

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

1 Committee/Subcommittee hearing bill: Insurance & Banking
2 Subcommittee
3 Representative Raburn offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsection (16) of section 633.202, Florida Statutes, is amended to read:

633.202 Florida Fire Prevention Code.—

(16) (a) As used in this subsection, the term:

1. "Agricultural pole barn" means a nonresidential farm building in which 70 percent or more of the perimeter walls are permanently open and allow free ingress and egress.

2. "Nonresidential farm building" has the same meaning as provided in s. 604.50.

(b) Notwithstanding any other provision of law, a nonresidential farm building ~~A structure, located on property~~

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19 ~~that is classified for ad valorem purposes as agricultural,~~
20 ~~which is part of a farming or ranching operation,~~ in which the
21 occupancy is limited by the property owner to no more than 35
22 ~~persons, and which is not used by the public for direct sales or~~
23 ~~as an educational outreach facility,~~ is exempt from the Florida
24 Fire Prevention Code, including the national codes and Life
25 Safety Code incorporated by reference. ~~This paragraph does not~~
26 ~~include structures used for residential or assembly occupancies,~~
27 ~~as defined in the Florida Fire Prevention Code.~~

28 (c) Notwithstanding any other provision of law, an
29 agricultural pole barn is exempt from the Florida Fire
30 Prevention Code, including the national codes and the Life
31 Safety Code incorporated by reference.

32 (d) Notwithstanding any other provision of law, a structure
33 on a farm as defined in s. 823.14(3)(a) which is used by an
34 owner for assembly, business, or mercantile activity must be
35 classified in one of the following classes:

36 1. Class 1: A nonresidential farm building that is used by
37 the owner 12 times per year or fewer for assembly, business, or
38 mercantile activity with up to 100 persons occupying the
39 structure at one time. This class is not subject to the Florida
40 Fire Prevention Code.

41 2. Class 2: A nonresidential farm building that is used by
42 the owner for assembly, business, or mercantile activity with up
43 to 300 persons occupying the structure at one time. A structure
44 in this class is subject to annual inspection for classification
45 by the local authority having jurisdiction. This class is not
46 subject to the Florida Fire Prevention Code.

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47 3. Class 3: A new or an additional structure or facility
48 constructed, or an existing structure, which is used primarily
49 for housing, sheltering, or otherwise accommodating members of
50 the general public. A structure or facility in this class is
51 subject to annual inspection for classification by the local
52 authority having jurisdiction. This class is subject to the
53 Florida Fire Prevention Code.

54 (e) The State Fire Marshal shall adopt rules to administer
55 this section, including, but not limited to:

56 1. The use of alternative lifesafety and fire prevention
57 standards for structures in Classes 1 and 2;

58 2. Notification and inspection requirements for structures
59 in Class 2;

60 3. The application of the Florida Fire Prevention Code for
61 structures in Class 3; and

62 4. Any other standards or rules deemed necessary in order
63 to facilitate the use of structures for assembly, business, or
64 mercantile activities.

65 (17)(b) A tent up to 900 square 30 feet by 30 feet is
66 exempt from the Florida Fire Prevention Code, including the
67 national codes incorporated by reference.

68 Section 2. Subsection (5) of section 633.208, Florida
69 Statutes, is amended to read:

70 633.208 Minimum firesafety standards.—

71 (5) With regard to existing buildings, the Legislature
72 recognizes that it is not always practical to apply any or all
73 of the provisions of the Florida Fire Prevention Code and that
74 physical limitations may require disproportionate effort or

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75 expense with little increase in fire or life safety. Before
76 ~~Prior to~~ applying the minimum firesafety code to an existing
77 building, the local fire official shall determine whether ~~that~~ a
78 threat to lifesafety or property exists. If a threat to
79 lifesafety or property exists, the fire official shall apply the
80 applicable firesafety code for existing buildings to the extent
81 practical to ensure ~~assure~~ a reasonable degree of lifesafety and
82 safety of property or the fire official shall fashion a
83 reasonable alternative that ~~which~~ affords an equivalent degree
84 of lifesafety and safety of property. The local fire official
85 may consider the fire safety evaluation systems found in NFPA
86 101A: Guide on Alternative Approaches to Life Safety, adopted by
87 the State Fire Marshal, as acceptable systems for the
88 identification of low-cost, reasonable alternatives. The
89 decision of the local fire official may be appealed to the local
90 administrative board described in s. 553.73.

91 Section 3. This act shall take effect July 1, 2016.
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95 **T I T L E A M E N D M E N T**

96 Remove everything before the enacting clause and insert:

97 An act relating to firesafety; amending s. 633.202,
98 F.S.; defining terms; revising provisions relating to
99 certain structures located on agricultural property
100 which are exempt from the Florida Fire Prevention
101 Code; requiring that certain structures used for
102 assembly, business, or mercantile activity be

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103 classified; specifying that certain structures are
104 subject to annual inspection for classification;
105 providing classifications; revising certain dimensions
106 of a tent that is exempt from the code; requiring that
107 the State Fire Marshal adopt rules; amending s.
108 633.208, F.S.; authorizing a local fire official to
109 consider a specified publication when identifying an
110 alternative to a firesafety code; providing an
111 effective date.
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