

By Senator Clary

7-691A-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 specifying the effective date of the
22 residential swimming pool safety requirements
23 of the Florida Building Code; providing an
24 effective date.

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26 Be It Enacted by the Legislature of the State of Florida:
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28 Section 1. Subsections (1), (5), (8), and (11) of
29 section 553.415, Florida Statutes, are amended to read:

30 553.415 Factory-built school buildings.--
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1 (1) It is the purpose of this section to provide an
2 alternative procedure for the construction and installation of
3 factory-built school buildings designed or intended for use as
4 school buildings. As used in this section, the term
5 "factory-built school building" means any building designed or
6 intended for use as a school building, which is in whole or in
7 part, manufactured at an offsite facility in compliance with
8 the State Uniform Code for Public Educational Facilities and
9 Department of Education rule, effective on January 5, 2000.
10 After March ~~January~~ 1, 2002, the Uniform Code for Public
11 Educational Facilities shall be incorporated into the Florida
12 Building Code, including specific requirements for Public
13 Educational Facilities and the Department of Education rule,
14 effective on January 5, 2000. For the purpose of this
15 section, factory-built school buildings include prefabricated
16 educational facilities, factory-built educational facilities,
17 and modular-built educational facilities, that are designed to
18 be portable, relocatable, demountable, or reconstructible; are
19 used primarily as classrooms or the components of an entire
20 school; and do not fall under the provisions of ss.
21 320.822-320.862.

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

1 specific requirements for public educational facilities and
2 department rule.

3 (8) Any amendment to the State Uniform Code for Public
4 Educational Facilities, and after March ~~January~~ 1, 2002, the
5 Florida Building Code, shall become effective 180 days after
6 the amendment is filed with the Secretary of State.
7 Notwithstanding the 180-day delayed effective date, the
8 manufacturer shall submit and obtain a revised approved plan
9 within the 180 days. A revised plan submitted pursuant to
10 this subsection shall be processed as a renewal or revision
11 with appropriate fees. A plan submitted after the period of
12 time provided shall be processed as a new application with
13 appropriate fees.

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

24 (a) The name of the manufacturer.

25 (b) The standard plan approval number or alteration
26 number.

27 (c) The date of manufacture or alteration.

28 (d) The serial or other identification number.

29 (e) The following designed-for loads: lbs. per square
30 foot live load; lbs. per square foot floor live load; lbs. per
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1 square foot horizontal wind load; and lbs. per square foot
2 wind uplift load.

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

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

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

7 Section 2. Notwithstanding any other provision in
8 chapter 2001-186, Laws of Florida, the effective date of the
9 following sections of chapter 2001-186, Laws of Florida, is
10 changed to March 1, 2002: sections 25, 26, and 27.

11 Section 3. Notwithstanding any other provision in
12 chapter 2001-186, Laws of Florida, the effective date of the
13 following sections of chapter 2000-141, Laws of Florida, as
14 amended by chapter 2001-186, Laws of Florida, is changed to
15 March 1, 2002: sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13,
16 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30,
17 32, 36, 39, 44, 47, 48, 49, 52, 54, 56, 58, 59, 60, 62, 70,
18 71, 72, 75, 79, 81, 84, 86, 87, 88, 91, 92, 93, 94, and 99.

19 Section 4. Notwithstanding any other provision in
20 chapter 2001-186, Laws of Florida, the effective date of the
21 following sections of chapter 98-287, Laws of Florida, as
22 amended by chapter 2000-141, Laws of Florida, as amended by
23 chapter 2001-186, Laws of Florida, is changed to March 1,
24 2002: sections 1, 2, 4, 5, 7, 9, 13, 14, 15, 16, 17, 18, 21,
25 24, 29, 31, 32, 34, 36, 38, 40, 44, 46, 47, 49, 51, and 56.

26 Section 5. Notwithstanding any other provision in
27 chapter 2001-186, Laws of Florida, the effective date of
28 section 61 of chapter 98-419, Laws of Florida, as amended by
29 chapter 2000-141, Laws of Florida, as amended by chapter
30 2001-186, Laws of Florida, is changed to March 1, 2002.

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1 Section 6. Section 135 of chapter 2000-141, Laws of
2 Florida, as amended by section 37 of chapter 2001-186, Laws of
3 Florida, is amended to read:

4 Section 135. Effective March ~~January~~ 1, 2002
5 subsection (2) of section 255.21, Florida Statutes, paragraphs
6 (d) and (e) of subsection (1) of section 395.1055, Florida
7 Statutes, and subsection (11) of section 553.79, Florida
8 Statutes, are repealed.

9 Section 7. Subsection (2) of section 62 of chapter
10 98-287, Laws of Florida, as amended by section 107 of chapter
11 2000-141, Laws of Florida, as amended by section 38 of chapter
12 2001-186, Laws of Florida, is amended to read:

13 Section 62.

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

22 Section 8. Section 68 of chapter 98-287, Laws of
23 Florida, as amended by section 108 of chapter 2000-141, Laws
24 of Florida, as amended by section 39 of chapter 2001-186, Laws
25 of Florida, is amended to read:

26 Section 68. Effective March ~~January~~ 1, 2002, parts I,
27 II, and III of chapter 553, Florida Statutes, consisting of
28 sections 553.01, 553.02, 553.03, 553.04, 553.041, 553.05,
29 553.06, 553.07, 553.08, 553.10, 553.11, 553.14, 553.15,
30 553.16, 553.17, 553.18, 553.20, 553.21, 553.22, 553.23,
31 553.24, 553.25, 553.26. 553.27, and 553.28, Florida Statutes,

1 are repealed, section 553.141, Florida Statutes, is
2 transferred and renumbered as section 553.86, Florida
3 Statutes.

4 Section 9. Subsection (1) of section 627.0629, Florida
5 Statutes, as amended by section 99 of chapter 2000-141, Laws
6 of Florida, as amended by section 42 of chapter 2001-186, Laws
7 of Florida, is amended to read:

8 627.0629 Residential property insurance; rate
9 filings.--

10 (1) A rate filing for residential property insurance
11 must include actuarially reasonable discounts, credits, or
12 other rate differentials, or appropriate reductions in
13 deductibles, for properties on which fixtures or construction
14 techniques demonstrated to reduce the amount of loss in a
15 windstorm have been installed or implemented. The fixtures or
16 construction techniques shall include, but not be limited to,
17 fixtures or construction techniques which enhance roof
18 strength, roof covering performance, roof-to-wall strength,
19 wall-to-floor-to-foundation strength, opening protection, and
20 window, door, and skylight strength. Credits, discounts, or
21 other rate differentials for fixtures and construction
22 techniques which meet the minimum requirements of the Florida
23 Building Code must be included in the rate filing. All
24 insurance companies must make a rate filing which includes the
25 credits, discounts, or other rate differentials by February
26 28, 2003 ~~December 31, 2002~~.

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

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1 Section 11. Notwithstanding the effective date of
2 section 25 of chapter 2001-186, Laws of Florida, any building
3 permit for which an application is submitted before the
4 effective date of the Florida Building Code is governed by the
5 state minimum building code in effect in the permitting
6 jurisdiction on the date of the application for the permitted
7 work for the life of the permit and any extension of time
8 granted thereto.

9 Section 12. Local jurisdictions bisected or otherwise
10 divided by a line separating wind speed zones, as determined
11 by the American Society of Civil Engineers, Standard 7, 1998
12 edition as implemented by the International Building Code,
13 2000 edition, and as modified by the Florida Building
14 Commission in the Florida Building Code that becomes effective
15 pursuant to this act, must by January 1, 2002, enact an
16 ordinance specifying the exact location of wind speed lines,
17 using recognized physical landmarks such as major roads,
18 canals, rivers, and lake shores, wherever possible.

19 Section 13. The Florida Building Commission is
20 authorized to provide for uniform implementation of sections
21 515.25, 515.27, and 515.29, Florida Statutes, by including
22 standards and criteria in the Florida Building Code for
23 residential swimming pool barriers, pool covers, latching
24 devices, door and window exit alarms, and other equipment
25 required in those sections which are consistent with the
26 intent of section 515.23, Florida Statutes. Thus, the
27 residential swimming pool safety requirements of the Florida
28 Building Code, section 424.2, relating to private swimming
29 pools, of Rule 9B-3.047, Florida Administrative Code, as
30 adopted November 28, 2000, shall take effect January 1, 2002.

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

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5 SENATE SUMMARY

6 Delays the effective date of the revised Florida Building
7 Code 2 months, from January 1, 2002, until March 1, 2002.
8 Delays the incorporation of the Uniform Code for Public
9 Educational Facilities into the revised Florida Building
10 Code from January 1, 2002, to March 1, 2002. Delays by 2
11 months the application of credits, discounts, or other
12 rate differentials insurance companies must make for
13 properties built under the revised Florida Building Code.
14 Provides that the updated building codes approved since
15 1988 by the Florida Building Commission are in force
16 until March 1, 2002. Provides that a building permit
17 applied for before March 1, 2002, is governed by the
18 state minimum code in effect on the date of application.
19 Requires certain local governments to enact ordinances
20 establishing wind speed zones by January 1, 2002.
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