

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 119 Educational Facilities
SPONSOR(S): Bileca and others
TIED BILLS: **IDEN./SIM. BILLS:** SB 442

| REFERENCE | ACTION | ANALYST | STAFF DIRECTOR or BUDGET/POLICY CHIEF |
|------------------------|-----------|---------|--|
| 1) K-12 Subcommittee | 12 Y, 0 N | Brink | Fudge |
| 2) Education Committee | | | |

SUMMARY ANALYSIS

The uniform statewide building code for the planning and construction of public educational and ancillary plants, i.e., the State Requirements for Educational Facilities (SREF), is adopted by the Florida Building Commission as part of the Florida Building Code. The Department of Education (DOE) must biennially review and recommend to the Florida Building Commission updates and revisions to the SREF. The law and State Board of Education rules require district school boards to adhere to the SREF when planning and constructing educational facilities and ancillary plants. Generally speaking, SREF standards are premised on providing enhanced safety of occupants and increasing the life span of the extensive, publicly funded infrastructure of Florida's public school districts.

The bill authorizes a district school board to adopt a resolution to implement an exception to one or more of the following SREF requirements regarding:

- Use of wood studs in interior nonload-bearing walls;
- Paved walkways, roadways, driveways, and parking areas;
- Covered walkways for relocatable buildings; and
- Site lighting.

The resolution must pass by a supermajority vote at a public meeting that begins no earlier than 5 p.m. Before voting on the resolution, a district school board must conduct a cost-benefit analysis prepared according to a professionally accepted methodology that describes how each exception selected by the district school board:

- Achieves cost savings;
- Improves the efficient use of school district resources; and
- Impacts the life-cycle costs and life span for each educational facility to be constructed.

The cost-benefit analysis must also demonstrate that implementation of the exception will not compromise student safety or the quality of student instruction. The district school board must conduct at least one public workshop to discuss and receive public comment on the proposed resolution and cost-benefit analysis, which must begin no earlier than 5 p.m. and may occur at the same meeting at which the resolution will be voted upon.

The bill does not have a fiscal impact on state government. District school boards that take advantage of the facilities flexibility may achieve cost savings. See Fiscal Analysis & Economic Impact Statement.

The bill is effective July 1, 2016.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

State Requirements for Educational Facilities

The uniform statewide building code for the planning and construction of public educational and ancillary plants, i.e., the State Requirements for Educational Facilities (SREF), is adopted by the Florida Building Commission as part of the Florida Building Code.¹ The Department of Education (DOE) must biennially review and recommend to the Florida Building Commission updates and revisions to the provisions of the SREF of the Florida Building Code.² The law and State Board of Education rules require district school boards and Florida College System (FCS) institution boards of trustees to adhere to the SREF when planning and constructing educational facilities and ancillary plants.³ Generally speaking, SREF standards are premised on providing enhanced safety of occupants and increasing the life span of the extensive, publicly funded infrastructure of Florida's public school districts.⁴

Currently, the SREF is codified in s. 453 of the Florida Building Code, 5th Edition. Among other things, the SREF specifies the following standards for interior walls; walks, roads, drives, and parking areas; covered walks; and site lighting:

| SREF of the Florida Building Code⁵ |
|---|
| 453.8.3.1.1: Interior nonload-bearing wood studs or partitions shall not be used in permanent educational and auxiliary facilities or relocatable buildings |
| 453.10.2: Walks, roads, drives, and parking areas. Walks, roads, drives, and parking areas on educational and ancillary sites shall be paved. Roads, drives, and parking areas shall be in compliance with Department of Transportation (DOT) road specifications and striped in compliance with DOT paint specifications. All paved areas shall have positive drainage. |
| 453.10.2.1: Covered walks. All buildings in K-12 educational facilities shall be connected by paved walks and accessible under continuous roof cover. New relocatable classroom buildings shall be connected to permanent buildings by paved covered walks where applicable. |
| 453.10.3: Site lighting required. Design, construction, and installation of exterior security lighting for educational and ancillary facilities shall be provided for: <ul style="list-style-type: none">• Auto, bus, and service drives and loading areas;• Parking areas;• Building perimeter; and• Covered and connector walks between buildings and between buildings and parking. |

Effect of Proposed Changes

The bill authorizes a district school board to adopt a resolution to implement an exception to one or more of the following SREF requirements:

¹ Section 1013.37(1), F.S.

² Section 1013.37(4), F.S.

³ Section 1013.37(1), F.S.; rule 6A-2.0010, F.A.C.

⁴ See, e.g., s. 1013.12 (casualty, safety, sanitation, and firesafety standards and inspection of property) and 1013.451, F.S. (life-cycle cost comparison)

⁵ International Code Council, *Florida Building Code 5th Edition (2014) Building*,

http://codes.iccsafe.org/app/book/content/2014_Florida/Building%20Code/Chapter%204.html (last visited October 27, 2015) (see s. 453 State Requirements for Educational Facilities).

- Interior nonload-bearing walls by approving the use of fire-rated wood stud walls in new construction or remodeling for interior nonload-bearing wall assemblies that will not be exposed to water or located in wet areas.
- Walkways, roadways, driveways, and parking areas by approving the use of designated, stabilized, and well-drained gravel or grassed student parking areas.
- Standards for relocatables used as classroom space by approving construction specifications for installation of relocatable buildings that do not have covered walkways leading to the permanent buildings onsite.
- Site lighting by approving construction specifications regarding site lighting that:
 - Do not provide for lighting of gravel or grassed auxiliary or student parking areas.
 - Provide lighting for walkways, roadways, driveways, paved parking lots, exterior stairs, ramps, and walkways from the exterior of the building to a public walkway through installation of a timer that is set to provide lighting only during periods when the site is occupied.
 - Allow lighting for building entrances and exits to be installed with a timer that is set to provide lighting only during periods in which the building is occupied. The minimum illumination level at single-door exits may be reduced to no less than 1 footcandle.

The resolution must pass by a supermajority vote at a public meeting that begins no earlier than 5 p.m. Before voting on the resolution, a district school board must conduct a cost-benefit analysis prepared according to a professionally accepted methodology that describes how each exception selected by the district school board:

- Achieves cost savings;
- Improves the efficient use of school district resources; and
- Impacts the life-cycle costs and life span for each educational facility to be constructed.

The cost-benefit analysis must also demonstrate that implementation of the exception will not compromise student safety or the quality of student instruction. The district school board must conduct at least one public workshop to discuss and receive public comment on the proposed resolution and cost-benefit analysis, which must begin no earlier than 5 p.m. and may occur at the same meeting at which the resolution will be voted upon.

B. SECTION DIRECTORY:

Section 1. Creates s. 1013.385, F.S., relating to school district construction flexibility.

Section 2. Provides an effective date of July 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

District school boards that choose to implement the facilities flexibility authorized by the bill may achieve cost savings.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.