

THE FLORIDA SENATE
2013 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/CS/HB 269 — Public Construction Projects

by Regulatory Affairs Committee; Energy and Utilities Subcommittee; and Rep. Beshears and others (CS/CS/SB 156 by Appropriations Committee; Community Affairs Committee; and Senator Detert)

CS/CS/SB 269 amends a number of provisions related to building construction in the state. Specifically the bill:

- requires counties and municipalities to attach disclaimers to development permits which include a condition that all other applicable state or federal permits must be obtained before the commencement of any development;
- revises noticing requirements of alleged violators of local codes and ordinances;
- clarifies that a state agency constructing or renovating certain buildings is required to select a sustainable building rating system or national model green building code;
- requires all state agencies, when constructing public bridges, buildings and other structures, to use lumber, timber, and other forest products produced and manufactured in Florida if such products are available, and their price, fitness, and quality are equal;
- exempts specified septic tank system inspections and evaluations when remodeling a home;
- provides that certain residential construction may not impact sewage treatment or disposal systems or encroach on septic areas as determined by a local health department floor and site plan review;
- provides that amendments enacted in 2012 related to the licensing of contractors and subcontractors are remedial in nature, are intended to clarify existing law, and apply retroactively;
- increases the maximum civil penalty a local governing body may levy against an unlicensed contractor;
- revises local government and the DBPR collection retention percentages for unpaid fines and costs ordered by the Construction Industry Licensing Board;
- removes a requirement that local governments send minor violation notices to contractors prior to seeking fines and other disciplinary penalties;
- extends the grandfathering period for certain registered electrical and alarm system contractors to acquire statewide certified licenses;
- adds a definition for “local technical amendment” in the Florida Building Code;
- clarifies a prohibition to adopt any mandatory sprinkler provisions of the International Residential Code within the Florida Building Code or any local amendments to the state code;
- adds a member to the Florida Building Commission from the natural gas distribution industry;
- authorizes that an electronic copy of a building site plan may be maintained for record retention and inspection purposes at a building site;
- includes “impact protective systems” among the categories of products that receive approval by the Florida Building Commission;

- specifies the DBPR procedures for Florida Building Code product approval compliance and authorizes the process for expedited 10-day approval reviews;
- renames the statewide standard for energy efficiency;
- specifies that residential heating and cooling systems need only meet the manufacturer's approval and listing of equipment;
- eliminates the DBPR's responsibilities regarding a statewide uniform building energy-efficiency rating system;
- creates building energy-efficiency system definitions; and
- provides additional energy-efficiency rating system changes which reflect the DBPR's revised role in the process.

If approved by the Governor, these provisions take effect July 1, 2013.

Vote: Senate 38-0; House 119-0