

Bill No. CS for CS for SB 2836

Barcode 073826

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Floor: 4/AD/2R  
04/26/2007 03:22 PM

11 Senator Constantine moved the following amendment:

12

13 **Senate Amendment (with title amendment)**

14 On page 18, line 22 through page 25, line 2, delete  
15 those lines

16

17 and insert:

18 Section 8. Section 553.841, Florida Statutes, is  
19 amended to read:

20 553.841 Building code compliance and mitigation  
21 program ~~education and outreach program.--~~

22 (1) The Legislature finds that knowledge and  
 23 understanding by persons licensed in the design and  
 24 construction industries of the importance and need for  
 25 complying with the Florida Building Code is vital to the  
 26 public health, safety, and welfare of this state, especially  
 27 for mitigating damage caused by hurricanes to residents and  
 28 visitors to the state. The Legislature further finds that the  
 29 Florida Building Code can be effective only if all  
 30 participants in the design and construction industries  
 31 maintain a thorough knowledge of the code and additions

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1 thereto which improve construction standards to protect  
 2 against storm and other damage. Consequently, the Legislature  
 3 finds that there is a need for a program to provide ongoing  
 4 education and outreach activities concerning compliance with  
 5 the Florida Building Code and hurricane mitigation ~~the~~  
 6 ~~effectiveness of the building codes of this state depends on~~  
 7 ~~the performance of all participants, as demonstrated through~~  
 8 ~~knowledge of the codes and commitment to compliance with code~~  
 9 ~~directives, and that to strengthen compliance by industry and~~  
 10 ~~enforcement by government, a building code education and~~  
 11 ~~outreach program is needed.~~

12           (2) The Department of Community Affairs shall  
 13 administer a program, designated as the Florida Building Code  
 14 Compliance and Mitigation Program, to develop, coordinate, and  
 15 maintain education and outreach to persons required to comply  
 16 with the Florida Building Code and ensure consistent  
 17 education, training, and communication of the code's  
 18 requirements, including, but not limited to, methods for  
 19 mitigation of storm-related damage. The program shall also  
 20 operate a clearinghouse through which design, construction,  
 21 and building code enforcement licensees, suppliers, and  
 22 consumers in this state may find others in order to exchange  
 23 information relating to mitigation and facilitate repairs in  
 24 the aftermath of a natural disaster. ~~There is created the~~  
 25 ~~Building Code Education and Outreach Council to coordinate,~~  
 26 ~~develop, and maintain education and outreach to ensure~~  
 27 ~~administration and enforcement of the Florida Building Code.~~

28           (3) All services and materials under the Florida  
 29 Building Code Compliance and Mitigation Program must be  
 30 provided by a private, nonprofit corporation under contract  
 31 with the department. The term of the contract shall be for 4

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1 years, with the option of one 4-year renewal at the end of the  
 2 contract term. The initial contract must be in effect no later  
 3 than November 1, 2007. The private, nonprofit corporation must  
 4 be an organization whose membership includes trade and  
 5 professional organizations whose members consist primarily of  
 6 persons and entities that are required to comply with the  
 7 Florida Building Code and that are licensed under part XII of  
 8 chapter 468, chapter 471, chapter 481, or chapter 489. When  
 9 selecting the private, nonprofit corporation for the program,  
 10 the department must give primary consideration to the  
 11 corporation's demonstrated experience and the ability to:

12 (a) Develop and deliver building code-related  
 13 education, training, and outreach;

14 (b) Directly access the majority of persons licensed  
 15 in the occupations of design, construction, and building code  
 16 enforcement individually and through established statewide  
 17 trade and professional association networks;

18 (c) Serve as a clearinghouse to deliver education and  
 19 outreach throughout the state. The clearinghouse must serve as  
 20 a focal point at which persons licensed to design, construct,  
 21 and enforce building codes and suppliers and consumers can  
 22 find each other in order to exchange information relating to  
 23 mitigation and facilitate repairs in the aftermath of a  
 24 natural disaster;

25 (d) Accept input from the Florida Building Commission,  
 26 licensing regulatory boards, local building departments, and  
 27 the design and construction industries in order to improve its  
 28 education and outreach programs; and

29 (e) Promote design and construction techniques and  
 30 materials for mitigating hurricane damage at a Florida-based  
 31 trade conference that includes participants from the broadest

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1 possible range of design and construction trades and  
2 professions, including from those private and public-sector  
3 entities having jurisdiction over building codes and design  
4 and construction licensure. The Building Code Education and  
5 Outreach Council shall be composed of the following members:

6       ~~(a) Three representatives of the Florida Building~~  
7 ~~Commission, one of whom must be a member of a Florida-based~~  
8 ~~organization of persons with disabilities or a nationally~~  
9 ~~chartered organization of persons with disabilities having~~  
10 ~~chapters in this state, selected by the commission;~~

11       ~~(b) One representative of the Florida Building Code~~  
12 ~~Administrators and Inspectors Board, selected by that board;~~

13       ~~(c) One representative of the Construction Industry~~  
14 ~~Licensing Board, selected by that board;~~

15       ~~(d) One representative of the Electrical Contractors'~~  
16 ~~Licensing Board, selected by that board;~~

17       ~~(e) One representative of the Florida Board of~~  
18 ~~Professional Engineers, selected by that board;~~

19       ~~(f) One architect representative of the Board of~~  
20 ~~Architecture and Interior Design, selected by that board;~~

21       ~~(g) One interior designer representative of the Board~~  
22 ~~of Architecture and Interior Design, selected by that board;~~

23       ~~(h) One representative of the Board of Landscape~~  
24 ~~Architecture, selected by that board;~~

25       ~~(i) One representative from the office of the State~~  
26 ~~Fire Marshal, selected by that office; and~~

27       ~~(j) One representative with experience and expertise~~  
28 ~~in K-12 public school construction.~~

29  
30 ~~Each member of the board shall be appointed to a 2-year term~~  
31 ~~and may be reappointed at the discretion of the appointing~~

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1 ~~body. A chair shall be elected by majority vote of the council~~  
2 ~~and shall serve a term of 1 year.~~

3 ~~(4) The Building Code Education and Outreach Council~~  
4 ~~shall meet in Tallahassee no more than semiannually. The~~  
5 ~~council may meet more often but not more than monthly, and~~  
6 ~~such additional meetings shall be by telephone conference~~  
7 ~~call. Travel costs, if any, shall be borne by the respective~~  
8 ~~appointing entity. The Department of Community Affairs shall~~  
9 ~~provide administrative support to the council; however, the~~  
10 ~~department may contract with an entity that has previous~~  
11 ~~experience with building code training, development, and~~  
12 ~~coordination to provide administrative support for the~~  
13 ~~council.~~

14 ~~(5) The Building Code Education and Outreach Council~~  
15 ~~shall:~~

16 ~~(a) Consider and determine any policies or procedures~~  
17 ~~needed to administer ss. 489.109(3) and 489.509(3).~~

18 ~~(b) Administer the provisions of this section.~~

19 ~~(c) Determine the areas of priority for which funds~~  
20 ~~should be expended for education and outreach.~~

21 ~~(d) Review all proposed subjects for advanced courses~~  
22 ~~concerning the Florida Building Code and recommend to the~~  
23 ~~commission any related subjects that should be approved for~~  
24 ~~advanced courses.~~

25 ~~(4)(6) The department, in administering the Florida~~  
26 ~~Building Code Compliance and Mitigation Program, Building Code~~  
27 ~~Education and Outreach Council shall maintain, update,~~  
28 ~~develop, or cause to be developed:~~

29 ~~(a) A core curriculum that is prerequisite to the~~  
30 ~~advanced module coursework.~~

31 ~~(b) Advanced modules designed for use by each~~

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1 profession.

2 (c) The core curriculum developed under this  
3 subsection must be approved by the commission and submitted to  
4 the Department of Business and Professional Regulation for  
5 approval. Advanced modules developed under this paragraph must  
6 be approved by the commission and submitted to the respective  
7 boards for approval.

8 ~~(5)(7)~~ The core curriculum shall cover the information  
9 required to have all categories of participants appropriately  
10 informed as to their technical and administrative  
11 responsibilities in the effective execution of the code  
12 process by all individuals currently licensed under part XII  
13 of chapter 468, chapter 471, chapter 481, or chapter 489,  
14 except as otherwise provided in s. 471.017. The core  
15 curriculum shall be prerequisite to the advanced module  
16 coursework for all licensees and shall be completed by  
17 individuals licensed in all categories under part XII of  
18 chapter 468, chapter 471, chapter 481, or chapter 489 within  
19 the first 2-year period after initial licensure. Core course  
20 hours taken by licensees to complete this requirement shall  
21 count toward fulfillment of required continuing education  
22 units under part XII of chapter 468, chapter 471, chapter 481,  
23 or chapter 489.

24 ~~(6)(8)~~ Each biennium, upon receipt of funds by the  
25 Department of Community Affairs from the Construction Industry  
26 Licensing Board and the Electrical Contractors' Licensing  
27 Board provided under ss. 489.109(3) and 489.509(3), the  
28 department council shall determine the amount of funds  
29 available for the Florida Building Code Compliance and  
30 Mitigation Program ~~education and outreach projects from the~~  
31 ~~proceeds of contractor licensing fees and identify, solicit,~~

1 ~~and accept funds from other sources for education and outreach~~  
2 ~~projects.~~

3 ~~(7)(9) If the funds collected for education and~~  
4 ~~outreach projects provided through the Florida Building Code~~  
5 ~~Compliance and Mitigation Program in any state fiscal year do~~  
6 ~~not require the use of all available funds, the unused funds~~  
7 ~~shall be carried forward and allocated for use during the~~  
8 ~~following fiscal year.~~

9 ~~(8) The Florida Building Commission shall provide by~~  
10 ~~rule for the accreditation of courses related to the Florida~~  
11 ~~Building Code by accreditors approved by the commission. The~~  
12 ~~commission shall establish qualifications of accreditors and~~  
13 ~~criteria for the accreditation of courses by rule. The~~  
14 ~~commission may revoke the accreditation of a course by an~~  
15 ~~accreditor if the accreditation is demonstrated to violate~~  
16 ~~this part or the rules of the commission.~~

17 ~~(9) This section does not prohibit or limit the~~  
18 ~~subject areas or development of continuing education or~~  
19 ~~training on the Florida Building Code by any qualified entity.~~

20 ~~(10) The commission shall consider and approve or~~  
21 ~~reject the recommendations made by the council for subjects~~  
22 ~~for education and outreach concerning the Florida Building~~  
23 ~~Code. Any rejection must be made with specificity and must be~~  
24 ~~communicated to the council.~~

25 ~~(11) The commission shall adopt rules for establishing~~  
26 ~~procedures and criteria for the approval of advanced courses.~~  
27 ~~This section does not modify or eliminate the continuing~~  
28 ~~education course requirements or authority of any licensing~~  
29 ~~board under part XII of chapter 468, chapter 471, chapter 481,~~  
30 ~~or chapter 489.~~

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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 2, lines 12 through 14, delete those lines

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5 and insert:

6            Affairs to administer a compliance and  
7            mitigation program; requiring that the  
8            compliance and mitigation program be provided  
9            by a private,

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