

A bill to be entitled

An act relating to the Florida Building Code; amending s. 553.775, F.S.; requiring the Florida Building Commission to issue formal interpretations of the Florida Building Code under certain circumstances; amending s. 633.026, F.S.; correcting a cross-reference; providing an effective date.

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

Section 1. Paragraphs (d) through (g) of subsection (3) of section 553.775, Florida Statutes, are redesignated as paragraphs (e) through (h), respectively, and a new paragraph (d) is added to that subsection to read:

553.775 Interpretations.--

(3) The following procedures may be invoked regarding interpretations of the Florida Building Code:

(d) Upon written application by any substantially affected person, a citizen, contractor, or designer, or a group representing a substantially affected person, citizen, contractor, or designer, the commission shall issue or cause to be issued a formal interpretation of the Florida Building Code as prescribed by subparagraph (c)1.

Section 2. Section 633.026, Florida Statutes, is amended to read:

633.026 Informal interpretations of the Florida Fire Prevention Code.--The Division of State Fire Marshal shall by rule establish an informal process of rendering nonbinding

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29 interpretations of the Florida Fire Prevention Code. The
30 Division of State Fire Marshal may contract with and refer
31 interpretive issues to a nonprofit organization that has
32 experience in interpreting and enforcing the Florida Fire
33 Prevention Code. The Division of State Fire Marshal shall
34 immediately implement the process prior to the completion of
35 formal rulemaking. It is the intent of the Legislature that the
36 Division of State Fire Marshal create a process to refer
37 questions to a small group of individuals certified under s.
38 633.081(2), to which a party can pose questions regarding the
39 interpretation of code provisions. It is the intent of the
40 Legislature that the process provide for the expeditious
41 resolution of the issues presented and publication of the
42 resulting interpretation on the website of the Division of State
43 Fire Marshal. It is the intent of the Legislature that this
44 program be similar to the program established by the Florida
45 Building Commission in s. 553.775(3) (h) ~~(g)~~. Such interpretations
46 shall be advisory only and nonbinding on the parties or the
47 State Fire Marshal. In order to administer this section, the
48 department may adopt by rule and impose a fee for nonbinding
49 interpretations, with payment made directly to the third party.
50 The fee may not exceed \$150 for each request for a review or
51 interpretation.

52 Section 3. This act shall take effect July 1, 2007.