Florida Statutes, paragraphs
13 (d) and (e) of subsection (1) of section 395.1055, Florida
14 Statutes, and subsection (11) of section 553.79, Florida
15 Statutes, are repealed.

16 Section 7. Subsection (2) of section 62 of chapter
17 98-287, Laws of Florida, as amended by section 107 of chapter
18 2000-141, Laws of Florida, as amended by section 38 of chapter
19 2001-186, Laws of Florida, is amended to read:

20 Section 62.

21 (2) Effective March ~~January~~ 1, 2002, all existing
22 local technical amendments to any building code adopted by any
23 local government, except for local ordinances setting forth
24 administrative requirements which are not in conflict with the
25 Florida Building Code, are repealed. Each local government may
26 readopt such amendments pursuant to s. 553.73, Florida
27 Statutes, provided such amendments comply with applicable
28 provisions of the Florida Building Code.

29 Section 8. Section 68 of chapter 98-287, Laws of
30 Florida, as amended by section 108 of chapter 2000-141, Laws
31

1 of Florida, as amended by section 39 of chapter 2001-186, Laws
2 of Florida, is amended to read:

3 Section 68. Effective March ~~January~~ 1, 2002, parts I,
4 II, and III of chapter 553, Florida Statutes, consisting of
5 sections 553.01, 553.02, 553.03, 553.04, 553.041, 553.05,
6 553.06, 553.07, 553.08, 553.10, 553.11, 553.14, 553.15,
7 553.16, 553.17, 553.18, 553.20, 553.21, 553.22, 553.23,
8 553.24, 553.25, 553.26. 553.27, and 553.28, Florida Statutes,
9 are repealed, section 553.141, Florida Statutes, is
10 transferred and renumbered as section 553.86, Florida
11 Statutes.

12 Section 9. Subsection (1) of section 627.0629, Florida
13 Statutes, as amended by section 99 of chapter 2000-141, Laws
14 of Florida, as amended by section 42 of chapter 2001-186, Laws
15 of Florida, is amended to read:

16 627.0629 Residential property insurance; rate
17 filings.--

18 (1) A rate filing for residential property insurance
19 must include actuarially reasonable discounts, credits, or
20 other rate differentials, or appropriate reductions in
21 deductibles, for properties on which fixtures or construction
22 techniques demonstrated to reduce the amount of loss in a
23 windstorm have been installed or implemented. The fixtures or
24 construction techniques shall include, but not be limited to,
25 fixtures or construction techniques which enhance roof
26 strength, roof covering performance, roof-to-wall strength,
27 wall-to-floor-to-foundation strength, opening protection, and
28 window, door, and skylight strength. Credits, discounts, or
29 other rate differentials for fixtures and construction
30 techniques which meet the minimum requirements of the Florida
31 Building Code must be included in the rate filing. All

1 insurance companies must make a rate filing which includes the
2 credits, discounts, or other rate differentials by February
3 28, 2003 ~~December 31, 2002~~.

4 Section 10. Rule 9B-3.047, Florida Administrative
5 Code, as it existed before November 28, 2000, is adopted and
6 will remain in force until the effective date of the Florida
7 Building Code as established in this act.

8 Section 11. Notwithstanding the effective date of
9 section 25 of chapter 2001-186, Laws of Florida, any building
10 permit for which an application is submitted before the
11 effective date of the Florida Building Code is governed by the
12 state minimum building code in effect in the permitting
13 jurisdiction on the date of the application for the permitted
14 work for the life of the permit and any extension of time
15 granted thereto.

16 Section 12. Local jurisdictions bisected or otherwise
17 divided by a line separating wind speed zones, as determined
18 by the American Society of Civil Engineers, Standard 7, 1998
19 edition as implemented by the International Building Code,
20 2000 edition, and as modified by the Florida Building
21 Commission in the Florida Building Code that becomes effective
22 pursuant to this act, must by January 1, 2002, enact an
23 ordinance specifying the exact location of wind speed lines,
24 using recognized physical landmarks such as major roads,
25 canals, rivers, and lake shores, wherever possible. For each
26 jurisdiction that has not adopted the required ordinance by
27 January 1, 2002, the Department of Community Affairs shall
28 adopt, by emergency rule under section 120.54(4), Florida
29 Statutes, a map delineating the wind speed lines of the
30 jurisdiction according to the parameters of this section. This
31 map shall govern the location of wind speed lines under the

1 Florida Building Code until 60 days after the effective date
2 of the jurisdiction's ordinance.

3 Section 13. The Florida Building Commission is
4 authorized to provide for uniform implementation of sections
5 515.25, 515.27, and 515.29, Florida Statutes, by including
6 standards and criteria in the Florida Building Code for
7 residential swimming pool barriers, pool covers, latching
8 devices, door and window exit alarms, and other equipment
9 required in those sections which are consistent with the
10 intent of section 515.23, Florida Statutes. Notwithstanding
11 section 10, the residential swimming pool safety requirements
12 of the Florida Building Code, section 424.2, relating to
13 private swimming pools, of Rule 9B-3.047, Florida
14 Administrative Code, as adopted November 28, 2000, shall take
15 effect January 1, 2002.

16 Section 14. Paragraph (e) of subsection (6) of section
17 468.609, Florida Statutes, is amended to read:

18 468.609 Administration of this part; standards for
19 certification; additional categories of certification.--

20 (6)

21 (e) By March 1, 2003, or one year after the Florida
22 Building Code is implemented, whichever is later ~~January 1,~~
23 ~~2001~~, individuals who were employed by an educational board,
24 the Department of Education, or the State University System as
25 building code administrators, plans examiners, or inspectors,
26 who do not wish to apply ~~are not eligible~~ for a standard
27 certificate but who wish to continue in such employment, shall
28 submit to the board the appropriate application and
29 certification fees and shall receive a limited certificate
30 qualifying such individuals to engage in building code
31 administration, plans examination, or inspection in the class,

1 at the performance level, and within the governmental
2 jurisdiction in which such person is employed.

3 Section 15. After January 1, 2002, design
4 professionals who have been preparing construction documents
5 in anticipation of the current Florida Law stipulating the
6 implementation date of January 1, 2002, for the Florida
7 Building Code, may at their option, have their projects
8 governed by the Florida Building Code that would have been in
9 effect in the permitting jurisdiction, after January 1, 2002.

10 Section 16. This act shall take effect upon becoming a
11 law.