



153030

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/14/2017	.	
	.	
	.	
	.	

The Committee on Community Affairs (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 468.603, Florida Statutes, is reordered
and amended to read:

468.603 Definitions.—As used in this part:

(2)~~(1)~~ "Building code administrator" or "building official"
means any of those employees of municipal or county governments
or any person under contract with building construction



11 regulation responsibilities who are charged with the
12 responsibility for direct regulatory administration or
13 supervision of plan review, enforcement, or inspection of
14 building construction, erection, repair, addition, remodeling,
15 demolition, or alteration projects that require permitting
16 indicating compliance with building, plumbing, mechanical,
17 electrical, gas, fire prevention, energy, accessibility, and
18 other construction codes as required by state law or municipal
19 or county ordinance. This term is synonymous with "building
20 official" as used in ~~the administrative chapter of the Standard~~
21 ~~Building Code~~ and the South Florida Building Code. One person
22 employed or under contract by each municipal or county
23 government as a building code administrator or building official
24 and who is so certified under this part may be authorized to
25 perform any plan review or inspection for which certification is
26 required by this part.

27 (4)~~(2)~~ "Building code inspector" means any of those
28 employees of local governments or state agencies or any person
29 under contract with building construction regulation
30 responsibilities who themselves conduct inspections of building
31 construction, erection, repair, addition, or alteration projects
32 that require permitting indicating compliance with building,
33 plumbing, mechanical, electrical, gas, fire prevention, energy,
34 accessibility, and other construction codes as required by state
35 law or municipal or county ordinance.

36 (1)~~(3)~~ "Board" means the Florida Building Code
37 Administrators and Inspectors Board.

38 (7)~~(4)~~ "Department" means the Department of Business and
39 Professional Regulation.



153030

40 ~~(6)~~⁽⁵⁾ "Certificate" means a certificate of qualification
41 issued by the department as provided in this part.

42 ~~(5)~~⁽⁶⁾ "Categories of building code inspectors" include the
43 following:

44 (a) "Building inspector" means a person who is qualified to
45 inspect and determine that buildings and structures are
46 constructed in accordance with the provisions of the governing
47 building codes and state accessibility laws.

48 (b) "Coastal construction inspector" means a person who is
49 qualified to inspect and determine that buildings and structures
50 are constructed to resist near-hurricane and hurricane velocity
51 winds in accordance with the provisions of the governing
52 building code.

53 (c) "Commercial electrical inspector" means a person who is
54 qualified to inspect and determine the electrical safety of
55 commercial buildings and structures by inspecting for compliance
56 with the provisions of the National Electrical Code.

57 (d) "Residential electrical inspector" means a person who
58 is qualified to inspect and determine the electrical safety of
59 one and two family dwellings and accessory structures by
60 inspecting for compliance with the applicable provisions of the
61 governing electrical code.

62 (e) "Mechanical inspector" means a person who is qualified
63 to inspect and determine that the mechanical installations and
64 systems for buildings and structures are in compliance with the
65 provisions of the governing mechanical code.

66 (f) "Plumbing inspector" means a person who is qualified to
67 inspect and determine that the plumbing installations and
68 systems for buildings and structures are in compliance with the



153030

69 provisions of the governing plumbing code.

70 (g) "One and two family dwelling inspector" means a person
71 who is qualified to inspect and determine that one and two
72 family dwellings and accessory structures are constructed in
73 accordance with the provisions of the governing building,
74 plumbing, mechanical, accessibility, and electrical codes.

75 (h) "Electrical inspector" means a person who is qualified
76 to inspect and determine the electrical safety of commercial and
77 residential buildings and accessory structures by inspecting for
78 compliance with the provisions of the National Electrical Code.

79 (8)~~(7)~~ "Plans examiner" means a person who is qualified to
80 determine that plans submitted for purposes of obtaining
81 building and other permits comply with the applicable building,
82 plumbing, mechanical, electrical, gas, fire prevention, energy,
83 accessibility, and other applicable construction codes.

84 Categories of plans examiners include:

85 (a) Building plans examiner.

86 (b) Plumbing plans examiner.

87 (c) Mechanical plans examiner.

88 (d) Electrical plans examiner.

89 (3)~~(8)~~ "Building code enforcement official" or "enforcement
90 official" means a licensed building code administrator, building
91 code inspector, or plans examiner.

92 (9) "Residential plans examiner" means a person who is
93 qualified to determine whether plans submitted for purposes of
94 obtaining building and other permits comply with the applicable
95 residential building, plumbing, mechanical, electrical, gas,
96 energy, accessibility, and other construction codes.

97 Section 2. Paragraph (c) of subsection (2), paragraphs (a)



153030

98 and (d) of subsection (7), and subsection (10) of section
99 468.609, Florida Statutes, are amended, and subsections (11) and
100 (12) are added to that section, to read:

101 468.609 Administration of this part; standards for
102 certification; additional categories of certification.—

103 (2) A person may take the examination for certification as
104 a building code inspector or plans examiner pursuant to this
105 part if the person:

106 (c) Meets eligibility requirements according to one of the
107 following criteria:

108 1. Demonstrates 5 years' combined experience in the field
109 of construction or a related field, building code inspection, or
110 plans review corresponding to the certification category sought;

111 2. Demonstrates a combination of postsecondary education in
112 the field of construction or a related field and experience
113 which totals 4 years, with at least 1 year of such total being
114 experience in construction, building code inspection, or plans
115 review;

116 3. Demonstrates a combination of technical education in the
117 field of construction or a related field and experience which
118 totals 4 years, with at least 1 year of such total being
119 experience in construction, building code inspection, or plans
120 review;

121 4. Currently holds a standard certificate issued by the
122 board or a firesafety inspector license issued pursuant to
123 chapter 633, has a minimum of 3 years' verifiable full-time
124 experience in inspection or plan review, and has satisfactorily
125 completed a building code inspector or plans examiner training
126 program that provides at least 100 hours but not more than 200



153030

127 hours of cross-training in the certification category sought.
128 The board shall establish by rule criteria for the development
129 and implementation of the training programs. The board shall
130 accept all classroom training offered by an approved provider if
131 the content substantially meets the intent of the classroom
132 component of the training program;

133 5. Demonstrates a combination of the completion of an
134 approved training program in the field of building code
135 inspection or plan review and a minimum of 2 years' experience
136 in the field of building code inspection, plan review, fire code
137 inspections and fire plans review of new buildings as a
138 firesafety inspector certified under s. 633.216, or
139 construction. The approved training portion of this requirement
140 shall include proof of satisfactory completion of a training
141 program that provides at least 200 hours but not more than 300
142 hours of cross-training that is approved by the board in the
143 chosen category of building code inspection or plan review in
144 the certification category sought with at least 20 hours but not
145 more than 30 hours of instruction in state laws, rules, and
146 ethics relating to professional standards of practice, duties,
147 and responsibilities of a certificateholder. The board shall
148 coordinate with the Building Officials Association of Florida,
149 Inc., to establish by rule the development and implementation of
150 the training program. However, the board shall accept all
151 classroom training offered by an approved provider if the
152 content substantially meets the intent of the classroom
153 component of the training program; ~~or~~

154 6. Currently holds a standard certificate issued by the
155 board or a firesafety inspector license issued pursuant to



153030

156 chapter 633 and:

157 a. Has at least 5 years' verifiable full-time experience as
158 an inspector or plans examiner in a standard certification
159 category currently held or has a minimum of 5 years' verifiable
160 full-time experience as a firesafety inspector licensed pursuant
161 to chapter 633.

162 b. Has satisfactorily completed a building code inspector
163 or plans examiner classroom training course or program that
164 provides at least 200 but not more than 300 hours in the
165 certification category sought, except for one-family and two-
166 family dwelling training programs, which must provide at least
167 500 but not more than 800 hours of training as prescribed by the
168 board. The board shall establish by rule criteria for the
169 development and implementation of classroom training courses and
170 programs in each certification category; ~~or-~~

171 7. Completes an inspector or plans examiner internship
172 certification program that includes all of the following:

173 a. Passing an International Code Council (ICC) administered
174 examination in the category sought before beginning a 4-year
175 internship while employed full time by a Florida municipality,
176 county, or other governmental jurisdiction under the direct
177 supervision of a standard certified, government employed,
178 sponsoring building official. A related vocational or college
179 degree attained or verifiable on-the-job experience may reduce
180 the internship period year-for-year to no less than 1 year.

181 b. Passing the Florida Principles and Practice exam before
182 completing the internship period.

183 c. Passing a board-approved 40-hour code training course in
184 the category sought before completing the internship period.



153030

185 d. Obtaining a favorable recommendation from the sponsoring
186 building official upon completion of the internship period.

187 (7) (a) The board shall provide for the issuance of
188 provisional certificates valid for 1 year, as specified by board
189 rule, to any ~~newly employed or promoted~~ building code inspector
190 or plans examiner who meets the eligibility requirements
191 described in subsection (2) and any newly employed or promoted
192 building code administrator who meets the eligibility
193 requirements described in subsection (3). The provisional
194 license may be renewed by the board for just cause; however, a
195 provisional license is not valid for longer than 3 years.

196 (d) A ~~newly employed or hired~~ person may perform the duties
197 of a plans examiner or building code inspector for 120 days if a
198 provisional certificate application has been submitted if such
199 person is under the direct supervision of a certified building
200 code administrator who holds a standard certification and who
201 has found such person qualified for a provisional certificate.
202 Direct supervision and the determination of qualifications may
203 also be provided by a building code administrator who holds a
204 limited or provisional certificate in a county having a
205 population of fewer than 75,000 and in a municipality located
206 within such county.

207 (10) The board may by rule create categories of
208 certification in addition to those defined in s. 468.603(5) ~~s.~~
209 ~~468.603(6)~~ and (8) ~~(7)~~. Such certification categories shall not
210 be mandatory and shall not act to diminish the scope of any
211 certificate created by statute.

212 (11) The board shall by rule:

213 (a) Establish a procedure to determine reciprocity for an



214 ICC examination administered by another state.
215 (b) Authorize candidates under subparagraph (2)(c)7. to:
216 1. Perform duties during the first 120 days after initial
217 application submittal to the board.
218 2. Apply for a 1-year provisional certificate before
219 completing the internship period if the candidate has not passed
220 the Florida Principles and Practice exam or 40-hour code
221 training course.
222 3. Apply for standard certification at least 30 days but
223 not more than 60 days before completing the internship period.
224 (c) Develop a form to authorize candidates under
225 subparagraph (2)(c)7. to transfer approved partial internship
226 periods completed in other jurisdictions.
227 (d) Develop an electronic application for standard
228 certification of interns who successfully complete the program
229 described in subparagraph (2)(c)7.
230 (e) Establish minimum standards for, and a procedure to
231 determine the eligibility of, internships for candidates to
232 obtain certification under subparagraph (2)(c)7.
233 (12) After achieving initial standard certification, a
234 person may seek additional certifications in other categories by
235 completing additional nonconcurrent internship programs when
236 passing an ICC examination, passing a board-approved 40-hour
237 code training course, and completing an additional 1-year, full-
238 time internship in the respective category sought. Any person
239 holding a standard certification may seek additional
240 certifications.
241 Section 3. Subsection (3) of section 468.617, Florida
242 Statutes, is amended to read:



153030

243 468.617 Joint building code inspection department; other
244 arrangements.—

245 (3) Nothing in this part shall prohibit any county or
246 municipal government, school board, community college board,
247 state university, or state agency from entering into any
248 contract with any person or entity for the provision of building
249 code administrator, building code official, or building code
250 inspection services regulated under this part, and
251 notwithstanding any other statutory provision, such county or
252 municipal governments may enter into contracts.

253 Section 4. Subsection (4) of section 468.8313, Florida
254 Statutes, is amended to read:

255 468.8313 Examinations.—

256 (4) The department may review and approve examinations by a
257 nationally recognized entity that offers programs or sets
258 standards that ensure competence as a home inspector, provided
259 that only examinations meeting the standards of a national
260 examination as defined by rule and certified by the department
261 may be approved.

262 Section 5. Paragraphs (d) and (i) of subsection (1) of
263 section 553.791, Florida Statutes, are amended to read:

264 553.791 Alternative plans review and inspection.—

265 (1) As used in this section, the term:

266 (d) "Building code inspection services" means those
267 services described in s. 468.603(5) ~~s. 468.603(6)~~ and (8) ~~(7)~~
268 involving the review of building plans to determine compliance
269 with applicable codes and those inspections required by law of
270 each phase of construction for which permitting by a local
271 enforcement agency is required to determine compliance with



153030

272 applicable codes.

273 (i) "Private provider" means a person licensed as a
274 building code administrator under part XII of chapter 468, as an
275 engineer under chapter 471, or as an architect under chapter
276 481. For purposes of performing inspections under this section
277 for additions and alterations that are limited to 1,000 square
278 feet or less to residential buildings, the term "private
279 provider" also includes a person who holds a standard
280 certificate under part XII of chapter 468.

281 Section 6. Section 471.045, Florida Statutes, is amended to
282 read:

283 471.045 Professional engineers performing building code
284 inspector duties.—Notwithstanding any other provision of law, a
285 person who is currently licensed under this chapter to practice
286 as a professional engineer may provide building code inspection
287 services described in s. 468.603(5) ~~s. 468.603(6)~~ and (8) ~~(7)~~ to
288 a local government or state agency upon its request, without
289 being certified by the Florida Building Code Administrators and
290 Inspectors Board under part XII of chapter 468. When performing
291 these building code inspection services, the professional
292 engineer is subject to the disciplinary guidelines of this
293 chapter and s. 468.621(1)(c)-(h). Any complaint processing,
294 investigation, and discipline that arise out of a professional
295 engineer's performing building code inspection services shall be
296 conducted by the Board of Professional Engineers rather than the
297 Florida Building Code Administrators and Inspectors Board. A
298 professional engineer may not perform plans review as an
299 employee of a local government upon any job that the
300 professional engineer or the professional engineer's company



153030

301 designed.

302 Section 7. Section 481.222, Florida Statutes, is amended to
303 read:

304 481.222 Architects performing building code inspection
305 services.—Notwithstanding any other provision of law, a person
306 who is currently licensed to practice as an architect under this
307 part may provide building code inspection services described in
308 s. 468.603(5) ~~s. 468.603(6)~~ and (8) ~~(7)~~ to a local government or
309 state agency upon its request, without being certified by the
310 Florida Building Code Administrators and Inspectors Board under
311 part XII of chapter 468. With respect to the performance of such
312 building code inspection services, the architect is subject to
313 the disciplinary guidelines of this part and s. 468.621(1)(c)-
314 (h). Any complaint processing, investigation, and discipline
315 that arise out of an architect's performance of building code
316 inspection services shall be conducted by the Board of
317 Architecture and Interior Design rather than the Florida
318 Building Code Administrators and Inspectors Board. An architect
319 may not perform plans review as an employee of a local
320 government upon any job that the architect or the architect's
321 company designed.

322 Section 8. This act shall take effect October 1, 2017.

323
324 ===== T I T L E A M E N D M E N T =====

325 And the title is amended as follows:

326 Delete everything before the enacting clause
327 and insert:

328 A bill to be entitled
329 An act relating to building code administrators and



330 inspectors; amending s. 468.603, F.S.; revising and
331 defining terms; amending s. 468.609, F.S.; creating an
332 internship path to certification as an inspector or
333 plans examiner; specifying requirements for the
334 internship periods; requiring the board to authorize
335 specified candidates for certification as building
336 code inspectors or plans examiners to perform duties
337 during a specified period after initial application,
338 to apply for a 1-year provisional certificate under
339 certain circumstances, and to apply for standard
340 certification within a certain time before completing
341 the internship period; deleting being newly hired or
342 promoted as a condition for eligibility to qualify for
343 a provisional certificate; requiring rulemaking;
344 requiring the board to develop a form to transfer
345 internship periods completed in other jurisdictions
346 under certain circumstances; requiring the board to
347 develop an electronic application for standard
348 certification for certain persons; authorizing persons
349 to seek additional certifications if they meet certain
350 requirements; conforming cross-references; amending s.
351 468.617, F.S.; specifying that a county or municipal
352 government, school board, community college board,
353 state university, or state agency is not prohibited
354 from entering into a contract for the services of a
355 building code administrator or building code official;
356 amending s. 468.8313, F.S.; providing conditions for
357 the department to review and approve certain
358 examinations; amending s. 553.791, F.S.; revising the



359 definition of the term "private provider"; conforming
360 cross-references; amending ss. 471.045 and 481.222,
361 F.S.; conforming cross-references; providing an
362 effective date.