

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senators Clary and Posey

316-537-02

1                                   A bill to be entitled

2           An act relating to the Florida Building Code;

3           amending s. 553.415, F.S.; delaying the date

4           for inclusion of the Uniform Code for Public

5           Education Facilities in the Florida Building

6           Code; providing an effective date for the

7           Florida Building Code; amending s. 135 of ch.

8           2000-141, Laws of Florida, and ss. 62(2) and 68

9           of ch. 98-287, Laws of Florida, as amended;

10          delaying the amendment, repeal, and transfer

11          and renumbering of specified sections of the

12          Florida Statutes; amending s. 627.0629, F.S.;

13          delaying a deadline by which insurance

14          companies are required to make certain rate

15          filings; providing for the adoption of an

16          administrative rule; providing for the

17          treatment of permit applications submitted

18          before the effective date of the code;

19          requiring local jurisdictions to enact

20          ordinances establishing wind speed lines;

21          providing an effective date.

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

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25           Section 1. Subsections (1), (5), (8), and (11) of

26 section 553.415, Florida Statutes, are amended to read:

27           553.415 Factory-built school buildings.--

28           (1) It is the purpose of this section to provide an

29 alternative procedure for the construction and installation of

30 factory-built school buildings designed or intended for use as

31 school buildings. As used in this section, the term

1 "factory-built school building" means any building designed or  
2 intended for use as a school building, which is in whole or in  
3 part, manufactured at an offsite facility in compliance with  
4 the State Uniform Code for Public Educational Facilities and  
5 Department of Education rule, effective on January 5, 2000.  
6 After April ~~January~~ 1, 2002, the Uniform Code for Public  
7 Educational Facilities shall be incorporated into the Florida  
8 Building Code, including specific requirements for Public  
9 Educational Facilities and the Department of Education rule,  
10 effective on January 5, 2000. For the purpose of this  
11 section, factory-built school buildings include prefabricated  
12 educational facilities, factory-built educational facilities,  
13 and modular-built educational facilities, that are designed to  
14 be portable, relocatable, demountable, or reconstructible; are  
15 used primarily as classrooms or the components of an entire  
16 school; and do not fall under the provisions of ss.  
17 320.822-320.862.

18 (5) The department, in accordance with the standards  
19 and procedures adopted pursuant to this section and as such  
20 standards and procedures may thereafter be modified, shall  
21 approve or reject such plans, specifications, and methods of  
22 construction. Approval shall not be given unless such plans,  
23 specifications, and methods of construction are in compliance  
24 with the State Uniform Building Code for Public Educational  
25 Facilities and department rule. After April ~~January~~ 1, 2002,  
26 the Uniform Code for Public Educational Facilities shall be  
27 incorporated into the Florida Building Code, including  
28 specific requirements for public educational facilities and  
29 department rule.

30 (8) Any amendment to the State Uniform Code for Public  
31 Educational Facilities, and after April ~~January~~ 1, 2002, the

1 Florida Building Code, shall become effective 180 days after  
2 the amendment is filed with the Secretary of State.  
3 Notwithstanding the 180-day delayed effective date, the  
4 manufacturer shall submit and obtain a revised approved plan  
5 within the 180 days. A revised plan submitted pursuant to  
6 this subsection shall be processed as a renewal or revision  
7 with appropriate fees. A plan submitted after the period of  
8 time provided shall be processed as a new application with  
9 appropriate fees.

10 (11) The department shall develop a unique  
11 identification label to be affixed to all newly constructed  
12 factory-built school buildings and existing factory-built  
13 school buildings which have been brought into compliance with  
14 the standards for existing "satisfactory" buildings pursuant  
15 to chapter 5 of the Uniform Code for Public Educational  
16 Facilities, and after April ~~January~~ 1, 2002, the Florida  
17 Building Code. The department may charge a fee for issuing  
18 such labels. Such labels, bearing the department's name and  
19 state seal, shall at a minimum, contain:

20 (a) The name of the manufacturer.

21 (b) The standard plan approval number or alteration  
22 number.

23 (c) The date of manufacture or alteration.

24 (d) The serial or other identification number.

25 (e) The following designed-for loads: lbs. per square  
26 foot live load; lbs. per square foot floor live load; lbs. per  
27 square foot horizontal wind load; and lbs. per square foot  
28 wind uplift load.

29 (f) The designed-for flood zone usage.

30 (g) The designed-for wind zone usage.

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1 (h) The designed-for enhanced hurricane protection  
2 zone usage: yes or no.

3 Section 2. Notwithstanding any other provision in  
4 chapter 2001-186, Laws of Florida, the effective date of the  
5 following sections of chapter 2001-186, Laws of Florida, is  
6 changed to April 1, 2002: sections 25, 26, and 27.

7 Section 3. Notwithstanding any other provision in  
8 chapter 2001-186, Laws of Florida, the effective date of the  
9 following sections of chapter 2000-141, Laws of Florida, as  
10 amended by chapter 2001-186, Laws of Florida, is changed to  
11 April 1, 2002: sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13,  
12 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30,  
13 32, 36, 39, 44, 47, 48, 49, 52, 54, 56, 58, 59, 60, 62, 70,  
14 71, 72, 75, 79, 81, 84, 86, 87, 88, 91, 92, 93, 94, and 99.

15 Section 4. Notwithstanding any other provision in  
16 chapter 2001-186, Laws of Florida, the effective date of the  
17 following sections of chapter 98-287, Laws of Florida, as  
18 amended by chapter 2000-141, Laws of Florida, as amended by  
19 chapter 2001-186, Laws of Florida, is changed to April 1,  
20 2002: sections 1, 2, 4, 5, 7, 9, 13, 14, 15, 16, 17, 18, 21,  
21 24, 29, 31, 32, 34, 36, 38, 40, 44, 46, 47, 49, 51, and 56.

22 Section 5. Notwithstanding any other provision in  
23 chapter 2001-186, Laws of Florida, the effective date of  
24 section 61 of chapter 98-419, Laws of Florida, as amended by  
25 chapter 2000-141, Laws of Florida, as amended by chapter  
26 2001-186, Laws of Florida, is changed to April 1, 2002.

27 Section 6. Section 135 of chapter 2000-141, Laws of  
28 Florida, as amended by section 37 of chapter 2001-186, Laws of  
29 Florida, is amended to read:

30 Section 135. Effective April ~~January~~ 1, 2002  
31 subsection (2) of section 255.21, Florida Statutes, paragraphs

1 (d) and (e) of subsection (1) of section 395.1055, Florida  
2 Statutes, and subsection (11) of section 553.79, Florida  
3 Statutes, are repealed.

4 Section 7. Subsection (2) of section 62 of chapter  
5 98-287, Laws of Florida, as amended by section 107 of chapter  
6 2000-141, Laws of Florida, as amended by section 38 of chapter  
7 2001-186, Laws of Florida, is amended to read:

8 Section 62.

9 (2) Effective April ~~January~~ 1, 2002, all existing  
10 local technical amendments to any building code adopted by any  
11 local government, except for local ordinances setting forth  
12 administrative requirements which are not in conflict with the  
13 Florida Building Code, are repealed. Each local government may  
14 readopt such amendments pursuant to s. 553.73, Florida  
15 Statutes, provided such amendments comply with applicable  
16 provisions of the Florida Building Code.

17 Section 8. Section 68 of chapter 98-287, Laws of  
18 Florida, as amended by section 108 of chapter 2000-141, Laws  
19 of Florida, as amended by section 39 of chapter 2001-186, Laws  
20 of Florida, is amended to read:

21 Section 68. Effective April ~~January~~ 1, 2002, parts I,  
22 II, and III of chapter 553, Florida Statutes, consisting of  
23 sections 553.01, 553.02, 553.03, 553.04, 553.041, 553.05,  
24 553.06, 553.07, 553.08, 553.10, 553.11, 553.14, 553.15,  
25 553.16, 553.17, 553.18, 553.20, 553.21, 553.22, 553.23,  
26 553.24, 553.25, 553.26. 553.27, and 553.28, Florida Statutes,  
27 are repealed, section 553.141, Florida Statutes, is  
28 transferred and renumbered as section 553.86, Florida  
29 Statutes.

30 Section 9. Subsection (1) of section 627.0629, Florida  
31 Statutes, as amended by section 99 of chapter 2000-141, Laws

1 of Florida, as amended by section 42 of chapter 2001-186, Laws  
2 of Florida, is amended to read:

3           627.0629 Residential property insurance; rate  
4 filings.--

5           (1) A rate filing for residential property insurance  
6 must include actuarially reasonable discounts, credits, or  
7 other rate differentials, or appropriate reductions in  
8 deductibles, for properties on which fixtures or construction  
9 techniques demonstrated to reduce the amount of loss in a  
10 windstorm have been installed or implemented. The fixtures or  
11 construction techniques shall include, but not be limited to,  
12 fixtures or construction techniques which enhance roof  
13 strength, roof covering performance, roof-to-wall strength,  
14 wall-to-floor-to-foundation strength, opening protection, and  
15 window, door, and skylight strength. Credits, discounts, or  
16 other rate differentials for fixtures and construction  
17 techniques which meet the minimum requirements of the Florida  
18 Building Code must be included in the rate filing. All  
19 insurance companies must make a rate filing which includes the  
20 credits, discounts, or other rate differentials by March 31,  
21 2003 ~~December 31, 2002~~.

22           Section 10. Rule 9B-3.047, Florida Administrative  
23 Code, as it existed before November 28, 2000, is adopted and  
24 will remain in force until the effective date of the Florida  
25 Building Code as established in this act.

26           Section 11. Notwithstanding the effective date of  
27 section 25 of chapter 2001-186, Laws of Florida, any building  
28 permit for which an application is submitted before the  
29 effective date of the Florida Building Code is governed by the  
30 state minimum building code in effect in the permitting  
31 jurisdiction on the date of the application for the permitted

1 work for the life of the permit and any extension of time  
2 granted thereto.

3           Section 12. Local jurisdictions bisected or otherwise  
4 divided by a line separating wind speed zones, as determined  
5 by the American Society of Civil Engineers, Standard 7, 1998  
6 edition as implemented by the International Building Code,  
7 2000 edition, and as modified by the Florida Building  
8 Commission in the Florida Building Code that becomes effective  
9 pursuant to this act, must by January 1, 2002, enact an  
10 ordinance specifying the exact location of wind speed lines,  
11 using recognized physical landmarks such as major roads,  
12 canals, rivers, and lake shores, wherever possible.

13           Section 13. This act shall take effect upon becoming a  
14 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
SB 38-B

The Committee Substitute makes the following substantial changes to the bill:

- Delays the effective date of the new Florida Building Code three months, from January 1, 2002 to April 1, 2002;
- Delays the incorporation of the Uniform Code for Public Educational Facilities into the new Florida Building Code from January 1, 2002 to April 1, 2002;
- Delays by three months the application of credits, discounts or other rate differentials insurance companies must make for properties built under the new Florida Building Code;
- Requires certain local governments to enact ordinances establishing wind speed zone boundaries by January 1, 2002, three months before the proposed effective date of the new Florida Building Code;
- Clarifies that the updated buiding codes approved since 1988 by the Florida Building Commission are in force until the new Florida Building Code becomes effective; and
- Clarifies that building permits applied for prior to the effective date of the new code are governed by the state minimum code in effect on the date of permit application.