

By Senator Rodriguez

40-01569A-23

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1                   A bill to be entitled  
2       An act relating to public safety emergency  
3       communications systems; amending s. 633.202, F.S.;  
4       requiring a qualified third party to make a specified  
5       certification before a local authority having  
6       jurisdiction may require an assessment of the need for  
7       or the installation of a two-way radio communications  
8       enhancement system in certain buildings; specifying  
9       the length of time such certification is valid;  
10      limiting the number of times, under certain  
11      circumstances, that the local authority having  
12      jurisdiction may require a specified assessment;  
13      prohibiting the local authority having jurisdiction  
14      from withholding a certificate of occupancy under  
15      certain circumstances and from requiring the  
16      installation of a specified system within a certain  
17      time period after completion of a specified report;  
18      providing an effective date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

21  
22       Section 1. Subsection (18) of section 633.202, Florida  
23 Statutes, is amended to read:

24       633.202 Florida Fire Prevention Code.—

25       (18) (a) The authority having jurisdiction shall determine  
26 the minimum radio signal strength for fire department  
27 communications in all new and existing buildings.

28       (b) Two-way radio communication enhancement systems or  
29 equivalent systems may be used to comply with the minimum radio

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30 signal strength requirements. However, two-way radio  
31 communication enhancement systems or equivalent systems are not  
32 required in apartment buildings 75 feet or less in height that  
33 are constructed using wood framing, provided that the building  
34 has less than 150 dwelling units and that all dwelling units  
35 discharge to the exterior or to a corridor that leads directly  
36 to an exit as defined by the Florida Building Code. Evidence of  
37 wood frame construction shall be shown by the owner providing  
38 building permit documentation which identifies the construction  
39 type as wood frame.

40 (c) Before a local authority having jurisdiction may  
41 require an assessment of the need for or the installation of a  
42 two-way radio communications enhancement system in a new or  
43 existing building, a qualified third party must certify that the  
44 jurisdiction's public safety emergency communications system  
45 meets or exceeds the minimum radio coverage design criteria for  
46 emergency services communications systems in the current edition  
47 of the National Fire Protection Association (NFPA) 1221:  
48 Standard for the Installation, Maintenance, and Use of Emergency  
49 Services Communications Systems. Such certification is valid  
50 until the next triennial adoption of the Florida Fire Prevention  
51 Code which incorporates any changes made to NFPA 1221.

52 (d) If a jurisdiction has a valid radio coverage design  
53 certification under paragraph (c), the local authority having  
54 jurisdiction may only require an assessment of a new or existing  
55 building's interior radio coverage and signal strength in such  
56 building once every 3 years for high-rise buildings or once  
57 every 5 years for any other buildings in order to determine the  
58 need for a two-way radio communications enhancement system.

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59       (e)1. If an assessment of a new building's interior radio  
60 coverage and signal strength determines that installation of a  
61 two-way radio communications enhancement system is required, the  
62 local authority having jurisdiction may not withhold the  
63 issuance of a certificate of occupancy for the building if the  
64 registered architect or professional engineer who designed the  
65 building determines, in his or her professional judgment, that a  
66 two-way radio communications enhancement system is not necessary  
67 in order for the building to meet the minimum standards for  
68 interior radio coverage and signal strength.

69       2. The local authority having jurisdiction may not require  
70 the installation of a two-way radio communications enhancement  
71 system until at least 90 days after the building's interior  
72 radio coverage and signal strength assessment report is  
73 completed.

74       (f) Existing high-rise buildings as defined by the Florida  
75 Building Code are not required to comply with minimum radio  
76 strength for fire department communications and two-way radio  
77 communication enhancement systems as required by the Florida  
78 Fire Prevention Code until January 1, 2025. However, by January  
79 1, 2024, an existing high-rise building that is not in  
80 compliance with the requirements for minimum radio strength for  
81 fire department communications must apply for an appropriate  
82 permit for the required installation with the local government  
83 agency having jurisdiction and must demonstrate that the  
84 building will become compliant by January 1, 2025. Existing  
85 high-rise apartment buildings are not required to comply until  
86 January 1, 2025. However, existing high-rise apartment buildings  
87 are required to apply for the appropriate permit for the

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88 required communications installation by January 1, 2024.

89 Section 2. This act shall take effect July 1, 2023.