

1 A bill to be entitled
 2 An act relating to building code administrators and
 3 inspectors; amending s. 468.603, F.S.; revising
 4 definitions; amending s. 468.609, F.S.; revising
 5 eligibility requirements for the examination for
 6 certification as a building code inspector or plans
 7 examiner to include an internship certification
 8 program; removing an eligibility condition from
 9 provisions related to provisional certificates;
 10 requiring the Florida Building Code Administrators and
 11 Inspectors Board to establish rules; amending s.
 12 468.617, F.S.; authorizing specified entities to
 13 contract for the provision of building code
 14 administrator and building official services; amending
 15 s. 468.8313, F.S.; providing conditions for the
 16 department to review and approve certain examinations;
 17 amending s. 553.791, F.S.; conforming provisions;
 18 revising a definition; amending ss. 468.609, 471.045,
 19 and 481.222; conforming cross-references; providing an
 20 effective date.

21
 22 Be It Enacted by the Legislature of the State of Florida:

23
 24 Section 1. Section 468.603, Florida Statutes, is amended
 25 to read:

26 468.603 Definitions.—As used in this part:

27 (1)~~(3)~~ "Board" means the Florida Building Code
 28 Administrators and Inspectors Board.

29 (2)~~(1)~~ "Building code administrator" or "building
 30 official" means any of those employees of municipal or county
 31 governments, or any person contracted, with building
 32 construction regulation responsibilities who are charged with
 33 the responsibility for direct regulatory administration or
 34 supervision of plan review, enforcement, or inspection of
 35 building construction, erection, repair, addition, remodeling,
 36 demolition, or alteration projects that require permitting
 37 indicating compliance with building, plumbing, mechanical,
 38 electrical, gas, fire prevention, energy, accessibility, and
 39 other construction codes as required by state law or municipal
 40 or county ordinance. This term is synonymous with "building
 41 official" as used in the ~~administrative chapter of the Standard~~
 42 ~~Building Code and the South Florida Building Code.~~ One person
 43 employed or contracted by each municipal or county government as
 44 a building code administrator or building official and who is so
 45 certified under this part may be authorized to perform any plan
 46 review or inspection for which certification is required by this
 47 part.

48 (3)~~(8)~~ "Building code enforcement official" or
 49 "enforcement official" means a licensed building code
 50 administrator, building code inspector, or plans examiner.

51 ~~(4)(2)~~ "Building code inspector" means any of those
52 employees of local governments or state agencies, or any person
53 contracted, with building construction regulation
54 responsibilities who themselves conduct inspections of building
55 construction, erection, repair, addition, or alteration projects
56 that require permitting indicating compliance with building,
57 plumbing, mechanical, electrical, gas, fire prevention, energy,
58 accessibility, and other construction codes as required by state
59 law or municipal or county ordinance.

60 ~~(5)(6)~~ "Categories of building code inspectors" include
61 the following:

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

66 (b) "Coastal construction inspector" means a person who is
67 qualified to inspect and determine that buildings and structures
68 are constructed to resist near-hurricane and hurricane velocity
69 winds in accordance with the provisions of the governing
70 building code.

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

75 ~~(d)(h)~~ "Electrical inspector" means a person who is

76 | qualified to inspect and determine the electrical safety of
77 | commercial and residential buildings and accessory structures by
78 | inspecting for compliance with the provisions of the National
79 | Electrical Code.

80 | (e) "Mechanical inspector" means a person who is qualified
81 | to inspect and determine that the mechanical installations and
82 | systems for buildings and structures are in compliance with the
83 | provisions of the governing mechanical code.

84 | (f)~~(g)~~ "One and two family dwelling inspector" means a
85 | person who is qualified to inspect and determine that one and
86 | two family dwellings and accessory structures are constructed in
87 | accordance with the provisions of the governing building,
88 | plumbing, mechanical, accessibility, and electrical codes.

89 | (g)~~(f)~~ "Plumbing inspector" means a person who is
90 | qualified to inspect and determine that the plumbing
91 | installations and systems for buildings and structures are in
92 | compliance with the provisions of the governing plumbing code.

93 | (h)~~(d)~~ "Residential electrical inspector" means a person
94 | who is qualified to inspect and determine the electrical safety
95 | of one and two family dwellings and accessory structures by
96 | inspecting for compliance with the applicable provisions of the
97 | governing electrical code.

98 | (6)~~(5)~~ "Certificate" means a certificate of qualification
99 | issued by the department as provided in this part.

100 | (7)~~(4)~~ "Department" means the Department of Business and

101 Professional Regulation.

102 (8)~~(7)~~ "Plans examiner" means a person who is qualified to
103 determine that plans submitted for purposes of obtaining
104 building and other permits comply with the applicable building,
105 plumbing, mechanical, electrical, gas, fire prevention, energy,
106 accessibility, and other applicable construction codes. The term
107 includes a residential plans examiner who is qualified to
108 determine that plans submitted for purposes of obtaining
109 building and other permits comply with the applicable
110 residential building, plumbing, mechanical, electrical, gas,
111 energy, accessibility, and other applicable construction codes.

112 Categories of plans examiners include:

- 113 (a) Building plans examiner.
- 114 (b) Plumbing plans examiner.
- 115 (c) Mechanical plans examiner.
- 116 (d) Electrical plans examiner.

117 Section 2. Paragraph (c) of subsection (2), paragraphs (a)
118 and (d) of subsection (7), and subsection (10) of section
119 468.609, Florida Statutes, are amended to read:

120 468.609 Administration of this part; standards for
121 certification; additional categories of certification.—

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

- 125 (c) Meets eligibility requirements according to one of the

126 following criteria:

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

130 2. Demonstrates a combination of postsecondary education
131 in the field of construction or a related field and experience
132 which totals 4 years, with at least 1 year of such total being
133 experience in construction, building code inspection, or plans
134 review;

135 3. Demonstrates a combination of technical education in
136 the field of construction or a related field and experience
137 which totals 4 years, with at least 1 year of such total being
138 experience in construction, building code inspection, or plans
139 review;

140 4. Currently holds a standard certificate issued by the
141 board or a firesafety inspector license issued pursuant to
142 chapter 633, has a minimum of 3 years' verifiable full-time
143 experience in inspection or plan review, and has satisfactorily
144 completed a building code inspector or plans examiner training
145 program that provides at least 100 hours but not more than 200
146 hours of cross-training in the certification category sought.
147 The board shall establish by rule criteria for the development
148 and implementation of the training programs. The board shall
149 accept all classroom training offered by an approved provider if
150 the content substantially meets the intent of the classroom

151 component of the training program;

152 5. Demonstrates a combination of the completion of an
153 approved training program in the field of building code
154 inspection or plan review and a minimum of 2 years' experience
155 in the field of building code inspection, plan review, fire code
156 inspections and fire plans review of new buildings as a
157 firesafety inspector certified under s. 633.216, or
158 construction. The approved training portion of this requirement
159 shall include proof of satisfactory completion of a training
160 program that provides at least 200 hours but not more than 300
161 hours of cross-training that is approved by the board in the
162 chosen category of building code inspection or plan review in
163 the certification category sought with at least 20 hours but not
164 more than 30 hours of instruction in state laws, rules, and
165 ethics relating to professional standards of practice, duties,
166 and responsibilities of a certificateholder. The board shall
167 coordinate with the Building Officials Association of Florida,
168 Inc., to establish by rule the development and implementation of
169 the training program. However, the board shall accept all
170 classroom training offered by an approved provider if the
171 content substantially meets the intent of the classroom
172 component of the training program; ~~or~~

173 6. Currently holds a standard certificate issued by the
174 board or a firesafety inspector license issued pursuant to
175 chapter 633 and:

176 a. Has at least 5 years' verifiable full-time experience
177 as an inspector or plans examiner in a standard certification
178 category currently held or has a minimum of 5 years' verifiable
179 full-time experience as a firesafety inspector licensed pursuant
180 to chapter 633.

181 b. Has satisfactorily completed a building code inspector
182 or plans examiner classroom training course or program that
183 provides at least 200 but not more than 300 hours in the
184 certification category sought, except for one-family and two-
185 family dwelling training programs, which must provide at least
186 500 but not more than 800 hours of training as prescribed by the
187 board. The board shall establish by rule criteria for the
188 development and implementation of classroom training courses and
189 programs in each certification category; or

190 7.a. Has completed a 4-year internship certification
191 program as a building code inspector or plans examiner while
192 employed full-time by a municipality, county, or other
193 governmental jurisdiction, under the direct supervision of a
194 certified building official. Proof of graduation with a related
195 vocational degree or college degree or of verifiable work
196 experience may be exchanged for the internship experience
197 requirement year-for-year, but may reduce the requirement to no
198 less than 1 year.

199 b. Has passed an examination administered by the
200 International Code Council in the certification category sought.

201 Such examination must be passed before beginning the internship
202 certification program.

203 c. Has passed the principles and practice examination
204 before completing the internship certification program.

205 d. Has passed a board-approved 40-hour code training
206 course in the certification category sought before completing
207 the internship certification program.

208 e. Has obtained a favorable recommendation from the
209 supervising building official after completion of the internship
210 certification program.

211 (7) (a) The board shall provide for the issuance of
212 provisional certificates valid for 1 year, as specified by board
213 rule, to any ~~newly employed or promoted~~ building code inspector
214 or plans examiner who meets the eligibility requirements
215 described in subsection (2) and any newly employed or promoted
216 building code administrator who meets the eligibility
217 requirements described in subsection (3). The provisional
218 license may be renewed by the board for just cause; however, a
219 provisional license is not valid for longer than 3 years.

220 (d) A ~~newly employed or hired~~ person may perform the
221 duties of a plans examiner or building code inspector for 120
222 days if a provisional certificate application has been submitted
223 if such person is under the direct supervision of a certified
224 building code administrator who holds a standard certification
225 and who has found such person qualified for a provisional

226 certificate. Direct supervision and the determination of
227 qualifications may also be provided by a building code
228 administrator who holds a limited or provisional certificate in
229 a county having a population of fewer than 75,000 and in a
230 municipality located within such county.

231 (10) (a) The board may by rule create categories of
232 certification in addition to those defined in s. 468.603(5) and
233 (8) ~~468.603(6) and (7)~~. Such certification categories shall not
234 be mandatory and shall not act to diminish the scope of any
235 certificate created by statute.

236 (b) The board shall by rule establish:

237 1. Reciprocity of certification with any other state that
238 requires an examination administered by the International Code
239 Council.

240 2. An applicant for certification as a building code
241 inspector or plans examiner may perform related duties during
242 the first 120 days after such applicant's initial application to
243 the board.

244 3. An applicant for certification as a building code
245 inspector or plans examiner may apply for a 1-year provisional
246 certificate before completing the internship certification
247 program if the applicant has not passed the principals and
248 practice examination or 40-hour code training course.

249 4. Partial completion of an internship program may be
250 transferred between jurisdictions on a form prescribed by the

251 board.

252 5. An applicant may apply for a standard certificate on a
253 form prescribed by the board upon successful completion of an
254 internship certification program.

255 6. An applicant may apply for a standard certificate at
256 least 30 days and no more than 60 days before completing the
257 internship certification program.

258 7. A building code inspector or plans examiner who has
259 standard certification may seek an additional certification in
260 another category by completing an additional nonconcurrent 1-
261 year internship program in the certification category sought and
262 passing an examination administered by the International Code
263 Council and a board-approved 40-hour code training course.

264 Section 3. Subsection (3) of section 468.617, Florida
265 Statutes, is amended to read:

266 468.617 Joint building code inspection department; other
267 arrangements.—

268 (3) Nothing in this part shall prohibit any county or
269 municipal government, school board, community college board,
270 state university, or state agency from entering into any
271 contract with any person or entity for the provision of building
272 code administrator, building official, or building code
273 inspection services regulated under this part, and
274 notwithstanding any other statutory provision, such county or
275 municipal governments may enter into contracts.

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

278 468.8313 Examinations.—

279 (4) The department may review and approve examinations by
 280 a nationally recognized entity that offers programs or sets
 281 standards that ensure competence as a home inspector, provided
 282 that only examinations meeting the standards of a national
 283 examination as defined by rule and certified by the department
 284 may be approved.

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

287 553.791 Alternative plans review and inspection.—

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

289 (d) "Building code inspection services" means those
 290 services described in s. 468.603(5) and (8) ~~468.603(6) and (7)~~
 291 involving the review of building plans to determine compliance
 292 with applicable codes and those inspections required by law of
 293 each phase of construction for which permitting by a local
 294 enforcement agency is required to determine compliance with
 295 applicable codes.

296 (i) "Private provider" means a person licensed as a
 297 building code administrator under part XII of chapter 468, as an
 298 engineer under chapter 471, or as an architect under chapter
 299 481. For purposes of performing inspections under this section
 300 for additions and alterations that are limited to 1,000 square

301 feet or less to residential buildings, the term "private
302 provider" also includes a person who holds a standard
303 certificate under part XII of chapter 468.

304 Section 6. Subsection (10) of section 468.609, Florida
305 Statutes, is amended to read:

306 468.609 Administration of this part; standards for
307 certification; additional categories of certification.—

308 (10) The board may by rule create categories of
309 certification in addition to those defined in s. 468.603(5) and
310 (8) ~~468.603(6) and (7)~~. Such certification categories shall not
311 be mandatory and shall not act to diminish the scope of any
312 certificate created by statute.

313 Section 7. Section 471.045, Florida Statutes, is amended
314 to read:

315 471.045 Professional engineers performing building code
316 inspector duties.—Notwithstanding any other provision of law, a
317 person who is currently licensed under this chapter to practice
318 as a professional engineer may provide building code inspection
319 services described in s. 468.603(5) and (8) ~~468.603(6) and (7)~~
320 to a local government or state agency upon its request, without
321 being certified by the Florida Building Code Administrators and
322 Inspectors Board under part XII of chapter 468. When performing
323 these building code inspection services, the professional
324 engineer is subject to the disciplinary guidelines of this
325 chapter and s. 468.621(1)(c)-(h). Any complaint processing,

326 investigation, and discipline that arise out of a professional
327 engineer's performing building code inspection services shall be
328 conducted by the Board of Professional Engineers rather than the
329 Florida Building Code Administrators and Inspectors Board. A
330 professional engineer may not perform plans review as an
331 employee of a local government upon any job that the
332 professional engineer or the professional engineer's company
333 designed.

334 Section 8. Section 481.222, Florida Statutes, is amended
335 to read:

336 481.222 Architects performing building code inspection
337 services.—Notwithstanding any other provision of law, a person
338 who is currently licensed to practice as an architect under this
339 part may provide building code inspection services described in
340 s. 468.603(5) and (8) ~~468.603(6) and (7)~~ to a local government
341 or state agency upon its request, without being certified by the
342 Florida Building Code Administrators and Inspectors Board under
343 part XII of chapter 468. With respect to the performance of such
344 building code inspection services, the architect is subject to
345 the disciplinary guidelines of this part and s. 468.621(1)(c)-
346 (h). Any complaint processing, investigation, and discipline
347 that arise out of an architect's performance of building code
348 inspection services shall be conducted by the Board of
349 Architecture and Interior Design rather than the Florida
350 Building Code Administrators and Inspectors Board. An architect

351 | may not perform plans review as an employee of a local
352 | government upon any job that the architect or the architect's
353 | company designed.

354 | Section 9. This act shall take effect July 1, 2017.