

By the Committees on Appropriations; and Community Affairs; and
Senator Perry

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1 A bill to be entitled
2 An act relating to construction; amending s. 377.705,
3 F.S.; revising legislative findings and intent;
4 authorizing solar energy systems manufactured or sold
5 in the state to be certified by professional
6 engineers; amending s. 489.103, F.S.; revising an
7 exemption from construction contracting regulation for
8 certain public utilities; deleting responsibility of
9 the Construction Industry Licensing Board to define
10 the term "incidental to their business" for certain
11 purposes; amending s. 553.721, F.S.; requiring the
12 Department of Business and Professional Regulation to
13 provide certain funds allocated to the University of
14 Florida M. E. Rinker, Sr., School of Construction
15 Management for specified purposes; providing an
16 appropriation; amending s. 553.73, F.S.; requiring the
17 Florida Building Commission to use certain entities
18 and codes for updates to the Florida Building Code;
19 revising voting requirements for a technical advisory
20 committee to make a favorable recommendation to the
21 commission; providing that certain technical
22 amendments to the Florida Building Code which are
23 adopted by a local government are not rendered void
24 when the code is updated; specifying that such
25 amendments are subject to review or modification if
26 carried forward into the next edition of the code;
27 requiring the commission to update the Florida
28 Building Code through a review of the most current
29 updates of specified codes; requiring the commission

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30 to adopt specified provisions from certain codes;
31 deleting provisions limiting how long an amendment or
32 modification is effective; deleting a provision
33 requiring certain amendments or modifications to be
34 carried forward into the next edition of the code,
35 subject to certain conditions; deleting certain
36 requirements for the resubmission of expired
37 amendments; deleting a provision prohibiting a
38 proposed amendment from being included in the code if
39 it has been addressed in the international code;
40 conforming provisions to changes made by the act;
41 prohibiting the commission from adopting certain
42 provisions into the Florida Building Code; amending s.
43 553.76, F.S.; requiring the commission to adopt the
44 Florida Building Code, and amendments thereto, by a
45 minimum percentage of votes; amending s. 553.79, F.S.;
46 prohibiting certain counties and municipalities from
47 adopting or enforcing certain building permits or
48 other development order requirements; providing
49 construction; providing for preemption of certain
50 local laws and regulations; providing for retroactive
51 applicability; providing an exemption; amending s.
52 553.791, F.S.; providing legislative intent; requiring
53 local jurisdictions to reduce certain permit fees;
54 amending s. 553.80, F.S.; prohibiting local
55 enforcement agencies, independent districts, and
56 special districts from charging certain fees; creating
57 s. 553.9081, F.S.; requiring the Florida Building
58 Commission to amend certain provisions of the Florida

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59 Building Code; amending s. 633.208, F.S.; prohibiting
60 a county, municipality, special taxing district,
61 public utility, or private utility from requiring a
62 separate water connection or charging a specified
63 water or sewage rate under certain conditions;
64 prohibiting a local government from requiring a permit
65 for painting a residence; requiring the Department of
66 Education to develop a plan for specified purposes;
67 requiring the department to provide the plan to the
68 Construction Industry Workforce Task Force by a
69 specified date; requiring CareerSource Florida, Inc.,
70 to develop a plan for specified purposes; requiring
71 CareerSource Florida, Inc., to provide the plan to the
72 Construction Industry Workforce Task Force by a
73 specified date; requiring the Florida Building
74 Commission to amend specified provisions of the
75 Florida Building Code related to door components;
76 providing an effective date.

77

78 Be It Enacted by the Legislature of the State of Florida:

79

80 Section 1. Section 377.705, Florida Statutes, is amended to
81 read:

82 377.705 Solar Energy Center; development of solar energy
83 standards.—

84 (1) SHORT TITLE.—This act shall be known and may be cited
85 as the Solar Energy Standards Act of 1976.

86 (2) LEGISLATIVE ~~FINDINGS AND~~ INTENT.—

87 ~~(a) Because of increases in the cost of conventional fuel,~~

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88 ~~certain applications of solar energy are becoming competitive,~~
89 ~~particularly when life-cycle costs are considered. It is the~~
90 ~~intent of the Legislature in formulating a sound and balanced~~
91 ~~energy policy for the state to encourage the development of an~~
92 ~~alternative energy capability in the form of incident solar~~
93 ~~energy.~~

94 ~~(b) Toward this purpose,~~ The Legislature intends to provide
95 ~~incentives for the production and sale of,~~ and to set standards
96 ~~for,~~ solar energy systems. Such standards shall ensure that
97 solar energy systems manufactured or sold within the state are
98 effective and represent a high level of quality of materials,
99 workmanship, and design.

100 (3) DEFINITIONS.—As used in this section, the term:

101 (a) "Center" means ~~is defined as~~ the Florida Solar Energy
102 Center of the Board of Governors.

103 (b) "Solar energy systems" means ~~is defined as~~ equipment
104 which provides for the collection and use of incident solar
105 energy for water heating, space heating or cooling, or other
106 applications which normally require or would require a
107 conventional source of energy such as petroleum products,
108 natural gas, or electricity and which performs primarily with
109 solar energy. In such other systems in which solar energy is
110 used in a supplemental way, only those components which collect
111 and transfer solar energy shall be included in this definition.

112 (4) FLORIDA SOLAR ENERGY CENTER TO SET STANDARDS, REQUIRE
113 DISCLOSURE, SET TESTING FEES.—

114 (a) The center shall develop and adopt ~~promulgate~~ standards
115 for solar energy systems manufactured or sold in this state
116 based on the best currently available information and shall

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117 consult with scientists, engineers, or persons in research
118 centers who are engaged in the construction of, experimentation
119 with, and research of solar energy systems to properly identify
120 the most reliable designs and types of solar energy systems.

121 (b) The center shall establish criteria for testing
122 performance of solar energy systems and shall maintain the
123 necessary capability for testing or evaluating performance of
124 solar energy systems. The center may accept results of tests on
125 solar energy systems made by other organizations, companies, or
126 persons if ~~when~~ such tests are conducted according to the
127 criteria established by the center and if ~~when~~ the testing
128 entity does not have a ~~has no~~ vested interest in the
129 manufacture, distribution, or sale of solar energy systems.

130 (c) The center shall be entitled to receive a testing fee
131 sufficient to cover the costs of such testing. All testing fees
132 shall be transmitted by the center to the Chief Financial
133 Officer to be deposited in the Solar Energy Center Testing Trust
134 Fund, which is ~~hereby~~ created in the State Treasury, and
135 disbursed for the payment of expenses incurred in testing solar
136 energy systems.

137 (d) All solar energy systems manufactured or sold in the
138 state must meet the standards established by the center and
139 shall display accepted results of approved performance tests in
140 a manner prescribed by the center, unless otherwise certified by
141 an engineer licensed pursuant to chapter 471 using the standards
142 contained in the most recent version of the Florida Building
143 Code.

144 Section 2. Subsection (5) of section 489.103, Florida
145 Statutes, is amended to read:

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146 489.103 Exemptions.—This part does not apply to:

147 (5) Public utilities, including municipal gas utilities and
148 special gas districts as defined in chapter 189,
149 telecommunications companies as defined in s. 364.02(13), and
150 natural gas transmission companies as defined in s. 368.103(4),
151 on construction, maintenance, and development work performed by
152 their employees, ~~which work, including, but not limited to, work~~
153 ~~on bridges, roads, streets, highways, or railroads, is~~
154 ~~incidental to their business. The board shall define, by rule,~~
155 ~~the term "incidental to their business" for purposes of this~~
156 ~~subsection.~~

157 Section 3. Section 553.721, Florida Statutes, is amended to
158 read:

159 553.721 Surcharge.—In order for the Department of Business
160 and Professional Regulation to administer and carry out the
161 purposes of this part and related activities, there is created a
162 surcharge, to be assessed at the rate of 1.5 percent of the
163 permit fees associated with enforcement of the Florida Building
164 Code as defined by the uniform account criteria and specifically
165 the uniform account code for building permits adopted for local
166 government financial reporting pursuant to s. 218.32. The
167 minimum amount collected on any permit issued shall be \$2. The
168 unit of government responsible for collecting a permit fee
169 pursuant to s. 125.56(4) or s. 166.201 shall collect the
170 surcharge and electronically remit the funds collected to the
171 department on a quarterly calendar basis for the preceding
172 quarter and continuing each third month thereafter. The unit of
173 government shall retain 10 percent of the surcharge collected to
174 fund the participation of building departments in the national

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175 and state building code adoption processes and to provide
176 education related to enforcement of the Florida Building Code.
177 All funds remitted to the department pursuant to this section
178 shall be deposited in the Professional Regulation Trust Fund.
179 Funds collected from the surcharge shall be allocated to fund
180 the Florida Building Commission and the Florida Building Code
181 Compliance and Mitigation Program under s. 553.841. Funds
182 allocated to the Florida Building Code Compliance and Mitigation
183 Program shall be \$925,000 each fiscal year. The Florida Building
184 Code Compliance and Mitigation Program shall fund the
185 recommendations made by the Building Code System Uniform
186 Implementation Evaluation Workgroup, dated April 8, 2013, from
187 existing resources, not to exceed \$30,000 in the 2016-2017
188 fiscal year. The department shall provide \$150,000 for the 2017-
189 2018 fiscal year from surcharge funds available to the
190 University of Florida M. E. Rinker, Sr., School of Construction
191 Management for the continuation of the Construction Industry
192 Workforce Task Force. Funds collected from the surcharge shall
193 also be used to fund Florida Fire Prevention Code informal
194 interpretations managed by the State Fire Marshal and shall be
195 limited to \$15,000 each fiscal year. The State Fire Marshal
196 shall adopt rules to address the implementation and expenditure
197 of the funds allocated to fund the Florida Fire Prevention Code
198 informal interpretations under this section. The funds collected
199 from the surcharge may not be used to fund research on
200 techniques for mitigation of radon in existing buildings. Funds
201 used by the department as well as funds to be transferred to the
202 Department of Health and the State Fire Marshal shall be as
203 prescribed in the annual General Appropriations Act. The

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204 department shall adopt rules governing the collection and
205 remittance of surcharges pursuant to chapter 120.

206 Section 4. For the 2017-2018 fiscal year, the sum of
207 \$150,000 in nonrecurring funds from the Professional Regulation
208 Trust Fund is appropriated to the Department of Business and
209 Professional Regulation Trust Fund for the transfer to the
210 University of Florida M. E. Rinker, Sr., School of Construction
211 Management for the continuation of the Construction Industry
212 Workforce Task Force.

213 Section 5. Subsection (3) of section 553.73, Florida
214 Statutes, is amended, paragraph (d) is added to subsection (4)
215 of that section, subsections (7) and (8) and paragraphs (a) and
216 (b) of subsection (9) of that section are amended, and
217 subsection (20) is added to that section, to read:

218 553.73 Florida Building Code.—

219 (3) The commission shall use the ~~International Codes~~
220 ~~published by the~~ International Code Council, the National
221 Electric Code (NFPA 70), or other nationally adopted model codes
222 and standards for updates to ~~needed to develop the base code in~~
223 ~~Florida to form the foundation for~~ the Florida Building Code.
224 The ~~Florida Building~~ commission may approve technical amendments
225 to the code as provided in, ~~subject to~~ subsections (8) and (9),
226 ~~after the amendments have been~~ subject to all of the following
227 conditions:

228 (a) The proposed amendment must have ~~has~~ been published on
229 the commission's website for a minimum of 45 days and all the
230 associated documentation must have ~~has~~ been made available to
231 any interested party before ~~any~~ consideration by a technical
232 advisory committee.†

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233 (b) In order for a technical advisory committee to make a
234 favorable recommendation to the commission, the proposal must
235 receive a two-thirds ~~three-fourths~~ vote of the members present
236 at the ~~technical advisory committee~~ meeting. ~~and~~ At least half
237 of the regular members must be present in order to conduct a
238 meeting. ~~†~~

239 (c) After the technical advisory committee has considered
240 and recommended ~~consideration and a recommendation for~~ approval
241 of any proposed amendment, the proposal must be published on the
242 commission's website for at least 45 days before ~~any~~
243 consideration by the commission. ~~† and~~

244 (d) A proposal may be modified by the commission based on
245 public testimony and evidence from a public hearing held in
246 accordance with chapter 120.

247
248 The commission shall incorporate within ~~sections of~~ the Florida
249 Building Code provisions that ~~which~~ address regional and local
250 concerns and variations. The commission shall make every effort
251 to minimize conflicts between the Florida Building Code, the
252 Florida Fire Prevention Code, and the Life Safety Code.

253 (4)

254 (d) A technical amendment to the Florida Building Code
255 related to water conservation practices or design criteria
256 adopted by a local government pursuant to this subsection is not
257 rendered void when the code is updated if the technical
258 amendment is necessary to protect or provide for more efficient
259 use of water resources as provided in s. 373.621. However, any
260 such technical amendment carried forward into the next edition
261 of the code pursuant to this paragraph is subject to review or

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262 modification as provided in this part.

263 (7) (a) The commission, ~~by rule adopted pursuant to ss.~~
264 ~~120.536(1) and 120.54,~~ shall adopt an updated ~~update~~ the Florida
265 Building Code every 3 years through review of. ~~When updating the~~
266 ~~Florida Building Code, the commission shall select~~ the most
267 current updates ~~version~~ of the International Building Code, the
268 International Fuel Gas Code, the International Mechanical Code,
269 the International Plumbing Code, and the International
270 Residential Code, all of which are copyrighted and published by
271 ~~adopted~~ by the International Code Council, and the National
272 Electrical Code, which is copyrighted and published ~~adopted~~ by
273 the National Fire Protection Association. At a minimum, the
274 commission shall adopt any updates to such codes or any other
275 code necessary to maintain eligibility for federal funding from
276 the National Flood Insurance Program, the Federal Emergency
277 Management Agency, and the United States Department of Housing
278 and Urban Development, ~~to form the foundation codes of the~~
279 ~~updated Florida Building Code, if the version has been adopted~~
280 ~~by the applicable model code entity.~~ The commission shall also
281 review and adopt updates based substantially on ~~select the most~~
282 ~~current version of~~ the International Energy Conservation Code
283 (IECC) ~~as a foundation code; however, the IECC shall be modified~~
284 ~~by~~ the commission shall ~~to~~ maintain the efficiencies of the
285 Florida Energy Efficiency Code for Building Construction adopted
286 and amended pursuant to s. 553.901. The commission shall adopt
287 updated codes by rule.

288 (b) Codes regarding noise contour lines shall be reviewed
289 annually, and the most current federal guidelines shall be
290 adopted.

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291 (c) The commission may adopt as a technical amendment to
292 the Florida Building Code ~~modify~~ any portion of the ~~foundation~~
293 ~~codes~~ identified in paragraph (a), but only as needed to
294 accommodate the specific needs of this state. Standards or
295 criteria adopted from these ~~referenced by the~~ codes shall be
296 incorporated by reference to the specific provisions adopted. If
297 a referenced standard or criterion requires amplification or
298 modification to be appropriate for use in this state, only the
299 amplification or modification shall be set forth in the Florida
300 Building Code. The commission may approve technical amendments
301 to the updated Florida Building Code after the amendments have
302 been subject to the conditions set forth in paragraphs (3)(a)-
303 (d). Amendments that ~~to the foundation codes which~~ are adopted
304 in accordance with this subsection shall be clearly marked in
305 printed versions of the Florida Building Code so that the fact
306 that the provisions are ~~Florida-specific~~ amendments ~~to the~~
307 ~~foundation codes~~ is readily apparent.

308 (d) The commission shall further consider the commission's
309 own interpretations, declaratory statements, appellate
310 decisions, and approved statewide and local technical amendments
311 and shall incorporate such interpretations, statements,
312 decisions, and amendments into the updated Florida Building Code
313 only to the extent that they are needed to ~~modify the foundation~~
314 ~~codes~~ ~~to~~ accommodate the specific needs of the state. A change
315 made by an institute or standards organization to any standard
316 or criterion that is adopted by reference in the Florida
317 Building Code does not become effective statewide until it has
318 been adopted by the commission. Furthermore, the edition of the
319 Florida Building Code which is in effect on the date of

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320 application for any permit authorized by the code governs the
321 permitted work for the life of the permit and any extension
322 granted to the permit.

323 (e) A rule updating the Florida Building Code in accordance
324 with this subsection shall take effect no sooner than 6 months
325 after publication of the updated code. Any amendment to the
326 Florida Building Code which is adopted upon a finding by the
327 commission that the amendment is necessary to protect the public
328 from immediate threat of harm takes effect immediately.

329 (f) Provisions of the Florida Building Code ~~foundation~~
330 ~~codes~~, including those contained in referenced standards and
331 criteria, relating to wind resistance or the prevention of water
332 intrusion may not be modified to diminish those construction
333 requirements; however, the commission may, subject to conditions
334 in this subsection, modify the provisions to enhance those
335 construction requirements.

336 ~~(g) Amendments or modifications to the foundation code~~
337 ~~pursuant to this subsection shall remain effective only until~~
338 ~~the effective date of a new edition of the Florida Building Code~~
339 ~~every third year. Amendments or modifications related to state~~
340 ~~agency regulations which are adopted and integrated into an~~
341 ~~edition of the Florida Building Code shall be carried forward~~
342 ~~into the next edition of the code, subject to modification as~~
343 ~~provided in this part. Amendments or modifications related to~~
344 ~~the wind-resistance design of buildings and structures within~~
345 ~~the high-velocity hurricane zone of Miami-Dade and Broward~~
346 ~~Counties which are adopted to an edition of the Florida Building~~
347 ~~Code do not expire and shall be carried forward into the next~~
348 ~~edition of the code, subject to review or modification as~~

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349 ~~provided in this part. If amendments that expire pursuant to~~
350 ~~this paragraph are resubmitted through the Florida Building~~
351 ~~commission code adoption process, the amendments must~~
352 ~~specifically address whether:~~

353 ~~1. The provisions contained in the proposed amendment are~~
354 ~~addressed in the applicable international code.~~

355 ~~2. The amendment demonstrates by evidence or data that the~~
356 ~~geographical jurisdiction of Florida exhibits a need to~~
357 ~~strengthen the foundation code beyond the needs or regional~~
358 ~~variations addressed by the foundation code, and why the~~
359 ~~proposed amendment applies to this state.~~

360 ~~3. The proposed amendment was submitted or attempted to be~~
361 ~~included in the foundation codes to avoid resubmission to the~~
362 ~~Florida Building Code amendment process.~~

363
364 ~~If the proposed amendment has been addressed in the~~
365 ~~international code in a substantially equivalent manner, the~~
366 ~~Florida Building commission may not include the proposed~~
367 ~~amendment in the foundation Code.~~

368 ~~(8) Notwithstanding the provisions of subsection (3) or~~
369 ~~subsection (7), the commission may address issues identified in~~
370 ~~this subsection by amending the code pursuant only to the rule~~
371 ~~adoption procedures contained in chapter 120. Provisions of The~~
372 ~~Florida Building Code, including provisions ~~those~~ contained in~~
373 ~~referenced standards and criteria which relate, relating to wind~~
374 ~~resistance or the prevention of water intrusion, may not be~~
375 ~~amended pursuant to this subsection to diminish those standards~~
376 ~~construction requirements; however, the commission may, subject~~
377 ~~to conditions in this subsection, amend the Florida Building~~

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378 Code ~~the provisions~~ to enhance such standards ~~those construction~~
379 ~~requirements~~. Following the approval of any amendments to the
380 Florida Building Code by the commission and publication of the
381 amendments on the commission's website, authorities having
382 jurisdiction to enforce the Florida Building Code may enforce
383 the amendments. The commission may approve amendments that are
384 needed to address:

- 385 (a) Conflicts within the updated code;
- 386 (b) Conflicts between the updated code and the Florida Fire
387 Prevention Code adopted pursuant to chapter 633;
- 388 (c) Unintended results from the integration of previously
389 adopted ~~Florida-specific~~ amendments with the model code;
- 390 (d) Equivalency of standards;
- 391 (e) Changes to or inconsistencies with federal or state
392 law; or
- 393 (f) Adoption of an updated edition of the National
394 Electrical Code if the commission finds that delay of
395 implementing the updated edition causes undue hardship to
396 stakeholders or otherwise threatens the public health, safety,
397 and welfare.

398 (9) (a) The commission may approve technical amendments to
399 the Florida Building Code once each year for statewide or
400 regional application upon a finding that the amendment:

- 401 1. Is needed in order to accommodate the specific needs of
402 this state.
- 403 2. Has a reasonable and substantial connection with the
404 health, safety, and welfare of the general public.
- 405 3. Strengthens or improves the Florida Building Code, or in
406 the case of innovation or new technology, will provide

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407 equivalent or better products or methods or systems of
408 construction.

409 4. Does not discriminate against materials, products,
410 methods, or systems of construction of demonstrated
411 capabilities.

412 5. Does not degrade the effectiveness of the Florida
413 Building Code.

414

415 The Florida Building Commission may approve technical amendments
416 to the code once each year to incorporate into the Florida
417 Building Code its own interpretations of the code which are
418 embodied in its opinions, final orders, declaratory statements,
419 and interpretations of hearing officer panels under s.

420 553.775(3)(c), but only to the extent that the incorporation of
421 interpretations is needed to modify the code ~~foundation codes~~ to
422 accommodate the specific needs of this state. Amendments
423 approved under this paragraph shall be adopted by rule after the
424 amendments have been subjected to subsection (3).

425 (b) A proposed amendment must include a fiscal impact
426 statement that documents the costs and benefits of the proposed
427 amendment. Criteria for the fiscal impact statement shall be
428 established by rule by the commission and shall include the
429 impact to local government relative to enforcement, the impact
430 to property and building owners, and the impact to industry,
431 relative to the cost of compliance. The amendment must
432 demonstrate by evidence or data that the state's geographical
433 jurisdiction exhibits a need to strengthen the ~~foundation~~ code
434 beyond the needs or regional variations addressed by the
435 ~~foundation~~ code and why the proposed amendment applies to this

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436 state.

437 (20) The Florida Building Commission may not:438 (a) Adopt the 2016 version of the American Society of
439 Heating, Refrigerating and Air-Conditioning Engineers Standard
440 9.4.1.1(g).441 (b) Adopt any provision that requires a door located in the
442 opening between a garage and a residence to be equipped with a
443 self-closing device.444 Section 6. Subsection (2) of section 553.76, Florida
445 Statutes, is amended to read:446 553.76 General powers of the commission.—The commission is
447 authorized to:448 (2) Issue memoranda of procedure for its internal
449 management and control. The commission may adopt rules related
450 to its consensus-based decisionmaking process, including, but
451 not limited to, super majority voting requirements ~~for~~
452 ~~commission actions relating to the adoption of the Florida~~
453 ~~Building Code or amendments to the code. However, the commission~~
454 must adopt the Florida Building Code, and amendments thereto, by
455 at least a two-thirds vote of the members present at a meeting.456 Section 7. Subsection (20) is added to section 553.79,
457 Florida Statutes, to read:

458 553.79 Permits; applications; issuance; inspections.—

459 (20) Any county with a population greater than 1.3 million,
460 or any municipality within such county, may not adopt or enforce
461 any ordinance or impose any building permit or other development
462 order requirement that:463 (a)1. Contains any building, construction, or aesthetic
464 requirement or condition that conflicts with or impairs

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465 corporate trademarks, service marks, trade dress, logos, color
466 patterns, design scheme insignia, image standards, or other
467 features of corporate branding identity on real property or
468 improvements thereon used in activities conducted under chapter
469 526 or in carrying out business activities defined as a
470 franchise by Federal Trade Commission regulations in 16 C.F.R.
471 ss. 436.1, et. seq.; or

472 2. Imposes any requirement on the design, construction, or
473 location of signage advertising the retail price of gasoline in
474 accordance with the requirements of ss. 526.111 and 526.121
475 which prevents the signage from being clearly visible and
476 legible to drivers of approaching motor vehicles in any lane of
477 traffic in either direction on a roadway abutting the gas
478 station premises and which meets height, width, and spacing
479 standards for Series C, D, or E signs, as applicable, published
480 in the latest edition of Standard Alphabets for Highway Signs
481 and Pavement Markings published by the Federal Highway
482 Administration, Office of Traffic Operations.

483 (b) This subsection does not affect any requirement for
484 design and construction in the Florida Building Code.

485 (c) All such ordinances and requirements are hereby
486 preempted and superseded by general law. This subsection shall
487 apply retroactively.

488 (d) This subsection does not apply to property located in a
489 designated historic district.

490 Section 8. Subsection (2) of section 553.791, Florida
491 Statutes, is amended to read:

492 553.791 Alternative plans review and inspection.—

493 (2) (a) Notwithstanding any other law or local government

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494 ordinance or local policy, the fee owner of a building or
495 structure, or the fee owner's contractor upon written
496 authorization from the fee owner, may choose to use a private
497 provider to provide building code inspection services with
498 regard to such building or structure and may make payment
499 directly to the private provider for the provision of such
500 services. All such services shall be the subject of a written
501 contract between the private provider, or the private provider's
502 firm, and the fee owner or the fee owner's contractor, upon
503 written authorization of the fee owner. The fee owner may elect
504 to use a private provider to provide plans review or required
505 building inspections, or both. However, if the fee owner or the
506 fee owner's contractor uses a private provider to provide plans
507 review, the local building official, in his or her discretion
508 and pursuant to duly adopted policies of the local enforcement
509 agency, may require the fee owner or the fee owner's contractor
510 to use a private provider to also provide required building
511 inspections.

512 (b) It is the intent of the Legislature that owners and
513 contractors not be required to pay extra costs related to
514 building permitting requirements when hiring a private provider
515 for plans reviews and building inspections. A local jurisdiction
516 must calculate the cost savings to the local enforcement agency,
517 based on a fee owner or contractor hiring a private provider to
518 perform plans reviews and building inspections in lieu of the
519 local building official, and reduce the permit fees accordingly.

520 Section 9. Paragraph (d) of subsection (7) of section
521 553.80, Florida Statutes, is amended to read:

522 553.80 Enforcement.—

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523 (7) The governing bodies of local governments may provide a
524 schedule of reasonable fees, as authorized by s. 125.56(2) or s.
525 166.222 and this section, for enforcing this part. These fees,
526 and any fines or investment earnings related to the fees, shall
527 be used solely for carrying out the local government's
528 responsibilities in enforcing the Florida Building Code. When
529 providing a schedule of reasonable fees, the total estimated
530 annual revenue derived from fees, and the fines and investment
531 earnings related to the fees, may not exceed the total estimated
532 annual costs of allowable activities. Any unexpended balances
533 shall be carried forward to future years for allowable
534 activities or shall be refunded at the discretion of the local
535 government. The basis for a fee structure for allowable
536 activities shall relate to the level of service provided by the
537 local government and shall include consideration for refunding
538 fees due to reduced services based on services provided as
539 prescribed by s. 553.791, but not provided by the local
540 government. Fees charged shall be consistently applied.

541 (d) The local enforcement agency, independent district, or
542 special district may not require at any time, including at the
543 time of application for a permit, the payment of any additional
544 fees, charges, or expenses associated with:

- 545 1. Providing proof of licensure pursuant to chapter 489;
- 546 2. Recording or filing a license issued pursuant to this
547 chapter; or
- 548 3. Providing, recording, or filing evidence of workers'
549 compensation insurance coverage as required by chapter 440.

550 Section 10. Section 553.9081, Florida Statutes, is created
551 to read:

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552 553.9081 Florida Building Code; required amendments.—The
 553 Florida Building Commission shall amend the Florida Building
 554 Code-Energy Conservation to:

555 (1) (a) Eliminate duplicative commissioning reporting
 556 requirements for HVAC and electrical systems; and

557 (b) Authorize commissioning reports to be provided by a
 558 licensed design professional, electrical engineer, or mechanical
 559 engineer.

560 (2) Prohibit the adoption of American Society of Heating,
 561 Refrigerating and Air-Conditioning Engineers Standard
 562 9.4.1.1(g).

563 Section 11. Subsection (8) of section 633.208, Florida
 564 Statutes, is amended to read:

565 633.208 Minimum firesafety standards.—

566 (8) (a) The provisions of the Life Safety Code, as contained
 567 in the Florida Fire Prevention Code, do not apply to one-family
 568 and two-family dwellings. However, fire sprinkler protection may
 569 be permitted by local government in lieu of other fire
 570 protection-related development requirements for such structures.
 571 While local governments may adopt fire sprinkler requirements
 572 for one-family ~~one~~ and two-family dwellings under this
 573 subsection, it is the intent of the Legislature that the
 574 economic consequences of the fire sprinkler mandate on home
 575 owners be studied before the enactment of such a requirement.
 576 After the effective date of this act, any local government that
 577 desires to adopt a fire sprinkler requirement on one-family ~~one~~
 578 or two-family dwellings must prepare an economic cost and
 579 benefit report that analyzes the application of fire sprinklers
 580 to one-family ~~one~~ or two-family dwellings or any proposed

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581 residential subdivision. The report must consider the tradeoffs
582 and specific cost savings and benefits of fire sprinklers for
583 future owners of property. The report must include an assessment
584 of the cost savings from any reduced or eliminated impact fees
585 if applicable, the reduction in special fire district tax,
586 insurance fees, and other taxes or fees imposed, and the waiver
587 of certain infrastructure requirements including the reduction
588 of roadway widths, the reduction of water line sizes, increased
589 fire hydrant spacing, increased dead-end roadway length, and a
590 reduction in cul-de-sac sizes relative to the costs from fire
591 sprinkling. A failure to prepare an economic report shall result
592 in the invalidation of the fire sprinkler requirement to any
593 one-family ~~one-~~ or two-family dwelling or any proposed
594 subdivision. In addition, a local jurisdiction or utility may
595 not charge any additional fee, above what is charged to a non-
596 fire sprinklered dwelling, on the basis that a one-family ~~one-~~
597 or two-family dwelling unit is protected by a fire sprinkler
598 system.

599 (b)1. A county, municipality, special taxing district,
600 public utility, or private utility may not require a separate
601 water connection for a one-family or two-family dwelling fire
602 sprinkler system if the hydraulic design has proven the existing
603 connection is capable of supplying the needed hydraulic demand.

604 2. A county, municipality, special district, public
605 utility, or private utility may not charge a water or sewer rate
606 to a one-family or two-family dwelling that requires a larger
607 water meter solely due to the installation of fire sprinklers
608 above that which is charged to a one-family and two-family
609 dwelling with a base meter. If the installation of fire

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610 sprinklers in a one-family or two-family dwelling requires the
611 installation of a larger water meter, only the difference in
612 actual cost between the base water meter and the larger water
613 meter may be charged by the water utility provider.

614 Section 12. A local government may not require an owner of
615 a residence to obtain a permit to paint such residence,
616 regardless of whether the residence is owned by a limited
617 liability company.

618 Section 13. The Department of Education, in conjunction
619 with the Department of Economic Opportunity, shall develop a
620 plan to implement the recommendations of the Construction
621 Industry Workforce Task Force Report dated January 20, 2017. The
622 Department of Education shall provide the plan to the
623 Construction Industry Workforce Task Force on or before July 31,
624 2017.

625 Section 14. CareerSource Florida, Inc., shall develop and
626 submit a plan to the Construction Industry Workforce Task Force
627 on the potential opportunities for training programs to
628 implement the recommendations of the Construction Industry
629 Workforce Task Force Report dated January 20, 2017, using
630 existing federal funds awarded to the corporation and using the
631 previous statewide Florida ReBuilds program as an implementation
632 model for such programs. CareerSource Florida, Inc., shall
633 provide the plan to the Construction Industry Workforce Task
634 Force on or before July 31, 2017.

635 Section 15. The Florida Building Commission shall adopt an
636 amendment to the Florida Building Code-Residential, relating to
637 door components, to provide that, regarding substitution of door
638 components, such components must either:

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- 639 (1) Comply with ANSI/WMA 100; or
640 (2) Be evaluated by an approved product evaluation entity,
641 certification agency, testing laboratory, or engineer and may be
642 interchangeable in exterior door assemblies if the components
643 provide equal or greater structural performance as demonstrated
644 by accepted engineering practices.
645 Section 16. This act shall take effect July 1, 2017.