

By Senator Kirkpatrick

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A bill to be entitled
An act relating to firesafety; amending ss.
633.022, 633.085, F.S.; deleting requirements
that state-leased buildings and space be
subject to the same firesafety and inspection
requirements as state-owned buildings and
space; providing an effective date.

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

Section 1. Paragraph (a) of subsection (1) of section
633.022, Florida Statutes, is amended to read:

633.022 Uniform firesafety standards.--The Legislature
hereby determines that to protect the public health, safety,
and welfare it is necessary to provide for firesafety
standards governing the construction and utilization of
certain buildings and structures. The Legislature further
determines that certain buildings or structures, due to their
specialized use or to the special characteristics of the
person utilizing or occupying these buildings or structures,
should be subject to firesafety standards reflecting these
special needs as may be appropriate.

(1) The Department of Insurance shall establish
uniform firesafety standards that apply to:

(a) All new, existing, and proposed state-owned ~~and~~
~~state-leased~~ buildings.

In the event there is a dispute between the owners of the
buildings specified in paragraph (b) and a local authority
requiring a more stringent uniform firesafety standard for
sprinkler systems, the State Fire Marshal shall be the final

1 administrative interpreting authority and the State Fire
2 Marshal's interpretation regarding the uniform firesafety
3 standards shall be considered final agency action.

4 Section 2. Paragraph (a) of subsection (1) and
5 subsections (2), (3), and (4) of section 633.085, Florida
6 Statutes, are amended to read:

7 633.085 Inspections of state buildings and premises;
8 tests of firesafety equipment; building plans to be
9 approved.--

10 (1)(a) It is the duty of the State Fire Marshal and
11 her or his agents to inspect, or cause to be inspected, each
12 state-owned ~~or state-leased~~ building on a recurring basis
13 established by rule, and to ensure that high-hazard
14 occupancies are inspected at least annually, for the purpose
15 of ascertaining and causing to be corrected any conditions
16 liable to cause fire or endanger life from fire and any
17 violation of the firesafety standards for state-owned ~~and~~
18 ~~state-leased~~ buildings, the provisions of this chapter, or the
19 rules or regulations adopted and promulgated pursuant hereto.
20 The State Fire Marshal shall, within 7 days following an
21 inspection, submit a report of such inspection to the head of
22 the department of state government responsible for the
23 building.

24 (2) The State Fire Marshal and her or his agents shall
25 conduct performance tests on any electronic fire warning and
26 smoke detection system, and any pressurized air-handling unit,
27 in any state-owned ~~or state-leased~~ space on a recurring basis
28 as provided in subsection (1). The State Fire Marshal and her
29 or his agents shall also ensure that fire drills are conducted
30 in all state-owned, or state-leased high-hazard occupancies at
31 least annually.

1 (3) All construction of any new, or renovation,
2 alteration, or change of occupancy of any existing,
3 state-owned ~~or state-leased~~ space shall comply with the
4 uniform firesafety standards of the State Fire Marshal.

5 ~~(a) For all new construction or renovation,
6 alteration, or change of occupancy of state-leased space,
7 compliance with the uniform firesafety standards shall be
8 determined by reviewing the plans for the proposed
9 construction or occupancy submitted by the lessor to the
10 Division of State Fire Marshal for review and approval prior
11 to commencement of construction or occupancy, which review
12 shall be completed within 10 working days after receipt of the
13 plans by the Division of State Fire Marshal.~~

14 ~~(b)~~ The plans for all construction of any new, or
15 renovation or alteration of any existing, state-owned building
16 are subject to the review and approval of the Division of
17 State Fire Marshal for compliance with the uniform firesafety
18 standards prior to commencement of construction or change of
19 occupancy, which review shall be completed within 30 calendar
20 days of receipt of the plans by the Division of State Fire
21 Marshal.

22 (4) The Division of State Fire Marshal may inspect
23 state-owned space ~~and state-leased space~~ as necessary prior to
24 occupancy or during construction, renovation, or alteration to
25 ascertain compliance with the uniform firesafety standards.
26 Whenever the Division of State Fire Marshal determines by
27 virtue of such inspection or by review of plans that
28 construction, renovation, or alteration of state-owned ~~and~~
29 ~~state-leased~~ space is not in compliance with the uniform
30 firesafety standards, the Division of State Fire Marshal shall
31 issue an order to cease construction, renovation, or

1 alteration, or to preclude occupancy, of a building until
2 compliance is obtained, except for those activities required
3 to achieve such compliance.

4 Section 3. This act shall take effect July 1, 1998.

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7 SENATE SUMMARY

8 Deletes the requirement that buildings and space leased
9 by the state be subject to the same firesafety standards
10 and inspection requirements as buildings and space owned
11 by the state.

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