



917558

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/16/2023	.	
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The Committee on Commerce and Tourism (Collins) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 62 and 63  
insert:

Section 3. Paragraphs (a) and (b) of subsection (16) of  
section 633.202, Florida Statutes, are amended to read:

633.202 Florida Fire Prevention Code.—

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

1. "Agricultural pole barn" means a nonresidential farm  
building in which 70 percent or more of the perimeter walls are



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11 permanently open and allow free ingress and egress.

12 2. "Drone port" has the same meaning as in s. 330.41(2).

13 3. "Nonresidential farm building" has the same meaning as  
14 provided in s. 604.50.

15 (b) Notwithstanding any other provision of law:

16 1. A nonresidential farm building in which the occupancy is  
17 limited by the property owner to no more than 35 persons is  
18 exempt from the Florida Fire Prevention Code, including the  
19 national codes and Life Safety Code incorporated by reference.

20 2. An agricultural pole barn is exempt from the Florida  
21 Fire Prevention Code, including the national codes and the Life  
22 Safety Code incorporated by reference.

23 3. Except for an agricultural pole barn, a structure on a  
24 farm, as defined in s. 823.14(3)(c), which is used by an owner  
25 for agritourism activity, as defined in s. 570.86, for which the  
26 owner receives consideration must be classified in one of the  
27 following classes:

28 a. Class 1: A nonresidential farm building that is used by  
29 the owner 12 or fewer times per year for agritourism activity  
30 with up to 100 persons occupying the structure at one time. A  
31 structure in this class is subject to annual inspection for  
32 classification by the local authority having jurisdiction. This  
33 class is not subject to the Florida Fire Prevention Code but is  
34 subject to rules adopted by the State Fire Marshal pursuant to  
35 this section.

36 b. Class 2: A nonresidential farm building that is used by  
37 the owner for agritourism activity with up to 300 persons  
38 occupying the structure at one time. A structure in this class  
39 is subject to annual inspection for classification by the local



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40 authority having jurisdiction. This class is not subject to the  
41 Florida Fire Prevention Code but is subject to rules adopted by  
42 the State Fire Marshal pursuant to this section.

43 c. Class 3: A structure or facility that is used primarily  
44 for housing, sheltering, or otherwise accommodating members of  
45 the general public. A structure or facility in this class is  
46 subject to annual inspection for classification by the local  
47 authority having jurisdiction. This class is subject to the  
48 Florida Fire Prevention Code.

49 4. A drone port is exempt from the Florida Fire Prevention  
50 Code, including the national codes and the Life Safety Code  
51 incorporated by reference.

52  
53 ===== T I T L E A M E N D M E N T =====

54 And the title is amended as follows:

55 Delete line 7

56 and insert:

57 the Florida Building Code; amending s. 633.202, F.S.;  
58 defining the term "drone port"; exempting drone ports  
59 from the Florida Fire Prevention Code and other  
60 specified codes incorporated by reference; providing  
61 an effective