

By Representative Cosgrove

1                                   A bill to be entitled  
2           An act relating to educational facilities  
3           firesafety; amending s. 235.06, F.S.; requiring  
4           firesafety inspection agencies to report  
5           certain deficiencies to the State Fire Marshal  
6           for purposes of ordering certain enforcement  
7           actions under certain circumstances; providing  
8           the State Fire Marshal with enforcement  
9           authority relating to educational facilities  
10          firesafety; providing an effective date.

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

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14           Section 1. Subsection (3) of section 235.06, Florida  
15 Statutes, is amended to read:

16           235.06 Safety and sanitation standards and inspection  
17 of property.--The Commissioner of Education shall adopt and  
18 administer rules prescribing standards for the safety and  
19 health of occupants of educational and ancillary plants as a  
20 part of the State Uniform Building Code for Public Educational  
21 Facilities Construction as provided in s. 235.26, the  
22 provisions of chapter 633 to the contrary notwithstanding.  
23 These standards must be used by all public agencies when  
24 inspecting public educational and ancillary plants. In  
25 accordance with such standards, each board shall prescribe  
26 policies and procedures establishing a comprehensive program  
27 of safety and sanitation for the protection of occupants of  
28 public educational and ancillary plants. Such policies must  
29 contain procedures for periodic inspections as prescribed  
30 herein and for withdrawal of any educational and ancillary  
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1 plant, or portion thereof, from use until unsafe or unsanitary  
2 conditions are corrected or removed.

3 (3) CORRECTIVE ACTION.--Upon failure of the board to  
4 take corrective action within a reasonable time to correct any  
5 deficiency noted under subsection (1) or subsection (2), the  
6 agency making the inspection shall report such deficiency to  
7 ~~may request~~ the State Fire Marshal, who shall have the same  
8 enforcement authority with respect to educational or ancillary  
9 plants or educational facilities as provided in chapter 633,  
10 ~~commissioner~~ to:

11 (a) Order that appropriate action be taken to correct  
12 all deficiencies noted under subsection (1) or subsection (2)  
13 in accordance with a schedule determined jointly by the  
14 inspecting authority and the board; in developing the  
15 schedule, consideration must be given to the seriousness of  
16 the deficiencies and the ability of the board to obtain the  
17 necessary funds; or

18 (b) After 30 calendar days' notice to the board, order  
19 all or a portion of the educational or ancillary plant or  
20 educational facility withdrawn from use until the deficiencies  
21 are corrected.

22 Section 2. This act shall take effect upon becoming a  
23 law.

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26 HOUSE SUMMARY

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28 Requires agencies conducting firesafety inspections of  
29 educational facilities to report certain deficiencies to  
30 the State Fire Marshal, rather than the Commissioner of  
31 Education, so that corrective action may be taken if the  
local school board fails to correct a noted deficiency.  
Gives the State Fire Marshal firesafety enforcement  
authority over educational facilities.