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LEGISLATIVE ACTION

Senate

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House

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Senator Simpson moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 162.12, Florida Statutes, is amended to
read:

162.12 Notices.—

(1) All notices required by this part must be provided to
the alleged violator by:

(a) Certified mail, and at the option of the local
government return receipt requested, to the address listed in



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12 the tax collector's office for tax notices or to the address
13 listed in the county property appraiser's database. The local
14 government may also provide an additional notice to any other
15 address it may find for the property owner. For property owned
16 by a corporation, notices may be provided by certified mail to
17 the registered agent of the corporation. If any notice sent by
18 certified mail is not signed as received within 30 days after
19 the postmarked date of mailing, notice may be provided by
20 posting as described in subparagraphs (2) (b)1. and 2.;

21 (b) Hand delivery by the sheriff or other law enforcement
22 officer, code inspector, or other person designated by the local
23 governing body;

24 (c) Leaving the notice at the violator's usual place of
25 residence with any person residing therein who is above 15 years
26 of age and informing such person of the contents of the notice;
27 or

28 (d) In the case of commercial premises, leaving the notice
29 with the manager or other person in charge.

30 (2) In addition to providing notice as set forth in
31 subsection (1), at the option of the code enforcement board or
32 the local government, notice may be served by publication or
33 posting, as follows:

34 (a)1. Such notice shall be published once during each week
35 for 4 consecutive weeks (four publications being sufficient) in
36 a newspaper of general circulation in the county where the code
37 enforcement board is located. The newspaper shall meet such
38 requirements as are prescribed under chapter 50 for legal and
39 official advertisements.

40 2. Proof of publication shall be made as provided in ss.



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41 50.041 and 50.051.

42 (b)1. In lieu of publication as described in paragraph (a),
43 such notice may be posted at least 10 days prior to the hearing,
44 or prior to the expiration of any deadline contained in the
45 notice, in at least two locations, one of which shall be the
46 property upon which the violation is alleged to exist and the
47 other of which shall be, in the case of municipalities, at the
48 primary municipal government office, and in the case of
49 counties, at the front door of the courthouse or the main county
50 governmental center in said county.

51 2. Proof of posting shall be by affidavit of the person
52 posting the notice, which affidavit shall include a copy of the
53 notice posted and the date and places of its posting.

54 (c) Notice by publication or posting may run concurrently
55 with, or may follow, an attempt or attempts to provide notice by
56 hand delivery or by mail as required under subsection (1).

57 (3) Evidence that an attempt has been made to hand deliver
58 or mail notice as provided in subsection (1), together with
59 proof of publication or posting as provided in subsection (2),
60 shall be sufficient to show that the notice requirements of this
61 part have been met, without regard to whether or not the alleged
62 violator actually received such notice.

63 Section 2. Paragraph (b) of subsection (3) of section
64 373.323, Florida Statutes, is amended to read:

65 373.323 Licensure of water well contractors; application,
66 qualifications, and examinations; equipment identification.—

67 (3) An applicant who meets the following requirements shall
68 be entitled to take the water well contractor licensure
69 examination:



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70 (b) Has at least 2 years of experience in constructing,
71 repairing, or abandoning water wells. Satisfactory proof of such
72 experience shall be demonstrated by providing:

73 1. Evidence of the length of time the applicant has been
74 engaged in the business of the construction, repair, or
75 abandonment of water wells as a major activity, as attested to
76 by a letter from ~~three of the following persons:~~

77 ~~a. a water well contractor and a letter from.~~

78 ~~b. A water well driller.~~

79 ~~c. A water well parts and equipment vendor.~~

80 ~~d. a water well inspector employed by a governmental~~
81 agency.

82 2. A list of at least 10 water wells that the applicant has
83 constructed, repaired, or abandoned within the preceding 5
84 years. Of these wells, at least seven must have been
85 constructed, as defined in s. 373.303(2), by the applicant. The
86 list shall also include:

87 a. The name and address of the owner or owners of each
88 well.

89 b. The location, primary use, and approximate depth and
90 diameter of each well that the applicant has constructed,
91 repaired, or abandoned.

92 c. The approximate date the construction, repair, or
93 abandonment of each well was completed.

94 Section 3. Paragraphs (f) through (i) of subsection (2) of
95 section 377.6015, Florida Statutes, are redesignated as
96 paragraphs (e) through (h), respectively, and present paragraph
97 (e) of that section is amended, to read:

98 377.6015 Department of Agriculture and Consumer Services;



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99 powers and duties.-

100 (2) The department shall:

101 ~~(c) Represent Florida in the Southern States Energy Compact~~
102 ~~pursuant to ss. 377.71-377.712.~~

103 Section 4. Paragraphs (f), (h), and (i) of subsection (2)
104 of section 377.703, Florida Statutes, are amended to read:

105 377.703 Additional functions of the Department of
106 Agriculture and Consumer Services.-

107 (2) DUTIES.-The department shall perform the following
108 functions, unless as otherwise provided, consistent with the
109 development of a state energy policy:

110 (f) The department shall submit an annual report to the
111 Governor and the Legislature reflecting its activities and
112 making recommendations for ~~of~~ policies for improvement of the
113 state's response to energy supply and demand and its effect on
114 the health, safety, and welfare of the residents of this state
115 ~~people of Florida~~. The report must ~~shall~~ include a report from
116 the Florida Public Service Commission on electricity and natural
117 gas and information on energy conservation programs conducted
118 and underway in the past year and ~~shall~~ include recommendations
119 for energy efficiency and conservation programs for the state,
120 including, ~~but not limited to, the following factors:~~

121 1. Formulation of specific recommendations for improvement
122 in the efficiency of energy utilization in governmental,
123 residential, commercial, industrial, and transportation sectors.

124 2. Collection and dissemination of information relating to
125 energy efficiency and conservation.

126 3. Development and conduct of educational and training
127 programs relating to energy efficiency and conservation.



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128 4. An analysis of the ways in which state agencies are
129 seeking to implement s. 377.601(2), the state energy policy, and
130 recommendations for better fulfilling this policy.

131 (h) The department shall promote the development and use of
132 renewable energy resources, in conformance with chapter 187 and
133 s. 377.601, by:

134 1. Establishing goals and strategies for increasing the use
135 of renewable ~~solar~~ energy in this state.

136 2. Aiding and promoting the commercialization of renewable
137 energy resources ~~solar energy technology~~, in cooperation with
138 the Florida Energy Systems Consortium, the Florida Solar Energy
139 Center, Enterprise Florida, Inc., and any other federal, state,
140 or local governmental agency that ~~which~~ may seek to promote
141 research, development, and the demonstration of renewable ~~solar~~
142 energy equipment and technology.

143 3. Identifying barriers to greater use of renewable energy
144 resources ~~solar energy systems~~ in this state, and developing
145 specific recommendations for overcoming identified barriers,
146 with findings and recommendations to be submitted annually in
147 the report to the Governor and Legislature required under
148 paragraph (f).

149 4. In cooperation with the Department of Environmental
150 Protection, the Department of Transportation, the Department of
151 Economic Opportunity, Enterprise Florida, Inc., the Florida
152 Energy Systems Consortium, the Florida Solar Energy Center, and
153 the Florida Solar Energy Industries Association, investigating
154 opportunities, pursuant to the national Energy Policy Act of
155 1992, the Housing and Community Development Act of 1992, and any
156 subsequent federal legislation, for renewable energy resources,



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157 ~~solar~~ electric vehicles, and other renewable ~~solar~~ energy
158 manufacturing, distribution, installation, and financing efforts
159 that ~~which will~~ enhance this state's position as the leader in
160 renewable ~~solar~~ energy research, development, and use.

161 5. Undertaking other initiatives to advance the development
162 and use of renewable energy resources in this state.

163

164 In the exercise of its responsibilities under this paragraph,
165 the department shall seek the assistance of the renewable ~~solar~~
166 energy industry in this state and other interested parties and
167 may ~~is authorized to~~ enter into contracts, retain professional
168 consulting services, and expend funds appropriated by the
169 Legislature for such purposes.

170 (i) The department shall promote energy efficiency and
171 conservation in all energy use sectors throughout the state and
172 be ~~shall constitute~~ the state agency primarily responsible for
173 this function. The Department of Management Services, in
174 consultation with the department, shall coordinate the energy
175 conservation programs of all state agencies and review and
176 comment on the energy conservation programs of all state
177 agencies.

178 Section 5. Section 377.712, Florida Statutes, is amended to
179 read:

180 377.712 Florida participation.—

181 (1) (a) The Governor shall appoint one member of the
182 Southern States Energy Board. The member or the Governor may
183 designate another person as the deputy or assistant to such
184 member.

185 (b) The Commissioner of Agriculture may appoint one member



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186 of the Southern States Energy Board. The member or the
187 commissioner may designate another person as the assistant or
188 deputy to such member.

189 (c) ~~(b)~~ The President of the Senate shall appoint one member
190 of the Southern States Energy Board. The member or the president
191 may designate another person as the assistant or deputy to such
192 member.

193 (d) ~~(e)~~ The Speaker of the House of Representatives shall
194 appoint one member of the Southern States Energy Board. The
195 member or the speaker may designate another person as the
196 assistant or deputy to such member.

197 (2) Any supplementary agreement entered into under s.
198 377.711(6) requiring the expenditure of funds may ~~shall~~ not
199 become effective as to Florida until the required funds are
200 appropriated by the Legislature.

201 (3) Departments, agencies, and officers of this state, and
202 its subdivisions are authorized to cooperate with the board in
203 the furtherance of ~~any of~~ its activities pursuant to the
204 compact, provided such proposed activities have been made known
205 to, and have the approval of, ~~either~~ the Governor or the member
206 appointed by the Governor ~~Department of Health~~.

207 Section 6. Section 377.801, Florida Statutes, is amended to
208 read:

209 377.801 Short title.—Sections 377.801-377.804 ~~377.801-~~
210 ~~377.807~~ may be cited as the "Florida Energy and Climate
211 Protection Act."

212 Section 7. Section 377.802, Florida Statutes, is amended to
213 read:

214 377.802 Purpose.—This act is intended to provide incentives



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215 for Florida's citizens, businesses, school districts, and local
216 governments to take action to diversify the state's energy
217 supplies, reduce dependence on foreign oil, and mitigate the
218 effects of climate change by providing funding for activities
219 designed to achieve these goals. The grant programs in this act
220 are intended to stimulate capital investment in and enhance the
221 market for renewable energy technologies and technologies
222 intended to diversify Florida's energy supplies, reduce
223 dependence on foreign oil, and combat or limit climate change
224 impacts. ~~This act is also intended to provide incentives for the~~
225 ~~purchase of energy-efficient appliances and rebates for solar~~
226 ~~energy equipment installations for residential and commercial~~
227 ~~buildings.~~

228 Section 8. Section 377.803, Florida Statutes, is amended to
229 read:

230 377.803 Definitions.—As used in ss. 377.801-377.804 ~~ss.~~
231 ~~377.801-377.807~~, the term:

232 (1) "Act" means the Florida Energy and Climate Protection
233 Act.

234 (2) "Department" means the Department of Agriculture and
235 Consumer Services.

236 (3) "Person" means an individual, partnership, joint
237 venture, private or public corporation, association, firm,
238 public service company, or any other public or private entity.

239 (4) "Renewable energy" means electrical, mechanical, or
240 thermal energy produced from a method that uses one or more of
241 the following fuels or energy sources: hydrogen, biomass, as
242 defined in s. 366.91, solar energy, geothermal energy, wind
243 energy, ocean energy, waste heat, or hydroelectric power.



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244 (5) "Renewable energy technology" means any technology that
245 generates or utilizes a renewable energy resource.

246 ~~(6) "Solar energy system" means equipment that provides for~~
247 ~~the collection and use of incident solar energy for water~~
248 ~~heating, space heating or cooling, or other applications that~~
249 ~~would normally require a conventional source of energy such as~~
250 ~~petroleum products, natural gas, or electricity that performs~~
251 ~~primarily with solar energy. In other systems in which solar~~
252 ~~energy is used in a supplemental way, only those components that~~
253 ~~collect and transfer solar energy shall be included in this~~
254 ~~definition.~~

255 ~~(7) "Solar photovoltaic system" means a device that~~
256 ~~converts incident sunlight into electrical current.~~

257 ~~(8) "Solar thermal system" means a device that traps heat~~
258 ~~from incident sunlight in order to heat water.~~

259 Section 9. Sections 377.806 and 377.807, Florida Statutes,
260 are repealed.

261 Section 10. Section 377.815, Florida Statutes, is created
262 to read:

263 377.815 Alternative fueling stations and electric vehicle
264 charging stations.—The Department of Agriculture and Consumer
265 Services may post information on its website relating to
266 alternative fueling stations or electric vehicle charging
267 stations that are available for public use in this state.

268 (1) As used in this section, the term "alternative fuel"
269 means nontraditional transportation fuel, such as pure methanol,
270 ethanol, and other alcohols; blends of 85 percent or more of
271 alcohol with gasoline; natural gas and liquid fuels domestically
272 produced from natural gas; liquefied petroleum gas; coal-derived



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273 liquid fuels; hydrogen; electricity; pure biodiesel; fuels,
274 other than alcohol, derived from biological materials; and P-
275 series fuels.

276 (2) An owner or operator of an alternative fueling station
277 that is available in this state may report the following
278 information to the department:

279 (a) The type of alternative fuel available;

280 (b) The station's name, address, or location; or

281 (c) The fees or costs associated with the alternative fuel
282 that is available for purchase.

283 (3) The owner or operator of an electric vehicle charging
284 station that is available in this state may report the following
285 information to the department:

286 (a) The station's name, address, or location; or

287 (b) The fees or costs, if any, associated with the electric
288 vehicle charging services provided by the station.

289 Section 11. Section 440.103, Florida Statutes, is amended
290 to read:

291 440.103 Building permits; identification of minimum premium
292 policy.—Every employer shall, as a condition to applying for and
293 receiving a building permit, show proof and certify to the
294 permit issuer that it has secured compensation for its employees
295 under this chapter as provided in ss. 440.10 and 440.38. Such
296 proof of compensation must be evidenced by a certificate of
297 coverage issued by the carrier, a valid exemption certificate
298 approved by the department, or a copy of the employer's
299 authority to self-insure and shall be presented, electronically
300 or physically, each time the employer applies for a building
301 permit. As provided in s. 553.79(19), for the purpose of



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302 inspection and record retention, site plans or building permits
303 may be maintained at the worksite in the original form or in the
304 form of an electronic copy. These plans and permits must be open
305 to inspection by the building official or a duly authorized
306 representative, as required by the Florida Building Code. As
307 provided in s. 627.413(5), each certificate of coverage must
308 show, on its face, whether or not coverage is secured under the
309 minimum premium provisions of rules adopted by rating
310 organizations licensed pursuant to s. 627.221. The words
311 "minimum premium policy" or equivalent language shall be typed,
312 printed, stamped, or legibly handwritten.

313 Section 12. Subsection (5) of section 514.0115, Florida
314 Statutes, is amended to read:

315 514.0115 Exemptions from supervision or regulation;
316 variances.—

317 (5) The department may grant variances from any rule
318 adopted under this chapter pursuant to procedures adopted by
319 department rule. The department may also grant, pursuant to
320 procedures adopted by department rule, variances from the
321 provisions of the Florida Building Code specifically pertaining
322 to public swimming pools and bathing places when requested by
323 the pool owner or their representative to relieve hardship in
324 cases involving deviations from the Florida Building Code
325 provisions, when it is shown that the hardship was not caused
326 intentionally by the action of the applicant, where no
327 reasonable alternative exists, and the health and safety of the
328 pool patrons is not at risk.

329 Section 13. Effective October 1, 2014, section 514.03,
330 Florida Statutes, is amended to read:



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331 514.03 Approval necessary to construct, develop, or modify
332 public swimming pools or public bathing places.—

333 (1) A person or public body desiring to construct, develop,
334 or modify a public swimming pool must submit an application,
335 containing the information required under s. 514.031(1)(a)1.-6.
336 to the department for an operating permit before filing an
337 application for a building permit under s. 553.79. A copy of the
338 final inspection required under s. 514.031(1)(a)5. shall be
339 submitted to the department upon receipt by the applicant. The
340 application shall be deemed incomplete pursuant to s. 120.60
341 until such copy is submitted to the department.

342 (2) Local governments or local enforcement districts may
343 determine compliance with the general construction standards of
344 the Florida Building Code, pursuant to s. 553.80. Local
345 governments or local enforcement districts may conduct plan
346 reviews and inspections of public swimming pools and public
347 bathing places for this purpose.

348 Section 14. Effective October 1, 2014, paragraph (a) of
349 subsection (1) of section 514.031, Florida Statutes, is amended,
350 present paragraphs (b) and (c) of that subsection are
351 redesignated as paragraphs (c) and (d), respectively, and a new
352 paragraph (b) is added to that subsection, to read:

353 514.031 Permit necessary to operate public swimming pool.—

354 (1) It is unlawful for any person or public body to operate
355 or continue to operate any public swimming pool without a valid
356 permit from the department, such permit to be obtained in the
357 following manner:

358 (a) Any person or public body desiring to operate any
359 public swimming pool shall file an application for an operating



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360 a permit with the department, on application forms provided by
361 the department, and shall accompany such application with:

362 1. A description of the structure, its appurtenances, and
363 its operation.

364 ~~2.1.~~ A description of the source or sources of water
365 supply, and the amount and quality of water available and
366 intended to be used.

367 ~~3.2.~~ The method and manner of water purification,
368 treatment, disinfection, and heating.

369 ~~4.3.~~ The safety equipment and standards to be used.

370 5. A copy of the final inspection from the local
371 enforcement agency as defined in s. 553.71.

372 ~~6.4.~~ Any other pertinent information deemed necessary by
373 the department.

374 (b) The applicant shall respond to a request for additional
375 information due to an incomplete application for an operating
376 permit pursuant to s. 120.60. Upon receipt of an application,
377 whether complete or incomplete, as required in s. 514.03 and as
378 set forth under this section, the department shall review and
379 provide to the local enforcement agency and the applicant any
380 comment or proposed modifications on the information received
381 pursuant to subparagraphs 1.-6.

382 Section 15. Paragraph (c) of subsection (1) of section
383 553.37, Florida Statutes, is amended to read:

384 553.37 Rules; inspections; and insignia.-

385 (1) The Florida Building Commission shall adopt within the
386 Florida Building Code requirements for construction or
387 modification of manufactured buildings and building modules, to
388 address:



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389 (c) ~~Minimum~~ Inspection criteria, which shall require the
390 approved inspection agency to:

391 1. Observe the first building built, or with regard to
392 components, observe the first unit assembled, after
393 certification of the manufacturer, from start to finish,
394 inspecting all subsystems: electrical, plumbing, structural,
395 mechanical, or thermal.

396 2. Continue observation of the manufacturing process until
397 the approved inspection agency determines that the
398 manufacturer's quality control program, in conjunction with the
399 application of the plans approved by the approved inspection
400 agency, will result in a building and components that meet or
401 exceed the applicable Florida Building Code requirements.

402 3. Thereafter, inspect each module produced during at least
403 one point of the manufacturing process and inspect at least 75
404 percent of the subsystems of each module: electrical, plumbing,
405 structural, mechanical, or thermal.

406 4. With respect to components, inspect at least 75 percent
407 of the manufactured building components and at least 20 percent
408 of the storage sheds that are not designed for human habitation
409 and that have a floor area of 720 square feet or less.

410 Section 16. Section 553.721, Florida Statutes, is amended
411 to read:

412 553.721 Surcharge.—In order for the Department of Business
413 and Professional Regulation to administer and carry out the
414 purposes of this part and related activities, there is created a
415 surcharge, to be assessed at the rate of 1.5 percent of the
416 permit fees associated with enforcement of the Florida Building
417 Code as defined by the uniform account criteria and specifically



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418 the uniform account code for building permits adopted for local
419 government financial reporting pursuant to s. 218.32. The
420 minimum amount collected on any permit issued shall be \$2. The
421 unit of government responsible for collecting a permit fee
422 pursuant to s. 125.56(4) or s. 166.201 shall collect the
423 surcharge and electronically remit the funds collected to the
424 department on a quarterly calendar basis for the preceding
425 quarter and continuing each third month thereafter. The unit of
426 government shall retain 10 percent of the surcharge collected to
427 fund the participation of building departments in the national
428 and state building code adoption processes and to provide
429 education related to enforcement of the Florida Building Code.
430 All funds remitted to the department pursuant to this section
431 shall be deposited in the Professional Regulation Trust Fund.
432 Funds collected from the surcharge shall be allocated to fund
433 the Florida Building Commission and the Florida Building Code
434 Compliance and Mitigation Program under s. 553.841. ~~Beginning in~~
435 ~~the 2013-2014 fiscal year,~~ Funds allocated to the Florida
436 Building Code Compliance and Mitigation Program shall be
437 \$925,000 each fiscal year. The funds collected from the
438 surcharge may not be used to fund research on techniques for
439 mitigation of radon in existing buildings. Funds used by the
440 department as well as funds to be transferred to the Department
441 of Health shall be as prescribed in the annual General
442 Appropriations Act. The department shall adopt rules governing
443 the collection and remittance of surcharges pursuant to chapter
444 120.

445 Section 17. Subsection (15) of section 553.73, Florida
446 Statutes, is amended, and subsection (18) is added to that



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447 section, to read:

448 553.73 Florida Building Code.—

449 (15) An agency or local government may not require that
450 existing mechanical equipment located on or above the surface of
451 a roof be installed in compliance with the requirements of the
452 Florida Building Code except when ~~until~~ the equipment is being
453 required to be removed or replaced or moved during reroofing and
454 is not in compliance with the provisions of the Florida Building
455 Code relating to roof-mounted mechanical units.

456 (18) In a single-family dwelling, make-up air is not
457 required for range hood exhaust systems capable of exhausting:

458 (a) Four hundred cubic feet per minute or less; or

459 (b) More than 400 cubic feet per minute but no more than

460 800 cubic feet per minute if there are no gravity vent
461 appliances within the conditioned living space of the structure.

462 Section 18. Subsection (1) of section 553.74, Florida
463 Statutes, is amended to read:

464 553.74 Florida Building Commission.—

465 (1) The Florida Building Commission is created and located
466 within the Department of Business and Professional Regulation
467 for administrative purposes. Members are appointed by the
468 Governor subject to confirmation by the Senate. The commission
469 is composed of 27 ~~26~~ members, consisting of the following:

470 (a) One architect registered to practice in this state and
471 actively engaged in the profession. The American Institute of
472 Architects, Florida Section, is encouraged to recommend a list
473 of candidates for consideration.

474 (b) One structural engineer registered to practice in this
475 state and actively engaged in the profession. The Florida



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476 Engineering Society is encouraged to recommend a list of
477 candidates for consideration.

478 (c) One air-conditioning or mechanical contractor certified
479 to do business in this state and actively engaged in the
480 profession. The Florida Air Conditioning Contractors
481 Association, the Florida Refrigeration and Air Conditioning
482 Contractors Association, and the Mechanical Contractors
483 Association of Florida are encouraged to recommend a list of
484 candidates for consideration.

485 (d) One electrical contractor certified to do business in
486 this state and actively engaged in the profession. The Florida
487 Association of Electrical Contractors Association and the
488 National Electrical Contractors Association, Florida Chapter,
489 are encouraged to recommend a list of candidates for
490 consideration.

491 (e) One member from fire protection engineering or
492 technology who is actively engaged in the profession. The
493 Florida Chapter of the Society of Fire Protection Engineers and
494 the Florida Fire Marshals and Inspectors Association are
495 encouraged to recommend a list of candidates for consideration.

496 (f) One general contractor certified to do business in this
497 state and actively engaged in the profession. The Associated
498 Builders and Contractors of Florida, the Florida Associated
499 General Contractors Council, and the Union Contractors
500 Association are encouraged to recommend a list of candidates for
501 consideration.

502 (g) One plumbing contractor licensed to do business in this
503 state and actively engaged in the profession. The Florida
504 Association of Plumbing, Heating, and Cooling Contractors is



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505 encouraged to recommend a list of candidates for consideration.

506 (h) One roofing or sheet metal contractor certified to do
507 business in this state and actively engaged in the profession.
508 The Florida Roofing, Sheet Metal, and Air Conditioning
509 Contractors Association and the Sheet Metal and Air Conditioning
510 Contractors' ~~Contractors~~ National Association are encouraged to
511 recommend a list of candidates for consideration.

512 (i) One residential contractor licensed to do business in
513 this state and actively engaged in the profession. The Florida
514 Home Builders Association is encouraged to recommend a list of
515 candidates for consideration.

516 (j) Three members who are municipal or district codes
517 enforcement officials, one of whom is also a fire official. The
518 Building Officials Association of Florida and the Florida Fire
519 Marshals and Inspectors Association are encouraged to recommend
520 a list of candidates for consideration.

521 (k) One member who represents the Department of Financial
522 Services.

523 (l) One member who is a county codes enforcement official.
524 The Building Officials Association of Florida is encouraged to
525 recommend a list of candidates for consideration.

526 (m) One member of a Florida-based organization of persons
527 with disabilities or a nationally chartered organization of
528 persons with disabilities with chapters in this state.

529 (n) One member of the manufactured buildings industry who
530 is licensed to do business in this state and is actively engaged
531 in the industry. The Florida Manufactured Housing Association is
532 encouraged to recommend a list of candidates for consideration.

533 (o) One mechanical or electrical engineer registered to



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534 practice in this state and actively engaged in the profession.
535 The Florida Engineering Society is encouraged to recommend a
536 list of candidates for consideration.

537 (p) One member who is a representative of a municipality or
538 a charter county. The Florida League of Cities and the Florida
539 Association of Counties are encouraged to recommend a list of
540 candidates for consideration.

541 (q) One member of the building products manufacturing
542 industry who is authorized to do business in this state and is
543 actively engaged in the industry. The Florida Building Material
544 Association, the Florida Concrete and Product ~~Products~~
545 Association, and the Fenestration Manufacturers Association are
546 encouraged to recommend a list of candidates for consideration.

547 (r) One member who is a representative of the building
548 owners and managers industry who is actively engaged in
549 commercial building ownership or management. The Building Owners
550 and Managers Association is encouraged to recommend a list of
551 candidates for consideration.

552 (s) One member who is a representative of the insurance
553 industry. The Florida Insurance Council is encouraged to
554 recommend a list of candidates for consideration.

555 (t) One member who is a representative of public education.

556 (u) One member who is a swimming pool contractor licensed
557 to do business in this state and actively engaged in the
558 profession. The Florida Swimming Pool Association and the United
559 Pool and Spa Association are encouraged to recommend a list of
560 candidates for consideration.

561 (v) One member who is a representative of the green
562 building industry and who is a third-party commission agent, a



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563 Florida board member of the United States Green Building Council
564 or Green Building Initiative, a professional who is accredited
565 under the International Green Construction Code (IGCC), or a
566 professional who is accredited under Leadership in Energy and
567 Environmental Design (LEED).

568 (w) One member who is a representative of a natural gas
569 distribution system and who is actively engaged in the
570 distribution of natural gas in this state. The Florida Natural
571 Gas Association is encouraged to recommend a list of candidates
572 for consideration.

573 (x) One member who is a representative of the Department of
574 Agriculture and Consumer Services' Office of Energy. The
575 Commissioner of Agriculture is encouraged to recommend a list of
576 candidates for consideration.

577 (y)~~(*)~~ One member who shall be the chair.

578
579 ~~Any person serving on the commission under paragraph (c) or~~
580 ~~paragraph (h) on October 1, 2003, and who has served less than~~
581 ~~two full terms is eligible for reappointment to the commission~~
582 ~~regardless of whether he or she meets the new qualification.~~

583 Section 19. Subsection (7) is added to section 553.77,
584 Florida Statutes, to read:

585 553.77 Specific powers of the commission.—

586 (7) Building officials shall recognize and enforce variance
587 orders issued by the Department of Health pursuant to s.
588 514.0115(5), including any conditions attached to the granting
589 of the variance.

590 Section 20. Section 553.775, Florida Statutes, is amended
591 to read:



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592 553.775 Interpretations.—

593 (1) It is the intent of the Legislature that the Florida
594 Building Code and the Florida Accessibility Code for Building
595 Construction be interpreted by building officials, local
596 enforcement agencies, and the commission in a manner that
597 protects the public safety, health, and welfare at the most
598 reasonable cost to the consumer by ensuring uniform
599 interpretations throughout the state and by providing processes
600 for resolving disputes regarding interpretations of the Florida
601 Building Code and the Florida Accessibility Code for Building
602 Construction which are just and expeditious.

603 (2) Local enforcement agencies, local building officials,
604 state agencies, and the commission shall interpret provisions of
605 the Florida Building Code and the Florida Accessibility Code for
606 Building Construction in a manner that is consistent with
607 declaratory statements and interpretations entered by the
608 commission, except that conflicts between the Florida Fire
609 Prevention Code and the Florida Building Code shall be resolved
610 in accordance with s. 553.73(11)(c) and (d).

611 (3) The following procedures may be invoked regarding
612 interpretations of the Florida Building Code or the Florida
613 Accessibility Code for Building Construction:

614 (a) Upon written application by any substantially affected
615 person or state agency or by a local enforcement agency, the
616 commission shall issue declaratory statements pursuant to s.
617 120.565 relating to the enforcement or administration by local
618 governments of the Florida Building Code or the Florida
619 Accessibility Code for Building Construction.

620 (b) When requested in writing by any substantially affected



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621 person or state agency or by a local enforcement agency, the
622 commission shall issue a declaratory statement pursuant to s.
623 120.565 relating to this part and ss. 515.25, 515.27, 515.29,
624 and 515.37. Actions of the commission are subject to judicial
625 review under s. 120.68.

626 (c) The commission shall review decisions of local building
627 officials and local enforcement agencies regarding
628 interpretations of the Florida Building Code or the Florida
629 Accessibility Code for Building Construction after the local
630 board of appeals has considered the decision, if such board
631 exists, and if such appeals process is concluded within 25
632 business days.

633 1. The commission shall coordinate with the Building
634 Officials Association of Florida, Inc., to designate panels
635 composed of five members to hear requests to review decisions of
636 local building officials. The members must be licensed as
637 building code administrators under part XII of chapter 468 and
638 must have experience interpreting and enforcing provisions of
639 the Florida Building Code and the Florida Accessibility Code for
640 Building Construction.

641 2. Requests to review a decision of a local building
642 official interpreting provisions of the Florida Building Code or
643 the Florida Accessibility Code for Building Construction may be
644 initiated by any substantially affected person, including an
645 owner or builder subject to a decision of a local building
646 official or an association of owners or builders having members
647 who are subject to a decision of a local building official. In
648 order to initiate review, the substantially affected person must
649 file a petition with the commission. The commission shall adopt



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650 a form for the petition, which shall be published on the
651 Building Code Information System. The form shall, at a minimum,
652 require the following:

653 a. The name and address of the county or municipality in
654 which provisions of the Florida Building Code or the Florida
655 Accessibility Code for Building Construction are being
656 interpreted.

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

659 c. The name, address, and telephone number of the
660 petitioner; the name, address, and telephone number of the
661 petitioner's representative, if any; and an explanation of how
662 the petitioner's substantial interests are being affected by the
663 local interpretation of the Florida Building Code or the Florida
664 Accessibility Code for Building Construction.

665 d. A statement of the provisions of the Florida Building
666 Code or the Florida Accessibility Code for Building Construction
667 which are being interpreted by the local building official.

668 e. A statement of the interpretation given to provisions of
669 the Florida Building Code or the Florida Accessibility Code for
670 Building Construction by the local building official and the
671 manner in which the interpretation was rendered.

672 f. A statement of the interpretation that the petitioner
673 contends should be given to the provisions of the Florida
674 Building Code or the Florida Accessibility Code for Building
675 Construction and a statement supporting the petitioner's
676 interpretation.

677 g. Space for the local building official to respond in
678 writing. The space shall, at a minimum, require the local



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679 building official to respond by providing a statement admitting
680 or denying the statements contained in the petition and a
681 statement of the interpretation of the provisions of the Florida
682 Building Code or the Florida Accessibility Code for Building
683 Construction which the local jurisdiction or the local building
684 official contends is correct, including the basis for the
685 interpretation.

686 3. The petitioner shall submit the petition to the local
687 building official, who shall place the date of receipt on the
688 petition. The local building official shall respond to the
689 petition in accordance with the form and shall return the
690 petition along with his or her response to the petitioner within
691 5 days after receipt, exclusive of Saturdays, Sundays, and legal
692 holidays. The petitioner may file the petition with the
693 commission at any time after the local building official
694 provides a response. If no response is provided by the local
695 building official, the petitioner may file the petition with the
696 commission 10 days after submission of the petition to the local
697 building official and shall note that the local building
698 official did not respond.

699 4. Upon receipt of a petition that meets the requirements
700 of subparagraph 2., the commission shall immediately provide
701 copies of the petition to a panel, and the commission shall
702 publish the petition, including any response submitted by the
703 local building official, on the Building Code Information System
704 in a manner that allows interested persons to address the issues
705 by posting comments.

706 5. The panel shall conduct proceedings as necessary to
707 resolve the issues; shall give due regard to the petitions, the



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708 response, and to comments posed on the Building Code Information
709 System; and shall issue an interpretation regarding the
710 provisions of the Florida Building Code or the Florida
711 Accessibility Code for Building Construction within 21 days
712 after the filing of the petition. The panel shall render a
713 determination based upon the Florida Building Code or the
714 Florida Accessibility Code for Building Construction or, if the
715 code is ambiguous, the intent of the code. The panel's
716 interpretation shall be provided to the commission, which shall
717 publish the interpretation on the Building Code Information
718 System and in the Florida Administrative Register. The
719 interpretation shall be considered an interpretation entered by
720 the commission, and shall be binding upon the parties and upon
721 all jurisdictions subject to the Florida Building Code or the
722 Florida Accessibility Code for Building Construction, unless it
723 is superseded by a declaratory statement issued by the Florida
724 Building Commission or by a final order entered after an appeal
725 proceeding conducted in accordance with subparagraph 7.

726 6. It is the intent of the Legislature that review
727 proceedings be completed within 21 days after the date that a
728 petition seeking review is filed with the commission, and the
729 time periods set forth in this paragraph may be waived only upon
730 consent of all parties.

731 7. Any substantially affected person may appeal an
732 interpretation rendered by a hearing officer panel by filing a
733 petition with the commission. Such appeals shall be initiated in
734 accordance with chapter 120 and the uniform rules of procedure
735 and must be filed within 30 days after publication of the
736 interpretation on the Building Code Information System or in the



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737 Florida Administrative Register. Hearings shall be conducted
738 pursuant to chapter 120 and the uniform rules of procedure.
739 Decisions of the commission are subject to judicial review
740 pursuant to s. 120.68. The final order of the commission is
741 binding upon the parties and upon all jurisdictions subject to
742 the Florida Building Code or the Florida Accessibility Code for
743 Building Construction.

744 8. The burden of proof in any proceeding initiated in
745 accordance with subparagraph 7. is on the party who initiated
746 the appeal.

747 9. In any review proceeding initiated in accordance with
748 this paragraph, including any proceeding initiated in accordance
749 with subparagraph 7., the fact that an owner or builder has
750 proceeded with construction may not be grounds for determining
751 an issue to be moot if the issue is one that is likely to arise
752 in the future.

753
754 This paragraph provides the exclusive remedy for addressing
755 requests to review local interpretations of the Florida Building
756 Code or the Florida Accessibility Code for Building Construction
757 and appeals from review proceedings.

758 (d) Upon written application by any substantially affected
759 person, contractor, or designer, or a group representing a
760 substantially affected person, contractor, or designer, the
761 commission shall issue or cause to be issued a formal
762 interpretation of the Florida Building Code or the Florida
763 Accessibility Code for Building Construction as prescribed by
764 paragraph (c).

765 (e) Local decisions declaring structures to be unsafe and



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766 subject to repair or demolition are not subject to review under
767 this subsection and may not be appealed to the commission if the
768 local governing body finds that there is an immediate danger to
769 the health and safety of the public.

770 (f) Upon written application by any substantially affected
771 person, the commission shall issue a declaratory statement
772 pursuant to s. 120.565 relating to an agency's interpretation
773 and enforcement of the specific provisions of the Florida
774 Building Code or the Florida Accessibility Code for Building
775 Construction which the agency is authorized to enforce. This
776 subsection does not provide any powers, other than advisory, to
777 the commission with respect to any decision of the State Fire
778 Marshal made pursuant to chapter 633.

779 (g) The commission may designate a commission member who
780 has demonstrated expertise in interpreting building plans to
781 attend each meeting of the advisory council created in s.
782 553.512. The commission member may vary from meeting to meeting,
783 shall serve on the council in a nonvoting capacity, and shall
784 receive per diem and expenses as provided in s. 553.74(3).

785 (h) The commission shall by rule establish an informal
786 process of rendering nonbinding interpretations of the Florida
787 Building Code and the Florida Accessibility Code for Building
788 Construction. The commission is specifically authorized to refer
789 interpretive issues to organizations that represent those
790 engaged in the construction industry. The commission shall
791 immediately implement the process before completing formal
792 rulemaking. It is the intent of the Legislature that the
793 commission create a process to refer questions to a small,
794 rotating group of individuals licensed under part XII of chapter



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795 468, to which a party may pose questions regarding the
796 interpretation of code provisions. It is the intent of the
797 Legislature that the process provide for the expeditious
798 resolution of the issues presented and publication of the
799 resulting interpretation on the Building Code Information
800 System. Such interpretations shall be advisory only and
801 nonbinding on the parties and the commission.

802 (4) In order to administer this section, the commission may
803 adopt by rule and impose a fee for filing requests for
804 declaratory statements and binding and nonbinding
805 interpretations to recoup the cost of the proceedings which may
806 not exceed \$125 for each request for a nonbinding interpretation
807 and \$250 for each request for a binding review or
808 interpretation. For proceedings conducted by or in coordination
809 with a third party, the rule may provide that payment be made
810 directly to the third party, who shall remit to the department
811 that portion of the fee necessary to cover the costs of the
812 department.

813 ~~(5) The commission may render declaratory statements in~~
814 ~~accordance with s. 120.565 relating to the provisions of the~~
815 ~~Florida Accessibility Code for Building Construction not~~
816 ~~attributable to the Americans with Disabilities Act~~
817 ~~Accessibility Guidelines. Notwithstanding the other provisions~~
818 ~~of this section, the Florida Accessibility Code for Building~~
819 ~~Construction and chapter 11 of the Florida Building Code may not~~
820 ~~be interpreted by, and are not subject to review under, any of~~
821 ~~the procedures specified in this section. This subsection has no~~
822 ~~effect upon the commission's authority to waive the Florida~~
823 ~~Accessibility Code for Building Construction as provided by s.~~



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824 ~~553.512.~~

825 Section 21. Effective October 1, 2014, present subsections
826 (11) through (18) of section 553.79, Florida Statutes, are
827 redesignated as subsections (12) through (19), respectively, a
828 new subsection (11) is added to that section, and present
829 subsection (18) is amended, to read:

830 553.79 Permits; applications; issuance; inspections.—

831 (11) The local enforcing agency may not issue a building
832 permit to construct, develop, or modify a public swimming pool
833 without proof of application, whether complete or incomplete,
834 for an operating permit pursuant to s. 514.031. A certificate of
835 completion or occupancy may not be issued until such operating
836 permit is issued. The local enforcing agency shall conduct their
837 review of the building permit application upon filing and in
838 accordance with this chapter. The local enforcing agency may
839 confer with the Department of Health, if necessary, but may not
840 delay the building permit application review while awaiting
841 comment from the Department of Health.

842 (19)~~(18)~~ For the purpose of inspection and record
843 retention, site plans or building permits ~~for a building~~ may be
844 maintained in the original form or in the form of an electronic
845 copy at the worksite. These plans and permits must be open to
846 inspection by the building official or a duly authorized
847 representative, as required by the Florida Building Code.

848 Section 22. Paragraph (b) of subsection (6) of section
849 553.80, Florida Statutes, is amended to read:

850 553.80 Enforcement.—

851 (6) Notwithstanding any other law, state universities,
852 community colleges, and public school districts shall be subject



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853 to enforcement of the Florida Building Code under this part.

854 (b) If a state university, state community college, or
855 public school district elects to use a local government's code
856 enforcement offices:

857 1. Fees charged by counties and municipalities for
858 enforcement of the Florida Building Code on buildings,
859 structures, and facilities of state universities, state
860 colleges, and public school districts may not be more than the
861 actual labor and administrative costs incurred for plans review
862 and inspections to ensure compliance with the code.

863 2. Counties and municipalities shall expedite building
864 construction permitting, building plans review, and inspections
865 of projects of state universities, state community colleges, and
866 public schools ~~school districts~~ that are subject to the Florida
867 Building Code according to guidelines established by the Florida
868 Building Commission.

869 3. A party substantially affected by an interpretation of
870 the Florida Building Code by the local government's code
871 enforcement offices may appeal the interpretation to the local
872 government's board of adjustment and appeal or to the commission
873 under s. 553.775 if no local board exists. The decision of a
874 local board is reviewable in accordance with s. 553.775.

875
876 This part may not be construed to authorize counties,
877 municipalities, or code enforcement districts to conduct any
878 permitting, plans review, or inspections not covered by the
879 Florida Building Code. Any actions by counties or municipalities
880 not in compliance with this part may be appealed to the Florida
881 Building Commission. The commission, upon a determination that



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882 actions not in compliance with this part have delayed permitting
883 or construction, may suspend the authority of a county,
884 municipality, or code enforcement district to enforce the
885 Florida Building Code on the buildings, structures, or
886 facilities of a state university, state community college, or
887 public school district and provide for code enforcement at the
888 expense of the state university, state community college, or
889 public school district.

890 Section 23. Subsections (1) and (2) of section 553.841,
891 Florida Statutes, are amended to read:

892 553.841 Building code compliance and mitigation program.—

893 (1) The Legislature finds that knowledge and understanding
894 by persons licensed or employed in the design and construction
895 industries of the importance and need for complying with the
896 Florida Building Code and related laws is vital to the public
897 health, safety, and welfare of this state, especially for
898 protecting consumers and mitigating damage caused by hurricanes
899 to residents and visitors to the state. The Legislature further
900 finds that the Florida Building Code can be effective only if
901 all participants in the design and construction industries
902 maintain a thorough knowledge of the code, code compliance and
903 enforcement, duties related to consumers, and changes that
904 additions thereto which improve construction standards, project
905 completion, and compliance of design and construction to protect
906 against consumer harm, storm damage, and other damage.
907 Consequently, the Legislature finds that there is a need for a
908 program to provide ongoing education and outreach activities
909 concerning compliance with the Florida Building Code, the
910 Florida Fire Prevention Code, construction plan and permitting



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911 requirements, construction liens, and hurricane mitigation.

912 (2) The Department of Business and Professional Regulation
913 shall administer a program, designated as the Florida Building
914 Code Compliance and Mitigation Program, to develop, coordinate,
915 and maintain education and outreach to persons required to
916 comply with the Florida Building Code and related provisions as
917 specified in subsection (1) and ensure consistent education,
918 training, and communication of the code's requirements,
919 including, but not limited to, methods for design and
920 construction compliance and mitigation of storm-related damage.
921 The program shall also operate a clearinghouse through which
922 design, construction, and building code enforcement licensees,
923 suppliers, and consumers in this state may find others in order
924 to exchange information relating to mitigation and facilitate
925 repairs in the aftermath of a natural disaster.

926 Section 24. Section 553.883, Florida Statutes, is created
927 to read:

928 553.883 Smoke alarms in one-family and two-family dwellings
929 and townhomes.—One-family and two-family dwellings and townhomes
930 undergoing a repair, or a level 1 alteration as defined in the
931 Florida Building Code, may use smoke alarms powered by 10-year
932 nonremovable, nonreplaceable batteries in lieu of retrofitting
933 such dwelling with smoke alarms powered by the dwelling's
934 electrical system. Effective January 1, 2015, a battery-powered
935 smoke alarm that is newly installed or replaces an existing
936 battery-powered smoke alarm must be powered by a nonremovable,
937 nonreplaceable battery that powers the alarm for at least 10
938 years. All fire alarms, smoke detectors, smoke alarms, and
939 ancillary components that are electronically connected to a



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940 system as part of a UL Listed centrally-monitored fire alarm
941 station are exempt from the battery requirements of this
942 section.

943 Section 25. Subsection (3) of section 553.993, Florida
944 Statutes, is amended to read:

945 553.993 Definitions.—For purposes of this part:

946 (3) "Building energy-efficiency rating system" means a
947 whole building energy evaluation system that provides a reliable
948 and scientifically-based analysis of a building's energy
949 consumption or energy features and allows a comparison to
950 similar building types in similar climate zones where
951 applicable. Specifically, the rating system shall use standard
952 calculations, formulas, and scoring methods; be applicable
953 nationally; compare a building to a clearly defined and
954 researched baseline or benchmark; require qualified
955 professionals to conduct the rating or assessment; and provide a
956 labeling and recognition program with specific criteria or
957 levels. Residential program benchmarks for new construction must
958 be consistent with national building standards. Residential
959 building program benchmarks for existing construction must be
960 consistent with national home energy rating standards. The
961 building energy-efficiency rating system shall require at least
962 one level of oversight performed by an organized and balanced
963 group of professionals with subject matter expertise in energy
964 efficiency, energy rating, and evaluation methods established by
965 ~~the Residential Energy Services Network, the Commercial Energy~~
966 ~~Services Network, the Building Performance Institute, or the~~
967 ~~Florida Solar Energy Center.~~

968 Section 26. Subsection (15) of section 633.202, Florida



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969 Statutes, is amended to read:

970 633.202 Florida Fire Prevention Code.—

971 (15) ~~(a)~~ For one-story or two-story structures that are less
972 than 10,000 square feet, whose occupancy is defined in the
973 Florida Building Code and the Florida Fire Prevention Code as
974 business or mercantile, a fire official shall enforce the wall
975 fire-rating provisions for occupancy separation as defined in
976 the Florida Building Code.

977 (16) (a) ~~(b)~~ A structure, located on property that is
978 classified for ad valorem purposes as agricultural, which is
979 part of a farming or ranching operation, in which the occupancy
980 is limited by the property owner to no more than 35 persons, and
981 which is not used by the public for direct sales or as an
982 educational outreach facility, is exempt from the Florida Fire
983 Prevention Code, including the national codes and Life Safety
984 Code incorporated by reference. This paragraph does not include
985 structures used for residential or assembly occupancies, as
986 defined in the Florida Fire Prevention Code.

987 (b) A tent up to 30 feet by 30 feet is exempt from the
988 Florida Fire Prevention Code, including the national codes
989 incorporated by reference.

990 Section 27. Subsection (1) of section 633.212, Florida
991 Statutes, is amended to read:

992 633.212 Legislative intent; informal interpretations of the
993 Florida Fire Prevention Code.—It is the intent of the
994 Legislature that the Florida Fire Prevention Code be interpreted
995 by fire officials and local enforcement agencies in a manner
996 that reasonably and cost-effectively protects the public safety,
997 health, and welfare; ensures uniform interpretations throughout



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998 this state; and provides just and expeditious processes for
999 resolving disputes regarding such interpretations. It is the
1000 further intent of the Legislature that such processes provide
1001 for the expeditious resolution of the issues presented and that
1002 the resulting interpretation of such issues be published on the
1003 website of the division.

1004 (1) The division shall by rule establish an informal
1005 process of rendering nonbinding interpretations of the Florida
1006 Fire Prevention Code. The division may contract with and refer
1007 interpretive issues to a third party, selected based upon cost
1008 effectiveness, quality of services to be performed, and other
1009 performance-based criteria, which has experience in interpreting
1010 and enforcing the Florida Fire Prevention Code. It is the intent
1011 of the Legislature that the division establish a Fire Code
1012 Interpretation Committee composed of seven persons and seven
1013 alternates, equally representing each area of the state, to
1014 which a party can pose questions regarding the interpretation of
1015 the Florida Fire Prevention Code provisions. The alternate
1016 member may respond to a nonbinding interpretation if a ~~the~~
1017 member ~~notifies the Fire Code Interpretation Committee that he~~
1018 ~~or she~~ is unable to respond.

1019 Section 28. Except as otherwise provided in this act, this
1020 act shall take effect July 1, 2014.

1021
1022 ===== T I T L E A M E N D M E N T =====
1023 And the title is amended as follows:

1024 Delete everything before the enacting clause
1025 and insert:

1026 A bill to be entitled



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1027 An act relating to building construction policies;
1028 amending s. 162.12, F.S.; providing an additional
1029 method for local governments to provide notices to
1030 alleged code enforcement violators; amending s.
1031 373.323, F.S.; revising the requirements of an
1032 applicant to take the water well contractor licensure
1033 examination; amending s. 377.6015, F.S.; removing a
1034 provision relating to representation in the Southern
1035 States Energy Compact; amending s. 377.703, F.S.;
1036 requiring the Department of Agriculture and Consumer
1037 Services to include in its annual report
1038 recommendations for energy efficiency; expanding the
1039 promotion of the development and use of renewable
1040 energy resources from goals related to solar energy to
1041 renewable energy in general; requiring the department
1042 to cooperate with the Florida Energy Systems
1043 Consortium in the development and use of renewable
1044 energy resources; amending s. 377.712, F.S.;
1045 authorizing the Commissioner of Agriculture to appoint
1046 a member to the Southern States Energy Board;
1047 authorizing the member appointed by the Governor to
1048 approve proposed activities relating to furtherance of
1049 the Southern States Energy Compact; amending s.
1050 377.801, F.S.; conforming a cross-reference; amending
1051 s. 377.802, F.S.; amending the purpose of the Florida
1052 Energy and Climate Protection Act; amending s.
1053 377.803, F.S.; conforming provisions to changes made
1054 by the act; repealing ss. 377.806 and 377.807, F.S.,
1055 relating to the Solar Energy System Incentives Program



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1056 and the Energy-Efficient Appliance Rebate Program,
1057 respectively; creating s. 377.815, F.S.; authorizing
1058 the department to post on its website information
1059 relating to alternative fueling stations or electric
1060 vehicle charging stations; defining the term
1061 "alternative fuel"; authorizing the owner or operator
1062 of an alternative fueling station or an electric
1063 vehicle charging station to report certain
1064 information; amending s. 440.103, F.S.; authorizing an
1065 employer to present certain documents electronically
1066 or physically in order to show proof and certify to
1067 the permit issuer that it has secured compensation for
1068 its employees; authorizing site plans or
1069 electronically transferred building permits to be
1070 maintained at the worksite in their original form or
1071 by electronic copy; requiring such plans or permits to
1072 be open to inspection by the building official or
1073 authorized representative; amending s. 514.0115, F.S.;
1074 authorizing the Department of Health to grant certain
1075 variances relating to public swimming pools and
1076 bathing places; amending s. 514.03, F.S.; requiring
1077 application for an operating permit before filing an
1078 application for a building permit for a public
1079 swimming pool; amending s. 514.031, F.S.; providing
1080 additional requirements for obtaining a public
1081 swimming pool operating permit; providing a procedure
1082 for an applicant to respond to a request for
1083 additional information; requiring the Department of
1084 Health to review and provide to the local enforcement



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1085 agency and the applicant any comments or proposed
1086 modifications to information submitted in the
1087 application; amending s. 553.37, F.S.; specifying
1088 inspection criteria for construction or modification
1089 of manufactured buildings or modules; amending s.
1090 553.721, F.S.; making a technical change; amending s.
1091 553.73, F.S.; authorizing an agency or local
1092 government to require rooftop equipment to be
1093 installed in compliance with the Florida Building Code
1094 if the equipment is being replaced or removed during
1095 reroofing and is not in compliance with the Florida
1096 Building Code's roof-mounted mechanical units
1097 requirements; providing that make-up air is not
1098 required for certain range hood exhaust systems;
1099 amending s. 553.74, F.S.; adding a member to the
1100 Florida Building Commission as a representative of the
1101 Department of Agriculture and Consumer Services'
1102 Office of Energy; deleting obsolete provisions;
1103 amending s. 553.77, F.S.; requiring building officials
1104 to recognize and enforce certain variance orders
1105 issued by the Department of Health; amending s.
1106 553.775, F.S.; authorizing building officials, local
1107 enforcement agencies, and the Florida Building
1108 Commission to interpret the Florida Accessibility Code
1109 for Building Construction; specifying procedures for
1110 such interpretations; deleting provisions relating to
1111 declaratory statements and interpretations of the
1112 Florida Accessibility Code for Building Construction,
1113 to conform; amending s. 553.79, F.S.; prohibiting a



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1114 local enforcing agency from issuing a building permit
1115 for a public swimming pool without proof of
1116 application for an operating permit; requiring
1117 issuance of an operating permit before a certificate
1118 of completion or occupancy is issued; requiring the
1119 local enforcing agency to review the building permit
1120 application upon filing; authorizing such agency to
1121 confer with the Department of Health if it doesn't
1122 delay review of the application; authorizing site
1123 plans or building permits to be maintained at the
1124 worksite in their original form or in the form of an
1125 electronic copy; requiring the permit to be open to
1126 inspection; amending s. 553.80, F.S.; requiring
1127 counties and municipalities to expedite building
1128 construction permitting, building plans review, and
1129 inspections of projects of certain public schools,
1130 rather than certain public school districts; amending
1131 s. 553.841, F.S.; revising education and training
1132 requirements of the Florida Building Code Compliance
1133 and Mitigation Program; creating s. 553.883, F.S.;
1134 authorizing use of smoke alarms powered by 10-year
1135 nonremovable, nonreplaceable batteries in certain
1136 circumstances; requiring use of such alarms by a
1137 certain date; providing an exemption; amending s.
1138 553.993, F.S.; redefining the term "building energy-
1139 efficiency rating system" to require consistency with
1140 certain national standards for new construction and
1141 existing construction; providing for oversight;
1142 amending s. 633.202, F.S.; exempting certain tents



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1143 from the Florida Fire Prevention Code; amending s.
1144 633.212, F.S.; removing the requirement that an
1145 alternate member of the Fire Code Interpretation
1146 Committee provide notice to the committee in order to
1147 respond to a nonbinding interpretation when a member
1148 is unable to respond; providing effective dates.