



26 | the permitholder if a municipality, county, or special  
 27 | district requires substantive changes to building  
 28 | plans after a permit is issued; providing that a local  
 29 | fire official who is a certified firesafety inspector  
 30 | is subject to disciplinary action under certain  
 31 | circumstances; providing an effective date.

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33 | Be It Enacted by the Legislature of the State of Florida:

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35 | Section 1. Paragraphs (f) and (i) of subsection (3) of  
 36 | section 489.105, Florida Statutes, are amended to read:

37 | 489.105 Definitions.—As used in this part:

38 | (3) "Contractor" means the person who is qualified for,  
 39 | and is only responsible for, the project contracted for and  
 40 | means, except as exempted in this part, the person who, for  
 41 | compensation, undertakes to, submits a bid to, or does himself  
 42 | or herself or by others construct, repair, alter, remodel, add  
 43 | to, demolish, subtract from, or improve any building or  
 44 | structure, including related improvements to real estate, for  
 45 | others or for resale to others; and whose job scope is  
 46 | substantially similar to the job scope described in one of the  
 47 | paragraphs of this subsection. For the purposes of regulation  
 48 | under this part, the term "demolish" applies only to demolition  
 49 | of steel tanks more than 50 feet in height; towers more than 50  
 50 | feet in height; other structures more than 50 feet in height;

51 and all buildings or residences. Contractors are subdivided into  
52 two divisions, Division I, consisting of those contractors  
53 defined in paragraphs (a)-(c), and Division II, consisting of  
54 those contractors defined in paragraphs (d)-(q):

55 (f) "Class A air-conditioning contractor" means a  
56 contractor whose services are unlimited in the execution of  
57 contracts requiring the experience, knowledge, and skill to  
58 install, maintain, repair, fabricate, alter, extend, or design,  
59 if not prohibited by law, central air-conditioning,  
60 refrigeration, heating, and ventilating systems, including duct  
61 work in connection with a complete system if such duct work is  
62 performed by the contractor as necessary to complete an air-  
63 distribution system, boiler and unfired pressure vessel systems,  
64 and all appurtenances, apparatus, or equipment used in  
65 connection therewith, and any duct cleaning and equipment  
66 sanitizing that requires at least a partial disassembling of the  
67 system; to install, maintain, repair, fabricate, alter, extend,  
68 or design, if not prohibited by law, piping, insulation of  
69 pipes, vessels and ducts, pressure and process piping, and  
70 pneumatic control piping; to replace, disconnect, or reconnect  
71 power wiring, breakers, or fuses on the load side of the  
72 dedicated existing electrical circuit disconnect switch; to  
73 replace, disconnect, or reconnect power wiring, breakers, or  
74 fuses on the line side directly connected to the dedicated  
75 existing electrical circuit disconnect switch and not the main

76 | breaker; to replace, disconnect, or reconnect air-conditioning  
77 | disconnect switches and boxes; to install, disconnect, and  
78 | reconnect low voltage heating, ventilating, and air-conditioning  
79 | control wiring; and to install a condensate drain from an air-  
80 | conditioning unit to an existing safe waste or other approved  
81 | disposal other than a direct connection to a sanitary system.  
82 | The scope of work for such contractor also includes any  
83 | excavation work incidental thereto, but does not include any  
84 | work such as liquefied petroleum or natural gas fuel lines  
85 | within buildings, except for disconnecting or reconnecting  
86 | changeouts of liquefied petroleum or natural gas appliances  
87 | within buildings; potable water lines or connections thereto;  
88 | sanitary sewer lines; swimming pool piping and filters; or  
89 | electrical power wiring. A Class A air-conditioning contractor  
90 | may test and evaluate central air-conditioning, refrigeration,  
91 | heating, and ventilating systems, including duct work; however,  
92 | a mandatory licensing requirement is not established for the  
93 | performance of these specific services.

94 | (i) "Mechanical contractor" means a contractor whose  
95 | services are unlimited in the execution of contracts requiring  
96 | the experience, knowledge, and skill to install, maintain,  
97 | repair, fabricate, alter, extend, or design, if not prohibited  
98 | by law, central air-conditioning, refrigeration, heating, and  
99 | ventilating systems, including duct work in connection with a  
100 | complete system if such duct work is performed by the contractor

101 as necessary to complete an air-distribution system, boiler and  
102 unfired pressure vessel systems, lift station equipment and  
103 piping, and all appurtenances, apparatus, or equipment used in  
104 connection therewith, and any duct cleaning and equipment  
105 sanitizing that requires at least a partial disassembling of the  
106 system; to install, maintain, repair, fabricate, alter, extend,  
107 or design, if not prohibited by law, piping, insulation of  
108 pipes, vessels and ducts, pressure and process piping, pneumatic  
109 control piping, gasoline tanks and pump installations and piping  
110 for same, standpipes, air piping, vacuum line piping, oxygen  
111 lines, nitrous oxide piping, ink and chemical lines, fuel  
112 transmission lines, liquefied petroleum gas lines within  
113 buildings, and natural gas fuel lines within buildings; to  
114 replace, disconnect, or reconnect power wiring, breakers, or  
115 fuses on the load side of the dedicated existing electrical  
116 circuit disconnect switch; to replace, disconnect, or reconnect  
117 power wiring, breakers, or fuses on the line side directly  
118 connected to the dedicated existing electrical circuit  
119 disconnect switch and not the main breaker; to replace,  
120 disconnect, or reconnect air-conditioning disconnect switches  
121 and boxes; to install, disconnect, and reconnect low voltage  
122 heating, ventilating, and air-conditioning control wiring; and  
123 to install a condensate drain from an air-conditioning unit to  
124 an existing safe waste or other approved disposal other than a  
125 direct connection to a sanitary system. The scope of work for

126 such contractor also includes any excavation work incidental  
 127 thereto, but does not include any work such as potable water  
 128 lines or connections thereto, sanitary sewer lines, swimming  
 129 pool piping and filters, or electrical power wiring. A  
 130 mechanical contractor may test and evaluate central air-  
 131 conditioning, refrigeration, heating, and ventilating systems,  
 132 including duct work; however, a mandatory licensing requirement  
 133 is not established for the performance of these specific  
 134 services.

135 Section 2. Subsection (2) of section 553.79, Florida  
 136 Statutes, is amended to read:

137 553.79 Permits; applications; issuance; inspections.—

138 (2)(a)1. Except as provided in subsection (8), an  
 139 enforcing agency may not issue any permit for construction,  
 140 erection, alteration, modification, repair, or demolition of any  
 141 building or structure until the local building code  
 142 administrator or inspector has reviewed the plans and  
 143 specifications required by the Florida Building Code, or local  
 144 amendment thereto, for such proposal and found the plans to be  
 145 in compliance with the Florida Building Code. If the local  
 146 building code administrator or inspector finds that the plans  
 147 are not in compliance with the Florida Building Code, the local  
 148 building code administrator or inspector shall identify the  
 149 specific plan features that do not comply with the applicable  
 150 codes, identify the specific code chapters and sections upon

151 | which the finding is based, and provide this information to the  
152 | local enforcing agency. If the building code administrator,  
153 | plans examiner, or inspector requests another local enforcing  
154 | agency employee or a person contracted by the local enforcing  
155 | agency to review the plans and such employee or person  
156 | identifies specific plan features that do not comply with the  
157 | applicable codes, the building code administrator, plans  
158 | examiner, or inspector must provide this information to the  
159 | local enforcing agency. The local enforcing agency shall provide  
160 | this information to the permit applicant.

161 |       2. ~~In addition,~~ An enforcing agency may not issue any  
162 | permit for construction, erection, alteration, modification,  
163 | repair, or demolition of any building until the appropriate  
164 | firesafety inspector certified pursuant to s. 633.216 has  
165 | reviewed the plans and specifications required by the Florida  
166 | Building Code, or local amendment thereto, for such proposal and  
167 | found that the plans comply with the Florida Fire Prevention  
168 | Code and the Life Safety Code. Any building or structure which  
169 | is not subject to a firesafety code shall not be required to  
170 | have its plans reviewed by the firesafety inspector.

171 |       3. Any building or structure that is exempt from the local  
172 | building permit process may not be required to have its plans  
173 | reviewed by the local building code administrator. Industrial  
174 | construction on sites where design, construction, and firesafety  
175 | are supervised by appropriate design and inspection

176 professionals and which contain adequate in-house fire  
177 departments and rescue squads is exempt, subject to local  
178 government option, from review of plans and inspections,  
179 providing owners certify that applicable codes and standards  
180 have been met and supply appropriate approved drawings to local  
181 building and firesafety inspectors.

182 4. The enforcing agency shall issue a permit to construct,  
183 erect, alter, modify, repair, or demolish any building or  
184 structure when the plans and specifications for such proposal  
185 comply with the Florida Building Code and the Florida Fire  
186 Prevention Code and the Life Safety Code as determined by the  
187 local authority in accordance with this chapter and chapter 633.

188 (b) After the local enforcing agency issues a permit, the  
189 local enforcing agency may not make or require any substantive  
190 changes to the plans or specifications except changes required  
191 for compliance with the Florida Building Code, the Florida Fire  
192 Prevention Code, or the Life Safety Code, or local amendments  
193 thereto. If a local enforcing agency makes or requires  
194 substantive changes to the plans or specifications after a  
195 permit is issued, the local enforcing agency must identify the  
196 specific plan features that do not comply with the applicable  
197 codes, identify the specific code chapters and sections upon  
198 which the finding is based, and provide the information to the  
199 permitholder in writing.

200       (c)1. A plans examiner or inspector who fails to provide  
 201 the building code administrator with the reasons for making or  
 202 requiring substantive changes to the plans or specifications is  
 203 subject to disciplinary action against his or her certificate  
 204 under s. 468.621(1)(i).

205       2. A building code administrator who fails to provide a  
 206 permit applicant or permitholder with the reasons for making or  
 207 requiring substantive changes to the plans or specifications is  
 208 subject to disciplinary action against his or her certificate  
 209 under s. 468.621(1)(i).

210       Section 3. Subsection (2) of section 633.208, Florida  
 211 Statutes, is amended to read:

212       633.208 Minimum firesafety standards.—

213       (2)(a) Pursuant to subsection (1), each municipality,  
 214 county, and special district with firesafety responsibilities  
 215 shall enforce the Florida Fire Prevention Code as the minimum  
 216 firesafety code required by this section.

217       (b) If a municipality, county, or special district  
 218 determines that the building plans for a building permit  
 219 application do not comply with the Florida Fire Prevention Code  
 220 or Life Safety Code, or local amendments thereto, the local fire  
 221 official must identify the specific plan features that do not  
 222 comply with the applicable codes, identify the specific code  
 223 chapters and sections upon which the determination is based, and  
 224 provide this information to the permit applicant.

225 (c) After a municipality, county, or special district  
 226 issues a building permit, it may not make or require any  
 227 substantive changes to the building plans except those required  
 228 for compliance with the Florida Fire Prevention Code or Life  
 229 Safety Code, or local amendments thereto. If a municipality,  
 230 county, or special district makes or requires substantive  
 231 changes to building plans after a permit is issued, the local  
 232 fire official must identify the specific plan features that do  
 233 not comply with the Florida Fire Prevention Code or Life Safety  
 234 Code, or local amendments thereto, identify the specific code  
 235 chapters and sections upon which the finding is based, and  
 236 provide this information to the permit holder.

237 (d) A local fire official, who is also a certified  
 238 firesafety inspector, who fails to comply with paragraph (b) or  
 239 paragraph (c) is subject to disciplinary action against his or  
 240 her certificate under s. 633.216(5)(f).

241 Section 4. This act shall take effect July 1, 2023.