

Committee on Communications, Energy, and Public Utilities

CS/HB 7147 — Building Construction Policies

by Regulatory Affairs Committee; Energy and Utilities Subcommittee; and Rep. J. Diaz (CS/CS/CS/SB 1044 by Appropriations Committee; Agriculture Committee; Communications, Energy, and Public Utilities Committee; and Senator Simpson)

Southern States Energy Compact

The bill deletes a statutory provision that the Department of Agriculture and Consumer Services (DACS or department) is to represent Florida in the Southern States Energy Compact. It also **authorizes the Commissioner of Agriculture to appoint a member of the Southern States Energy Board**, increasing the Florida membership to a total of four.

Department of Agriculture and Consumer Services & Department's Office of Energy

The bill modifies the department's duties to promote solar energy by requiring that it promote all forms of renewable energy. The DACS is also to study and make recommendations on energy efficiency in its annual report to the Governor and the Legislature. Finally, in aiding and promoting the commercialization of renewable energy, the DACS is to work with the Florida Energy Systems Consortium, in addition to those entities currently listed.

The statutes which create the solar energy and energy-efficient appliance rebate programs (which were operated by the Office of Energy but are no longer operational) are repealed.

The DACS is authorized to post information on its website relating to alternative fueling stations and electric vehicle charging stations that are available to the public.

A representative of the Office of Energy, to be appointed by the Governor, is added to the membership of the Florida Building Commission.

Building Energy-Efficiency Rating System

The bill changes the criteria for the building energy-efficiency rating system, requiring that the system include:

- The ability to provide reliable and scientifically-based analysis of a building's energy consumption or energy features;
- The ability to compare similar building types in similar climate zones;
- Use of standard calculations, formulas, and scoring methods;
- National applicability;
- Clearly defined and researched baselines or benchmarks;
- Ratings that are performed by qualified professionals;
- A labeling and recognition program with specific criteria or levels;
- Residential program benchmarks that must be consistent with national building standards and home energy rating standards; and

- At least one level of oversight performed by a group of professionals with subject matter expertise in energy efficiency, energy rating, and evaluation methods.

Building Construction

The bill allows proof that compensation has been secured for an employer's employees, which is required as a condition of applying for a building permit, to be shown electronically or physically. It also allows site plans or building permits to be maintained at the worksite in the original form or in the form of an electronic copy.

Agencies and local government are prohibited from requiring that existing mechanical equipment located on or above the surface of a roof comply with the requirements of the Florida Building Code relating to roof-mounted mechanical units except when the equipment is being replaced or is being removed during reroofing. In a single-family dwelling, make-up air is not required for range hood exhaust systems capable of exhausting either 400 cubic feet per minute or less or more than 400 cubic feet per minute but no more than 800 cubic feet per minute if there are no gravity vent appliances within the conditioned living space of the structure.

The bill adds inspection criteria that must be adopted by the Florida Building Commission within the Florida Building Code.

Florida Fire Prevention Code

The bill creates smoke alarm battery requirements. A one-family or two-family dwelling or a townhouse that is undergoing a repair may use smoke alarms with a non-removable, non-replaceable, 10-year battery, instead of hardwiring a smoke alarm into the electrical system. Effective January 15, 2015, a battery-powered smoke alarm that is newly installed or replaces an existing battery-powered smoke alarm must be powered by a nonremovable, nonreplaceable battery that powers the alarm for at least 10 years. These battery requirements do not apply to a fire alarm, smoke detector, smoke alarm, or ancillary component that is electronically connected as a part of a centrally monitored or supervised alarm system.

Tents up to 30 feet by 30 feet are exempted from the Florida Fire Prevention Code.

Pool Construction and Operation in Florida

The bill allows the Department of Health (DOH) to grant variances from the Florida Building Code relating to public swimming pools and bathing places when the owner establishes that compliance would be a hardship. It requires building officials to recognize and enforce these variance orders.

The bill creates additional requirements for an application for an operating permit for a public swimming pool, including a requirement that those desiring to construct, develop, or modify a public swimming pool apply to the DOH for an operating permit before applying for a building

permit. Similarly, the bill prohibits a local enforcing agency from issuing a building permit to construct, develop, or modify a public swimming pool without proof of application, whether complete or incomplete, for an operating permit. These provisions take effect October 1, 2014.

If approved by the Governor, except as otherwise provided, these provisions take effect July 1, 2014.

Vote: Senate 38-0; House 117-1