By Senator Bennett

21-1497-07 See HB 589

A bill to be entitled 2 An act relating to the Florida Building Code; amending s. 553.775, F.S.; requiring the 3 Florida Building Commission to issue formal 4 5 interpretations of the Florida Building Code 6 under certain circumstances; amending s. 7 633.026, F.S.; correcting a cross-reference; 8 providing an effective date. 9 Be It Enacted by the Legislature of the State of Florida: 10 11 12 Section 1. Paragraphs (d) through (q) of subsection 13 (3) of section 553.775, Florida Statutes, are redesignated as paragraphs (e) through (h), respectively, and a new paragraph 14 (d) is added to that subsection to read: 15 553.775 Interpretations.--16 17 (3) The following procedures may be invoked regarding interpretations of the Florida Building Code: 18 19 (d) Upon written application by any substantially affected person, a citizen, contractor, or designer, or a 20 21 group representing a substantially affected person, citizen, contractor, or designer, the commission shall issue or cause 22 23 to be issued a formal interpretation of the Florida Building Code as prescribed by subparagraph (c)1. 2.4 Section 2. Section 633.026, Florida Statutes, is 25 amended to read: 26 27 633.026 Informal interpretations of the Florida Fire Prevention Code. -- The Division of State Fire Marshal shall by rule establish an informal process of rendering nonbinding 29 interpretations of the Florida Fire Prevention Code. The 30 Division of State Fire Marshal may contract with and refer

interpretive issues to a nonprofit organization that has 2 experience in interpreting and enforcing the Florida Fire Prevention Code. The Division of State Fire Marshal shall 3 4 immediately implement the process prior to the completion of formal rulemaking. It is the intent of the Legislature that 5 the Division of State Fire Marshal create a process to refer 7 questions to a small group of individuals certified under s. 8 633.081(2), to which a party can pose questions regarding the interpretation of code provisions. It is the intent of the 9 10 Legislature that the process provide for the expeditious resolution of the issues presented and publication of the 11 12 resulting interpretation on the website of the Division of 13 State Fire Marshal. It is the intent of the Legislature that this program be similar to the program established by the 14 Florida Building Commission in s. 553.775(3)(h)(g). Such 15 interpretations shall be advisory only and nonbinding on the 16 parties or the State Fire Marshal. In order to administer this section, the department may adopt by rule and impose a fee for 18 nonbinding interpretations, with payment made directly to the 19 third party. The fee may not exceed \$150 for each request for 20 21 a review or interpretation. 22 Section 3. This act shall take effect July 1, 2007. 23 2.4 25 26 27 28 29 30 31