

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: Local Administration,  
 2 Federal Affairs & Special Districts Subcommittee  
 3 Representative Brackett offered the following:

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
 7 Section 1. Subsection (18) of section 633.202, Florida  
 8 Statutes, is amended to read:

9 633.202 Florida Fire Prevention Code.—

10 (18) (a) The authority having jurisdiction shall determine  
 11 the minimum radio signal strength for fire department  
 12 communications in all new and existing buildings. Two-way radio  
 13 communication enhancement systems or equivalent systems may be  
 14 used to comply with the minimum radio signal strength  
 15 requirements. However, two-way radio communication enhancement  
 16 systems or equivalent systems are not required in apartment

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17 buildings 75 feet or less in height that are constructed using  
18 wood framing, provided that the building has less than 150  
19 dwelling units and that all dwelling units discharge to the  
20 exterior or to a corridor that leads directly to an exit as  
21 defined by the Florida Building Code. Evidence of wood frame  
22 construction shall be shown by the owner providing building  
23 permit documentation which identifies the construction type as  
24 wood frame. Existing high-rise buildings as defined by the  
25 Florida Building Code are not required to comply with minimum  
26 radio strength for fire department communications and two-way  
27 radio communication enhancement systems as required by the  
28 Florida Fire Prevention Code until January 1, 2025. However, by  
29 January 1, 2024, an existing high-rise building that is not in  
30 compliance with the requirements for minimum radio strength for  
31 fire department communications must apply for an appropriate  
32 permit for the required installation with the local government  
33 agency having jurisdiction and must demonstrate that the  
34 building will become compliant by January 1, 2025. Existing  
35 high-rise apartment buildings are not required to comply until  
36 January 1, 2025. However, existing high-rise apartment buildings  
37 are required to apply for the appropriate permit for the  
38 required communications installation by January 1, 2024.

39 (b) Except as modified within this subsection, all new and  
40 existing buildings shall meet the minimum radio signal strength

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41 requirements for public safety agency communications as provided  
42 within the Florida Fire Prevention Code.

43 (c) The local authority having jurisdiction, as defined  
44 within the Florida Fire Prevention Code, may:

45 1. Require the installation of a two-way radio  
46 communications enhancement system in a new or existing building  
47 if the interior of the building does not meet the minimum radio  
48 signal strength as required in the Florida Fire Prevention Code.

49 2. Require assessment of a new or existing building's  
50 interior radio coverage and signal strength, for purposes of  
51 determining the need for a two-way radio communications  
52 enhancement system within the building, no more frequently than  
53 once every 3 years for existing high-rise buildings and existing  
54 buildings over 15,000 total gross square feet; once every 5  
55 years for all other existing buildings; unless such building  
56 undergoes Level III building alteration or rehabilitation, as  
57 defined in the Florida Building Code, or reconstruction as  
58 determined by the Florida Fire Prevention Code; or upon  
59 determination of an imminent life safety threat to responders.

60 3. Any modification to an existing system, or new  
61 installation must have the express consent of the frequency  
62 license holder of the frequencies for which the device, or  
63 system is intended to amplify. The consent must be maintained in  
64 a recordable format that can be presented to a Federal

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65 Communications Commission (FCC) representative, or other  
66 relevant agency investigating radio interference.

67 (d) Where public safety agency communications signal  
68 strength or delivered audio quality, as defined by the Florida  
69 Fire Prevention Code, is determined by the local authority  
70 having jurisdiction to be inadequate at the grade level on the  
71 street side of the exterior of the building a two-way radio  
72 communications enhancement system or minimum radio strength  
73 assessment shall not be required.

74 (f) If a jurisdiction modifies its public safety emergency  
75 communications system such that modifications to existing two-  
76 way radio communications enhancement system installations are  
77 required, the local authority having jurisdiction must give  
78 owners of the two-way radio communications enhancement systems  
79 at least 180-days' notice before requiring any modifications.

80 (g) Notwithstanding paragraph (e), a local authority having  
81 jurisdiction that requires an existing building to retrofit its  
82 two-way radio communications enhancement system after the  
83 effective dates in paragraph (e), must give the building owner  
84 at least 1 year to complete the retrofit. The 1-year period  
85 begins when the local authority having jurisdiction cites the  
86 building owner with a notice of code violation in accordance  
87 with chapter 162.

88 (h) Exceptions. The following occupancies or buildings are  
89 not required to meet the minimum radio signal strength

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90 requirements or radio signal strength assessment for public  
91 safety agency communications:

92 (1) One-and two-family dwellings and townhouses,

93 (2) Buildings less than 7,500 total gross square feet,

94 (3) Apartments and transient public lodging establishments  
95 which are less than three stories and that have direct access  
96 from the apartment or guest area to an exterior means of egress.

97 (i) The provisions of s. 633.208 and this section which  
98 authorize local adoption of more stringent requirements than  
99 those specified in the Florida Fire Prevention Code and minimum  
100 firesafety codes do not apply to the requirements of this  
101 subsection. The local authority having jurisdiction may not  
102 enforce requirements that are more stringent than those  
103 specified in the Florida Fire Prevention Code and the provisions  
104 of this subsection with respect to the requirement for, design  
105 of, or installation of a two-way radio communications  
106 enhancement system.

107 (j) The State Fire Marshal shall incorporate this  
108 subsection within sections of the Florida Fire Prevention Code  
109 and may adopt rules to implement, interpret, and enforce this  
110 subsection.

111 Section 2. Subsection (23) of section 553.79, Florida  
112 Statutes, is added to read:

113 553.79 Permits; applications; issuance; inspections.—

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114       (23) When assessment of a new building's interior radio  
115 coverage and signal strength under the Florida Fire Prevention  
116 Code determines that installation of a two-way radio  
117 communications enhancement system is required, the local  
118 jurisdiction may not withhold issuance of a temporary  
119 certificate of occupancy for the building. The professional  
120 engineer or architect who is licensed in the state shall design  
121 new construction for the inclusion of conduits in stairwells for  
122 future retrofit access and shall repeat the radio assessment  
123 within 90 days of the issuance of the temporary certificate of  
124 occupancy to determine if the interior of the building meets the  
125 minimum interior coverage and signal strength requirements. If  
126 the additional radio assessment fails to meet the interior  
127 minimum radio strength requirements the local jurisdiction shall  
128 require the installation of the two-way radio communications  
129 enhancement system within 180 days after the issuance of a  
130 temporary certificate of occupancy. The temporary certificate of  
131 occupancy extension shall not be unnecessarily withheld.

132       Section 3. Paragraph (f) is added to subsection (3) of  
133 section 843.16, Florida Statutes, to read:

134       843.16 Unlawful to install or transport radio equipment  
135 using assigned frequency of state or law enforcement officers;  
136 definitions; exceptions; penalties.-

137       (3) This section does not apply to the following:

