

By Senator Constantine

22-150A-04

1 A bill to be entitled
2 An act relating to the Florida Building
3 Commission; amending s. 553.74, F.S.; providing
4 for the appointment of a swimming pool
5 contractor to the commission; providing for the
6 appointment of certain nonvoting members;
7 providing an effective date.

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

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11 Section 1. Section 553.74, Florida Statutes, is
12 amended to read:

13 553.74 Florida Building Commission.--

14 (1) The Florida Building Commission is created and
15 shall be located within the Department of Community Affairs
16 for administrative purposes. Members shall be appointed by the
17 Governor subject to confirmation by the Senate. The commission
18 shall be composed of 23 members, consisting of the following:

19 (a) One architect registered to practice in this state
20 and actively engaged in the profession.

21 (b) One structural engineer registered to practice in
22 this state and actively engaged in the profession.

23 (c) One air-conditioning or mechanical contractor
24 certified to do business in this state and actively engaged in
25 the profession.

26 (d) One electrical contractor certified to do business
27 in this state and actively engaged in the profession.

28 (e) One member from fire protection engineering or
29 technology who is actively engaged in the profession.

30 (f) One general contractor certified to do business in
31 this state and actively engaged in the profession.

1 (g) One plumbing contractor licensed to do business in
2 this state and actively engaged in the profession.

3 (h) One roofing, or sheet metal, or swimming pool
4 contractor certified to do business in this state and actively
5 engaged in the profession.

6 (i) One residential contractor licensed to do business
7 in this state and actively engaged in the profession.

8 (j) Three members who are municipal or district codes
9 enforcement officials, one of whom is also a fire official.

10 (k) One member who represents the Department of
11 Financial Services.

12 (l) One member who is a county codes enforcement
13 official.

14 (m) One member of a Florida-based organization of
15 persons with disabilities or a nationally chartered
16 organization of persons with disabilities with chapters in
17 this state.

18 (n) One member of the manufactured buildings industry
19 who is licensed to do business in this state and is actively
20 engaged in the industry.

21 (o) One mechanical or electrical engineer registered
22 to practice in this state and actively engaged in the
23 profession.

24 (p) One member who is a representative of a
25 municipality or a charter county.

26 (q) One member of the building products manufacturing
27 industry who is authorized to do business in this state and is
28 actively engaged in the industry.

29 (r) One member who is a representative of the building
30 owners and managers industry who is actively engaged in
31 commercial building ownership or management.

1 (s) One member who is a representative of the
2 insurance industry.

3 (t) One member who is a representative of public
4 education.

5 (u) One member who shall be the chair.
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7 Any person serving on the commission under paragraph (c) or
8 paragraph (h) on October 1, 2003, and who has served less than
9 two full terms is eligible for reappointment to the commission
10 regardless of whether he or she meets the new qualification.

11 (2) All appointments shall be for terms of 4 years,
12 except that of the chair who shall serve at the pleasure of
13 the Governor. Each person who is a member of the Board of
14 Building Codes and Standards on the effective date of this act
15 shall serve the remainder of their term as a member of the
16 Florida Building Commission. Except for the chair, newly
17 created positions on the Florida Building Commission shall be
18 appointed after February 1, 1999. A vacancy shall be filled
19 for the remainder of the unexpired term. Any member who shall,
20 during his or her term, cease to meet the qualifications for
21 original appointment, through ceasing to be a practicing
22 member of the profession indicated or otherwise, shall thereby
23 forfeit membership on the commission.

24 (3) Members of the commission shall serve without
25 compensation, but shall be entitled to reimbursement for per
26 diem and travel expenses as provided by s. 112.061.

27 (4) Each appointed member is accountable to the
28 Governor for the proper performance of the duties of the
29 office. The Governor shall cause to be investigated any
30 complaint or unfavorable report received concerning an action
31 of the commission or any member and shall take appropriate

1 action thereon. The Governor may remove from office any
2 appointed member for malfeasance, misfeasance, neglect of
3 duty, incompetence, permanent inability to perform official
4 duties, or pleading guilty or nolo contendere to, or being
5 found guilty of, a felony.

6 (5) Any organization that represents a building
7 contracting specialty that is not represented on the
8 commission may have a representative appointed as a nonvoting
9 member of the commission by making a written request to the
10 chair. All expenses associated with a nonvoting member's
11 commission membership shall be paid by the organization that
12 the member represents.

13 Section 2. This act shall take effect July 1, 2004.

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15 SENATE SUMMARY

16 Provides for the appointment of a swimming pool
17 contractor to the Florida Building Commission. Provides
18 for certain organizations not represented in the
19 commission to have nonvoting members appointed to the
20 commission. Requires such organizations to pay for any
21 expenses of such memberships.
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