

1 A bill to be entitled
2 An act relating to building inspection services;
3 amending s. 468.603, F.S.; providing a definition;
4 amending s. 468.609, F.S.; revising eligibility
5 requirements for a person applying to become certified
6 as a building code inspector or plans examiner;
7 revising the special conditions or requirements that
8 the Florida Building Code Administrators and
9 Inspectors Board may impose on provisional
10 certificates; authorizing a person to perform certain
11 duties under certain conditions if the person is under
12 the direct supervision of a person licensed as a
13 building code official, engineer, or architect;
14 authorizing that partial completion of an internship
15 program be transferred between jurisdictions or
16 private providers, or a private provider's firm;
17 amending s. 553.791, F.S.; limiting the administrative
18 fee that a local jurisdiction can charge when an owner
19 or contractor hires a private provider for inspection
20 services; requiring the local jurisdiction to provide
21 access to certain documents to a private provider,
22 contractor, and owner; providing that a certificate of
23 occupancy or certificate of completion is
24 automatically granted and issued, and the permit
25 application closed, under certain circumstances;

26 requiring the local building official to provide a
 27 written certificate of occupancy or certificate of
 28 completion within a specified time; providing an
 29 effective date.

30
 31 Be It Enacted by the Legislature of the State of Florida:

32
 33 Section 1. Subsection (9) is added to section 468.603,
 34 Florida Statutes, to read:

35 468.603 Definitions.—As used in this part:

36 (9) "Private provider" has the same meaning as in s.
 37 553.791(1)(n).

38 Section 2. Paragraph (c) of subsection (2), paragraphs (c)
 39 and (d) of subsection (7), and paragraph (b) of subsection (10)
 40 of section 468.609, Florida Statutes, are amended to read:

41 468.609 Administration of this part; standards for
 42 certification; additional categories of certification.—

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

46 (c) Meets eligibility requirements according to one of the
 47 following criteria:

48 1. Demonstrates 4 years' combined experience in the field
 49 of construction or a related field, building code inspection, or
 50 plans review corresponding to the certification category sought;

51 2. Demonstrates a combination of postsecondary education
 52 in the field of construction or a related field and experience
 53 which totals 3 years, with at least 1 year of such total being
 54 experience in construction, building code inspection, or plans
 55 review;

56 3. Demonstrates a combination of technical education in
 57 the field of construction or a related field and experience
 58 which totals 3 years, with at least 1 year of such total being
 59 experience in construction, building code inspection, or plans
 60 review;

61 4. Currently holds a standard certificate issued by the
 62 board or a firesafety inspector license issued under ~~pursuant to~~
 63 chapter 633, with a minimum of 3 years' verifiable full-time
 64 experience in firesafety inspection or firesafety plan review,
 65 and has satisfactorily completed a building code inspector or
 66 plans examiner training program that provides at least 100 hours
 67 but not more than 200 hours of cross-training in the
 68 certification category sought. The board shall establish by rule
 69 criteria for the development and implementation of the training
 70 programs. The board must ~~shall~~ accept all classroom training
 71 offered by an approved provider if the content substantially
 72 meets the intent of the classroom component of the training
 73 program;

74 5. Demonstrates a combination of the completion of an
 75 approved training program in the field of building code

76 inspection or plan review and a minimum of 2 years' experience
 77 in the field of building code inspection, plan review, fire code
 78 inspections and fire plans review of new buildings as a
 79 firesafety inspector certified under s. 633.216, or
 80 construction. The approved training portion of this requirement
 81 must ~~shall~~ include proof of satisfactory completion of a
 82 training program that provides at least 200 hours but not more
 83 than 300 hours of cross-training that is approved by the board
 84 in the chosen category of building code inspection or plan
 85 review in the certification category sought with at least 20
 86 hours but not more than 30 hours of instruction in state laws,
 87 rules, and ethics relating to professional standards of
 88 practice, duties, and responsibilities of a certificateholder.
 89 The board shall coordinate with the Building Officials
 90 Association of Florida, Inc., to establish by rule the
 91 development and implementation of the training program. However,
 92 the board must ~~shall~~ accept all classroom training offered by an
 93 approved provider if the content substantially meets the intent
 94 of the classroom component of the training program;

95 6. Currently holds a standard certificate issued by the
 96 board or a firesafety inspector license issued under ~~pursuant to~~
 97 chapter 633 and:

98 a. Has at least 4 years' verifiable full-time experience
 99 as an inspector or plans examiner in a standard certification
 100 category currently held or has a minimum of 4 years' verifiable

101 full-time experience as a firesafety inspector licensed under
102 ~~pursuant to~~ chapter 633.

103 b. Has satisfactorily completed a building code inspector
104 or plans examiner classroom training course or program that
105 provides at least 200 but not more than 300 hours in the
106 certification category sought, except for residential ~~one-family~~
107 ~~and two-family dwelling~~ training programs, which must provide at
108 least 500 but not more than 800 hours of training as prescribed
109 by the board. The board shall establish by rule criteria for the
110 development and implementation of classroom training courses and
111 programs in each certification category; or

112 7.a. Has completed a 4-year internship certification
113 program as a building code inspector or plans examiner while
114 also employed full-time by a municipality, county, or other
115 governmental jurisdiction, under the direct supervision of a
116 certified building official. A person may also complete the
117 internship certification program while employed full-time by a
118 private provider or a private provider's firm that performs the
119 services of a building code inspector or plans examiner, while
120 under the direct supervision of the private provider who must be
121 a certified building official or a person licensed as an
122 engineer under chapter 471 or an architect under chapter 481.
123 Proof of graduation with a related vocational degree or college
124 degree or of verifiable work experience may be exchanged for the
125 internship experience requirement year-for-year, but may reduce

126 | the requirement to no less than 1 year.

127 | b. Has passed an examination administered by the
 128 | International Code Council in the certification category sought.
 129 | Such examination must be passed before beginning the internship
 130 | certification program.

131 | c. Has passed the principles and practice examination
 132 | before completing the internship certification program.

133 | d. Has passed a board-approved 40-hour code training
 134 | course in the certification category sought before completing
 135 | the internship certification program.

136 | e. Has obtained a favorable recommendation from the
 137 | supervising building official, engineer, or architect after
 138 | completion of the internship certification program.

139 | (7)

140 | (c) The board shall provide for appropriate levels of
 141 | provisional certificates and may issue these certificates with
 142 | such special conditions or requirements ~~relating to the place of~~
 143 | ~~employment of the person holding the certificate, the~~
 144 | ~~supervision of such person on a consulting or advisory basis, or~~
 145 | ~~other matters~~ as the board deems ~~may deem~~ necessary to protect
 146 | the public safety and health. The board may not place a special
 147 | condition or requirement on a provisional certificate with
 148 | respect to the requirement of employment by a municipality,
 149 | county, or other local government agency.

150 | (d) A person may perform the duties of a plans examiner or

151 building code inspector for 120 days if a provisional
152 certificate application has been submitted if such person is
153 under the direct supervision of a person licensed as a ~~certified~~
154 building code administrator under this part ~~who holds a standard~~
155 ~~certification~~ and who has found such person qualified for a
156 provisional certificate. Direct supervision and the
157 determination of qualifications may also be provided by a
158 building code administrator who holds a limited or provisional
159 certificate in a county having a population of fewer than 75,000
160 and in a municipality located within such county.

161 (10)

162 (b) The board shall by rule establish:

163 1. Reciprocity of certification with any other state that
164 requires an examination administered by the International Code
165 Council.

166 2. That an applicant for certification as a building code
167 inspector or plans examiner may apply for a provisional
168 certificate valid for the duration of the internship period.

169 3. That partial completion of an internship program may be
170 transferred between jurisdictions or private providers, or a
171 private provider's firm, on a form prescribed by the board.

172 4. That an applicant may apply for a standard certificate
173 on a form prescribed by the board upon successful completion of
174 an internship certification program.

175 5. That an applicant may apply for a standard certificate

176 | at least 30 days but ~~and~~ no more than 60 days before completing
 177 | the internship certification program.

178 | 6. That a building code inspector or plans examiner who
 179 | has standard certification may seek an additional certification
 180 | in another category by completing an additional nonconcurrent 1-
 181 | year internship program in the certification category sought and
 182 | passing an examination administered by the International Code
 183 | Council and a board-approved 40-hour code training course.

184 | Section 3. Paragraph (b) of subsection (2) and subsection
 185 | (13) of section 553.791, Florida Statutes, are amended, and
 186 | paragraph (c) is added to subsection (2) of that section, to
 187 | read:

188 | 553.791 Alternative plans review and inspection.—

189 | (2)

190 | (b) If an owner or contractor retains a private provider
 191 | for purposes of plans review or building inspection services,
 192 | the local jurisdiction must reduce the permit fee by the amount
 193 | of cost savings realized by the local enforcement agency for not
 194 | having to perform such services. Such reduction may be
 195 | calculated on a flat fee or percentage basis, or any other
 196 | reasonable means by which a local enforcement agency assesses
 197 | the cost for its plans review or inspection services. The local
 198 | jurisdiction may not charge fees for building inspections if the
 199 | fee owner or contractor hires a private provider to perform such
 200 | services; however, the local jurisdiction may charge a

201 reasonable administrative fee, which shall be based on the cost
202 that is actually incurred, including the labor cost of the
203 personnel providing the service, by the local jurisdiction or
204 attributable to the local jurisdiction for the clerical and
205 supervisory assistance required, or both.

206 (c) If an owner or contractor retains a private provider
207 for purposes of plans review or building inspection services,
208 the local jurisdiction must provide equal access to all
209 permitting and inspection documents and reports to the private
210 provider, owner, and contractor.

211 (13) No more than 2 business days after receipt of a
212 request for a certificate of occupancy or certificate of
213 completion and the applicant's presentation of a certificate of
214 compliance and approval of all other government approvals
215 required by law, the local building official shall issue the
216 certificate of occupancy or certificate of completion or provide
217 a notice to the applicant identifying the specific deficiencies,
218 as well as the specific code chapters and sections. If the local
219 building official does not provide notice of the deficiencies
220 within the prescribed 2-day period, the request for a
221 certificate of occupancy or certificate of completion is
222 automatically shall be deemed granted and considered the
223 ~~certificate of occupancy or certificate of completion shall be~~
224 ~~issued as of by the local building official on the next business~~
225 ~~day, and the permit is closed. The local building official must~~

CS/HB 423

2022

226 | provide the applicant with the written certificate of occupancy
227 | or certificate of completion within 10 days after it is
228 | automatically granted and issued. To resolve any identified
229 | deficiencies, the applicant may elect to dispute the
230 | deficiencies pursuant to subsection (14) or to submit a
231 | corrected request for a certificate of occupancy or certificate
232 | of completion.

233 | Section 4. This act shall take effect July 1, 2022.