

Amendment No. 01 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 Representative(s) J. Miller, Brown, and Ogles offered the
12 following:

14 **Amendment (with title amendment)**

15 On page 1, line 21 of the bill

17 insert:

18 Section 1. Subsections (2), (5), and (7) of section
19 218.72, Florida Statutes, are amended, and subsections (8) and
20 (9) are added to said section, to read:

21 218.72 Definitions.--As used in this part:

22 (2) "Local governmental entity" means a county or
23 municipal government, school board, school district,
24 authority, special taxing district, other political
25 subdivision, community college, or any office, board, bureau,
26 commission, department, branch, division, or institution
27 thereof or any project supported by county or municipal funds.

28 (5) "Purchase" means the purchase of goods, or
29 services, or construction services, the purchase or lease of
30 personal property, or the lease of real property by a local
31 governmental entity.

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1 (7) "Construction services" means all labor, services,
2 and materials provided ~~performed~~ in connection with the
3 construction, alteration, repair, demolition, reconstruction,
4 or any other improvements to real property that require a
5 license under parts I and II of chapter 489.

6 (8) "Payment request" means a request for payment for
7 construction services which conforms with all statutory
8 requirements and with all requirements specified by the local
9 governmental entity to which the payment request is submitted
10 if:

11 (a) Such requirements have been adopted by formal
12 action of the local governmental entity taken prior to the
13 transaction to which the payment request applies.

14 (b) The local governmental entity made such
15 requirements available to vendors.

16 (9) "Agent" means project architect, project engineer,
17 or any other agency or person acting on behalf of the local
18 governmental entity.

19 Section 2. Section 218.73, Florida Statutes, is
20 amended to read:

21 218.73 Timely payment for nonconstruction
22 services.--The time at which payment is due for a purchase
23 other than construction services by a local governmental
24 entity, ~~except for the purchase of construction services, is~~
25 due must be calculated from:

26 (1) The date on which a proper invoice is received by
27 the chief disbursement officer of the local governmental
28 entity after approval by the governing body, if required; or

29 (2) If a proper invoice is not received by the local
30 governmental entity, the date:

31 (a) On which delivery of personal property is accepted

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1 by the local governmental entity;
2 (b) On which services are completed;
3 (c) On which the rental period begins; or
4 (d) On which the local governmental entity and vendor
5 agree in a contract that provides dates relative to payment
6 periods;
7
8 whichever date is latest.

9 Section 3. Section 218.735, Florida Statutes, is
10 amended to read:

11 218.735 Timely payment for purchases of construction
12 services.--

13 (1) The due date for payment for the purchase of
14 construction services by a local governmental entity is
15 determined as follows:

16 (a) If an agent ~~the project architect or project~~
17 ~~engineer~~ must approve the payment request or invoice prior to
18 the payment request or invoice being submitted to the local
19 governmental entity, payment is due 25 ~~20~~ business days after
20 the date on which the payment request or ~~architect or engineer~~
21 ~~approves the invoice and the~~ invoice is stamped as received as
22 provided in s. 218.74(1).

23 (b) If an agent ~~the project architect or project~~
24 ~~engineer~~ need not approve the payment request or invoice which
25 is submitted by the contractor, payment is due 20 business
26 days after the date on which the payment request or invoice is
27 stamped as received as provided in s. 218.74(1).

28 (2) The local governmental entity may reject the
29 payment request or invoice within 20 business days after the
30 date on which the payment request or invoice is stamped as
31 received as provided in s. 218.74(1). The rejection must be

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1 written and must specify the deficiency in the payment request
2 or invoice and the action necessary to make the payment
3 request or invoice proper.

4 (3) If a payment request or an invoice is rejected
5 under subsection (2) ~~or this subsection~~ and the contractor
6 submits a corrected payment request or invoice which corrects
7 the deficiency specified in writing by the local governmental
8 entity, the corrected payment request or invoice must be paid
9 or rejected on the later of:

10 (a) Ten business days after the date the corrected
11 payment request or invoice is stamped as received as provided
12 in s. 218.74(1); or

13 (b) If the governing body is required by ordinance,
14 charter, or other law to approve or reject the corrected
15 payment request or invoice, the first business day after the
16 next regularly scheduled meeting of the governing body held
17 after the corrected payment request or invoice is stamped as
18 received as provided in s. 218.74(1).

19 (4) If a dispute between the local governmental entity
20 and the contractor cannot be resolved by the procedure in
21 subsection (3), the dispute must be resolved in accordance
22 with the dispute resolution procedure prescribed in the
23 construction contract or in any applicable ordinance. In the
24 absence of a prescribed procedure, the dispute must be
25 resolved by the procedure specified in s. 218.76(2).

26 (5) If a local governmental entity disputes a portion
27 of a payment request or an invoice, the undisputed portion
28 shall be paid timely, in accordance with subsection (1).~~The~~
29 ~~payment time periods provided in this section for construction~~
30 ~~services purchased by a local governmental entity shall not~~
31 ~~affect contractual provisions or contractual covenants of a~~

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1 ~~local governmental entity in effect on September 30, 1995.~~
2 (6) When a contractor receives payment from a local
3 governmental entity for labor, services, or materials
4 furnished by subcontractors and suppliers hired by the
5 contractor, the contractor shall remit payment due to those
6 subcontractors and suppliers within 15 days after the
7 contractor's receipt of payment. When a subcontractor
8 receives payment from a contractor for labor, services, or
9 materials furnished by subcontractors and suppliers hired by
10 the subcontractor, the subcontractor shall remit payment due
11 to those subcontractors and suppliers within 15 days after the
12 subcontractor's receipt of payment. Nothing herein shall
13 prohibit a contractor or subcontractor from disputing,
14 pursuant to the terms of the relevant contract, all or any
15 portion of a payment alleged to be due to another party. In
16 the event of such a dispute, the contractor or subcontractor
17 may withhold the disputed portion of any such payment but the
18 undisputed portion must be remitted within the time limits
19 imposed by this subsection.

20 ~~(7)(6)~~ All payments due under this section from a
21 local governmental entity and not made within the time periods
22 period specified by this section shall bear interest at the
23 rate of 1 percent per month, or the rate specified by
24 contract, whichever is greater as specified in s. 218.74(4).

25 Section 4. Section 218.74, Florida Statutes, is
26 amended to read:

27 218.74 Procedures for calculation of payment due
28 dates.--

29 (1) Each local governmental entity shall establish
30 procedures whereby each payment request or invoice received by
31 the local governmental entity is marked as received on the

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1 date on which it is delivered to an agent or employee of the
2 local governmental entity or of a facility or office of the
3 local governmental entity.

4 (2) The payment due date for a local governmental
5 entity for the purchase of goods or services other than
6 construction services is 45 days after the date specified in
7 s. 218.73. The payment due date for the purchase of
8 construction services is specified in s. 218.735.

9 (3) If the terms under which a purchase is made allow
10 for partial deliveries and a payment request or proper invoice
11 is submitted for a partial delivery, the time for payment for
12 the partial delivery must be calculated from the time of the
13 partial delivery and the submission of the payment request or
14 invoice in the same manner as provided in s. 218.73 or s.
15 218.735.

16 (4) All payments, other than payments for construction
17 services, due from a local governmental entity and not made
18 within the time specified by this section bear interest from
19 30 days after the due date at the rate of 1 percent per month
20 on the unpaid balance. The vendor must invoice the local
21 governmental entity for any interest accrued in order to
22 receive the interest payment. Any overdue period of less than
23 1 month is considered as 1 month in computing interest.
24 Unpaid interest is compounded monthly. ~~With respect to each~~
25 ~~past due payment, interest ceases to accrue after interest on~~
26 ~~that payment has accrued for 12 months.~~ For the purposes of
27 this section, the term "1 month" means a period beginning on
28 any day of one month and ending on the same day of the
29 following month.

30 Section 5. Section 218.75, Florida Statutes, is
31 amended to read:

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1 218.75 Mandatory interest.--No contract between a
2 local governmental entity and a vendor or a provider of
3 construction services shall prohibit the collection of ~~vendor~~
4 ~~from invoicing the local governmental entity for~~ late payment
5 interest charges allowable under this part.

6 Section 6. Section 218.76, Florida Statutes, is
7 amended to read:

8 218.76 Improper payment request or invoice; resolution
9 of disputes.--

10 (1) In any case in which an improper payment request
11 or invoice is submitted by a vendor, the local governmental
12 entity shall, within 10 days after the improper payment
13 request or invoice is received by it, notify the vendor that
14 the payment request or invoice is improper and indicate what
15 corrective action on the part of the vendor is needed to make
16 the payment request or invoice proper.

17 (2) In the event a dispute occurs between a vendor and
18 a local governmental entity concerning payment of a payment
19 request or an invoice, such disagreement shall be finally
20 determined by the local governmental entity as provided in
21 this section. Each local governmental entity shall establish
22 a dispute resolution procedure to be followed by the local
23 governmental entity in cases of such disputes. Such procedure
24 shall provide that proceedings to resolve the dispute shall be
25 commenced not later than 45 days after the date on which the
26 payment request or proper invoice was received by the local
27 governmental entity and shall be concluded by final decision
28 of the local governmental entity not later than 60 days after
29 the date on which the payment request or proper invoice was
30 received by the local governmental entity. Such procedures
31 shall not be subject to chapter 120, and such procedures shall

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1 not constitute an administrative proceeding which prohibits a
2 court from deciding de novo any action arising out of the
3 dispute. If the dispute is resolved in favor of the local
4 governmental entity, then interest charges shall begin to
5 accrue 10 ~~15~~ days after the local governmental entity's final
6 decision. If the dispute is resolved in favor of the vendor,
7 then interest shall begin to accrue as of the original date
8 the payment became due.

9 (3) In an action to recover amounts due under s.
10 218.70-218.80, the prevailing party shall be entitled to
11 recover court costs and attorney's fees at trial and on
12 appeal.

13 Section 7. Paragraph (a) of subsection (1) and
14 paragraph (a) of subsection (2) of section 255.05, Florida
15 Statutes, are amended to read:

16 255.05 Bond of contractor constructing public
17 buildings; form; action by materialmen.--

18 (1)(a) Any person entering into a formal contract with
19 the state or any county, city, or political subdivision
20 thereof, or other public authority, for the construction of a
21 public building, for the prosecution and completion of a
22 public work, or for repairs upon a public building or public
23 work shall be required, before commencing the work or before
24 recommencing the work after a default or abandonment, to
25 execute, deliver to the public owner, and record in the public
26 records of the county where the improvement is located, a
27 payment and performance bond with a surety insurer authorized
28 to do business in this state as surety. The bond must state on
29 its front page: the name, principal business address, and
30 phone number of the contractor, the surety, the owner of the
31 property being improved, and, if different from the owner, the

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1 contracting public entity; the contract number assigned by the
2 contracting public entity; and a description of the project
3 sufficient to identify it, such as including, if applicable,a
4 legal description or ~~and~~ the street address of the property
5 being improved, and a general description of the improvement.
6 Such bond shall be conditioned solely upon the contractor's
7 performance of the construction work ~~that the contractor~~
8 ~~perform the contract~~ in the time and manner prescribed in the
9 contract and the contractor's prompt payment ~~promptly make~~
10 ~~payments~~ to all persons defined in s. 713.01 who furnished
11 labor, services, or materials for ~~whose claims derive directly~~
12 ~~or indirectly from~~ the prosecution of the work provided for in
13 the contract. Any claimant may apply to the governmental
14 entity having charge of the work for copies of the contract
15 and bond and shall thereupon be furnished with a certified
16 copy of the contract and bond. The claimant shall have a right
17 of action against the contractor and surety for the amount due
18 him or her, including unpaid finance charges due under the
19 claimant's contract. Such action shall not involve the public
20 authority in any expense. When such work is done for the
21 state and the contract is for \$100,000 or less, no payment and
22 performance bond shall be required. At the discretion of the
23 official or board awarding such contract when such work is
24 done for any county, city, political subdivision, or public
25 authority, any person entering into such a contract which is
26 for \$200,000 or less may be exempted from executing the
27 payment and performance bond. When such work is done for the
28 state, the Secretary of the Department of Management Services
29 may delegate to state agencies the authority to exempt any
30 person entering into such a contract amounting to more than
31 \$100,000 but less than \$200,000 from executing the payment and

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1 performance bond. In the event such exemption is granted, the
 2 officer or officials shall not be personally liable to persons
 3 suffering loss because of granting such exemption. The
 4 Department of Management Services shall maintain information
 5 on the number of requests by state agencies for delegation of
 6 authority to waive the bond requirements by agency and project
 7 number and whether any request for delegation was denied and
 8 the justification for the denial.

9 (2)(a)1. If a claimant is no longer furnishing labor,
 10 services, or materials on a project, a contractor or the
 11 contractor's agent or attorney may elect to shorten the
 12 prescribed time in this paragraph within which an action to
 13 enforce any claim against a payment bond provided pursuant to
 14 this section may be commenced by recording in the clerk's
 15 office a notice in substantially the following form:

16
 17 NOTICE OF CONTEST OF CLAIM
 18 AGAINST PAYMENT BOND
 19
 20

21 To: ...(Name and address of claimant)...

22 You are notified that the undersigned contests your
 23 notice of nonpayment, dated,, and served
 24 on the undersigned on,, and that the
 25 time within which you may file suit to enforce your claim is
 26 limited to 60 days after the date of service of this notice.

27
 28 DATED on,

29
 30
 31 Signed:...(Contractor or Attorney)...

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The claim of any claimant upon whom such notice is served and who fails to institute a suit to enforce his or her claim against the payment bond within 60 days after service of such notice shall be extinguished automatically. The clerk shall mail a copy of the notice of contest to the claimant at the address shown in the notice of nonpayment or most recent amendment thereto and shall certify to such service on the face of such notice and record the notice. Service is complete upon mailing.

2. A claimant, except a laborer, who is not in privity with the contractor shall, before commencing or not later than 45 days after commencing to furnish labor, materials, or supplies for the prosecution of the work, furnish the contractor with a notice that he or she intends to look to the bond for protection. A claimant who is not in privity with the contractor and who has not received payment for his or her labor, materials, or supplies shall deliver to the contractor and to the surety written notice of the performance of the labor or delivery of the materials or supplies and of the nonpayment. The notice of nonpayment may be served at any time during the progress of the work or thereafter but ~~not before 45 days after the first furnishing of labor, services, or materials,~~ and not later than 90 days after the final furnishing of the labor, services, or materials by the claimant or, with respect to rental equipment, not later than 90 days after the date that the rental equipment was last on the job site available for use. No action for the labor, materials, or supplies may be instituted against the contractor or the surety unless both notices have been given.

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1 Notices required or permitted under this section may be served
2 in accordance with s. 713.18. An action, except for an action
3 exclusively for recovery of retainage, must be instituted
4 against the contractor or the surety on the payment bond or
5 the payment provisions of a combined payment and performance
6 bond within 1 year after the performance of the labor or
7 completion of delivery of the materials or supplies. An action
8 exclusively for recovery of retainage must be instituted
9 against the contractor or the surety within 1 year after the
10 performance of the labor or completion of delivery of the
11 materials or supplies, or within 90 days after ~~the~~
12 ~~contractor's~~ receipt of final payment (or the payment estimate
13 containing the owner's final reconciliation of quantities if
14 no further payment is earned and due as a result of deductive
15 adjustments) by the contractor or surety, whichever comes
16 last. A claimant may not waive in advance his or her right to
17 bring an action under the bond against the surety. In any
18 action brought to enforce a claim against a payment bond under
19 this section, the prevailing party is entitled to recover a
20 reasonable fee for the services of his or her attorney for
21 trial and appeal or for arbitration, in an amount to be
22 determined by the court, which fee must be taxed as part of
23 the prevailing party's costs, as allowed in equitable actions.
24 The time periods for service of a notice of nonpayment or for
25 bringing an action against a contractor or a surety shall be
26 measured from the last day of furnishing labor, services, or
27 materials by the claimant and shall not be measured by other
28 standards, such as the issuance of a certificate of occupancy
29 or the issuance of a certificate of substantial completion.

30 Section 8. Effective upon this act becoming a law, the
31 Office of Program Policy Analysis and Government

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1 Accountability (OPPAGA), in consultation with the Legislative
2 Committee on Intergovernmental Relations, shall:
3 (1) Conduct a study of construction retainage methods
4 for public and private construction within the state of
5 Florida. OPPAGA shall examine all relevant information,
6 including, but not limited to the following:
7 (a) Information from various state and local
8 governmental entities, public universities, and community
9 colleges within the state of Florida.
10 (b) Information from the federal government and other
11 states who have addressed construction payment or retainage
12 issues, including states that are of comparable size to the
13 state of Florida or that have a comparable amount of public or
14 private construction activity as the state of Florida.
15 (c) Information from public and private owners,
16 general contractors, subcontractors, material suppliers,
17 construction managers, design-build professionals, architects,
18 and engineers.
19 (d) Information from lenders and surety companies who
20 are involved in public and private construction.
21 (2) Draw conclusions and make recommendations, as
22 appropriate, with regard to the following issues:
23 (a) Whether the state should adopt new laws or modify
24 existing laws to address the specific issues set forth below,
25 and whether any existing statutes will require modification or
26 repeal.
27 (b) The positive and negative impacts of the current
28 systems of retainage being utilized throughout the state as
29 applied to public sector and private sector construction
30 contracts, and as between owners and contractors, between
31 contractors and subcontractors, and between subcontractors and

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1 subcontractor.

2 (c) Whether the traditional 10 percent retainage
3 practice in construction is equitable and whether there are
4 viable alternatives to this practice.

5 (d) What may be an appropriate percentage of retainage
6 to be held on all construction projects.

7 (e) What the purposes of retainage are for
8 construction projects.

9 (f) Whether it is appropriate to hold all retainage
10 until the end of a construction project or whether periodic
11 release of retainage or release of retainage for specific
12 divisions of work on a construction project is appropriate and
13 reasonably manageable.

14 (g) What protections are currently in place for owners
15 to insure that construction projects are progressing in a
16 satisfactory manner, including, but not limited to, project
17 management techniques, periodic inspections, services of
18 project architects and engineers, and whether those
19 protections are being adequately and properly utilized.

20 (h) What protections are currently in place or could
21 be adopted for owners, contractors, and subcontractors through
22 the utilization of construction payment and performance bonds.

23 (i) Whether the documentation required for
24 construction projects contributes to delays in progress
25 payments, final payments, and release of retainage; whether
26 such requirements could be simplified or standardized to
27 streamline the process; and whether it is appropriate for the
28 Legislature to address this issue.

29 (j) Whether the Legislature should limit the
30 percentage of retainage that can be held on public and private
31 construction projects.

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1 (k) Whether the Legislature should provide for
2 periodic release of retainage on public and private
3 construction projects.

4 (l) Whether the Legislature should establish
5 requirements and time limits for owners and contractors to
6 release final payment and retainage on all construction
7 projects.

8 (3) OPPAGA shall present a report of its findings and
9 recommendations to the President of the Senate, the Speaker of
10 the House of Representatives, minority leaders of the Senate
11 and House of Representatives, and chairs of the House Business
12 Regulation & Consumer Affairs Committee and the Senate
13 Regulated Industries Committee by January 1, 2001.

14 Section 9. Sections amending sections 218.72, 218.73,
15 218.735, 218.74, 218.75, 218.76, and 255.05, F.S., shall take
16 effect July 1, 2000, and shall apply to construction contracts
17 entered into on or after July 1, 2000.

18 Section 10. Subsection (1) of section 399.061, Florida
19 Statutes, is amended to read:

20 399.061 Inspections; correction of deficiencies.--

21 (1)(a) All ~~For those~~ elevators subject to this chapter
22 must be inspected pursuant to s. 399.13, by a third-party
23 inspector certified as a Qualified Elevator Inspector, or
24 maintained pursuant to a service maintenance contract
25 continuously in force. A statement verifying the existence,
26 performance, and cancellation of each service maintenance
27 contract must be filed annually with the division as
28 prescribed by rule. All elevators for which a service
29 ~~maintenance contract is not continuously in force, the~~
30 ~~division shall inspect such elevators at least once between~~
31 ~~July 1 of any year and June 30 of the next year, the state's~~

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1 ~~fiscal year.~~

2 ~~(b) When a service maintenance contract is~~
3 ~~continuously maintained with an elevator company, the division~~
4 ~~shall verify with the elevator company before the end of each~~
5 ~~fiscal year that the contract is in force and is being~~
6 ~~implemented. An elevator inspected by a Qualified Elevator~~
7 ~~Inspector shall be inspected annually, and all elevators~~
8 ~~covered by such a service maintenance contract shall be~~
9 ~~inspected by a certificate of competency holder ~~state elevator~~~~
10 ~~inspector at least once every 2 ~~fiscal~~ years; however, if the~~
11 ~~elevator is not an escalator or a dumbwaiter and the elevator~~
12 ~~serves only two adjacent floors and is covered by a service~~
13 ~~maintenance contract, no inspection shall be required so long~~
14 ~~as the service contract remains in effect.~~

15 ~~(b)(c)~~ The division may inspect an elevator whenever
16 necessary to ensure its safe operation.

17 Section 11. Effective January 1, 2001, subsection (1)
18 of section 399.13, Florida Statutes, is amended to read:

19 399.13 Delegation of authority to municipalities or
20 counties.--

21 (1) The division may enter into contracts with
22 municipalities or counties under which such municipalities or
23 counties will issue construction permits, temporary operation
24 permits, and certificates of operation; will provide
25 inspection of elevators; and will enforce the applicable
26 provisions of the Florida Building ~~Elevator Safety~~ Code, as
27 required by this chapter. Each such agreement shall include a
28 provision that the municipality or county shall maintain for
29 inspection by the division copies of all applications for
30 permits issued, a copy of each inspection report issued, and
31 proper records showing the number of certificates of operation

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1 issued; shall include a provision that each required
2 inspection be conducted by the holder of a certificate of
3 competency issued by the division; and may include such other
4 provisions as the division deems necessary.

5 Section 12. Subsections (2) and (6) of section
6 468.603, Florida Statutes, are amended, and subsection (8) is
7 added to said section, to read:

8 468.603 Definitions.--As used in this part:

9 (2) "Building code inspector" ~~or "inspector"~~ means any
10 of those employees of local governments or state agencies with
11 building construction regulation responsibilities who
12 themselves conduct inspections of building construction,
13 erection, repair, addition, or alteration projects that
14 require permitting indicating compliance with building,
15 plumbing, mechanical, electrical, gas, fire prevention,
16 energy, accessibility, and other construction codes as
17 required by state law or municipal or county ordinance.

18 (6) "Categories of building code inspectors" include
19 the following:

20 (a) "Building inspector" means a person who is
21 qualified to inspect and determine that buildings and
22 structures are constructed in accordance with the provisions
23 of the governing building codes and state accessibility laws.

24 (b) "Coastal construction inspector" means a person
25 who is qualified to inspect and determine that buildings and
26 structures are constructed to resist near-hurricane and
27 hurricane velocity winds in accordance with the provisions of
28 the governing building code.

29 (c) "Commercial electrical inspector" means a person
30 who is qualified to inspect and determine the electrical
31 safety of commercial buildings and structures by inspecting

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1 for compliance with the provisions of the National Electrical
2 Code.

3 (d) "Residential electrical inspector" means a person
4 who is qualified to inspect and determine the electrical
5 safety of one and two family dwellings and accessory
6 structures by inspecting for compliance with the applicable
7 provisions of the governing electrical code.

8 (e) "Mechanical inspector" means a person who is
9 qualified to inspect and determine that the mechanical
10 installations and systems for buildings and structures are in
11 compliance with the provisions of the governing mechanical
12 code.

13 (f) "Plumbing inspector" means a person who is
14 qualified to inspect and determine that the plumbing
15 installations and systems for buildings and structures are in
16 compliance with the provisions of the governing plumbing code.

17 (g) "One and two family dwelling inspector" means a
18 person who is qualified to inspect and determine that one and
19 two family dwellings and accessory structures are constructed
20 in accordance with the provisions of the governing building,
21 plumbing, mechanical, accessibility, and electrical codes.

22 (h) "Electrical inspector" means a person who is
23 qualified to inspect and determine the electrical safety of
24 commercial and residential buildings and accessory structures
25 by inspecting for compliance with the provisions of the
26 National Electrical Code.

27 (8) "Building code enforcement official" or
28 "enforcement official" means a licensed building code
29 administrator, building code inspector, or plans examiner.

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, lines 2 and 3

4 remove from the title of the bill: all of said lines

5

6 and insert in lieu thereof:

7 An act relating to construction; amending s.

8 218.72, F.S.; redefining the terms "local

9 government entity," "purchase," and

10 "construction services" and defining the terms

11 "payment request" and "agent" for the purpose

12 of the Florida Prompt Payment Act; amending s.

13 218.73, F.S.; providing for timely payment for

14 nonconstruction services; amending s. 218.735,

15 F.S.; revising language with respect to timely

16 payment for purchases of construction services;

17 amending s. 218.74, F.S.; revising language

18 with respect to procedures for calculation of

19 payment due dates; amending s. 218.75, F.S.;

20 revising language with respect to mandatory

21 interest; amending s. 218.76, F.S.; revising

22 language with respect to improper invoices and

23 resolution of disputes; providing for the

24 recovery of court costs and attorney's fees

25 under certain circumstances; amending s.

26 255.05, F.S.; revising language with respect to

27 the bond of a contractor constructing public

28 buildings; requiring the Office of Program

29 Policy Analysis and Government Accountability,

30 in consultation with the Legislative Committee

31 on Intergovernmental Relations, to conduct a

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1 study of construction retainage methods;
2 specifying areas to be examined; requiring
3 study conclusions and recommendations;
4 amending s. 399.061, F.S.; privatizing elevator
5 inspection services; amending s. 399.13, F.S.;
6 correcting a reference with regard to the
7 inspection code; amending s. 468.603, F.S.;
8 redefining "building code inspector" and
9 "categories of building inspectors" and
10 defining "building code enforcement official";
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