

Bill No. SB 4-A

Barcode 021410

CHAMBER ACTION

Senate

House

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Senator Bennett moved the following amendment:

**Senate Amendment (with title amendment)**

On page 55, line 1, through  
page 83, line 6, delete those lines

and insert:

Section 6. Section 284.3101, Florida Statutes, is  
created to read:

284.3101 Coverages; separate accounts; public housing  
authorities.--The Insurance Risk Management Trust Fund may  
also cover all public housing authorities as defined in s.  
421.03 and the employees, agents, and volunteers of such  
authorities, and, notwithstanding s. 284.32, may also provide  
separate accounts for workers' compensation, general  
liability, fleet automotive liability, federal civil rights  
actions under 42 U.S.C. s. 1983 or similar federal statutes,  
and court-awarded attorney's fees in other proceedings against  
the authority except for such awards in eminent domain or for  
inverse condemnation or for awards by the Public Employees  
Relations Commission. Unless specifically excluded by the

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1 Department of Financial Services, the Insurance Risk  
 2 Management Trust Fund may also provide fleet automotive  
 3 liability coverage to motor vehicles titled to such a housing  
 4 authority when such motor vehicles are used by community  
 5 transportation coordinators performing, under contract to the  
 6 appropriate agency of this state, services for the  
 7 transportation disadvantaged under part I of chapter 427. Such  
 8 fleet automotive liability coverage shall be primary and shall  
 9 be subject to s. 768.28, parts II and III of chapter 284, and  
 10 applicable rules adopted thereunder, and to the terms and  
 11 conditions of the certificate of coverage issued by the  
 12 Department of Financial Services.

13 Section 7. Section 284.36, Florida Statutes, is  
 14 amended to read:

15 284.36 Appropriation deposits; premium  
 16 payment.--Premiums for coverage by the State Risk Management  
 17 Trust Fund as calculated on all coverages shall be billed and  
 18 charged to each state agency, or housing authority under s.  
 19 284.3101, according to coverages obtained by the fund for  
 20 their benefit, and such obligations shall be paid promptly by  
 21 each agency from its operating budget upon presentation of a  
 22 bill therefor. After the first year of operation, premiums to  
 23 be charged to all departments of the state are to be computed  
 24 on a retrospective rating arrangement based upon actual losses  
 25 accruing to the fund, taking into account reasonable  
 26 expectations, the maintenance and stability of the fund, and  
 27 the cost of insurance.

28 Section 8. Section 350.012, Florida Statutes, is  
 29 amended to read:

30 350.012 Committee on Public Service Commission and  
 31 Insurance Oversight; creation; membership; powers and

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1 duties.--

2 (1) There is created a standing joint committee of the  
3 Legislature, designated the Committee on Public Service  
4 Commission and Insurance Oversight, and composed of 12 members  
5 appointed as follows: six members of the Senate appointed by  
6 the President of the Senate, two of whom must be members of  
7 the minority party; and six members of the House of  
8 Representatives appointed by the Speaker of the House of  
9 Representatives, two of whom must be members of the minority  
10 party. The terms of members shall be for 2 years and shall run  
11 from the organization of one Legislature to the organization  
12 of the next Legislature. The President shall appoint the chair  
13 of the committee in even-numbered years and the vice chair in  
14 odd-numbered years, and the Speaker of the House of  
15 Representatives shall appoint the chair of the committee in  
16 odd-numbered years and the vice chair in even-numbered years,  
17 from among the committee membership. Vacancies shall be filled  
18 in the same manner as the original appointment. Members shall  
19 serve without additional compensation, but shall be reimbursed  
20 for expenses.

21 (2) The committee shall:

22 (a) Recommend to the Governor nominees to fill a  
23 vacancy on the Public Service Commission, as provided by  
24 general law; ~~and~~

25 (b) Appoint a Public Counsel as provided by general  
26 law; ~~and-~~

27 (c) Confirm or reject the appointment by the Chief  
28 Financial Officer of the Insurance Consumer Advocate, as  
29 provided in s. 350.0615.

30 (3) The committee is authorized to file a complaint  
31 with the Commission on Ethics alleging a violation of this

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1 chapter by a commissioner, former commissioner, former  
2 commission employee, or member of the Public Service  
3 Commission Nominating Council.

4 (4) The committee will not have a permanent staff, but  
5 the President of the Senate and the Speaker of the House of  
6 Representatives shall select staff members from among existing  
7 legislative staff, when and as needed.

8 Section 9. Section 350.0611, Florida Statutes, is  
9 amended to read:

10 350.0611 Public Counsel; duties and powers.--It shall  
11 be the duty of the Public Counsel to provide legal  
12 representation for the people of the state in proceedings  
13 before the commission and in proceedings before counties  
14 pursuant to s. 367.171(8). The Public Counsel shall have such  
15 powers as are necessary to carry out the duties of his or her  
16 office, including, but not limited to, the following specific  
17 powers:

18 (1) To recommend to the commission or the counties, by  
19 petition, the commencement of any proceeding or action or to  
20 appear, in the name of the state or its citizens, in any  
21 proceeding or action before the commission or the counties and  
22 urge therein any position which he or she deems to be in the  
23 public interest, whether consistent or inconsistent with  
24 positions previously adopted by the commission or the  
25 counties, and utilize therein all forms of discovery available  
26 to attorneys in civil actions generally, subject to protective  
27 orders of the commission or the counties which shall be  
28 reviewable by summary procedure in the circuit courts of this  
29 state;

30 (2) To have access to and use of all files, records,  
31 and data of the commission or the counties available to any

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1 other attorney representing parties in a proceeding before the  
2 commission or the counties;

3 (3) In any proceeding in which he or she has  
4 participated as a party, to seek review of any determination,  
5 finding, or order of the commission or the counties, or of any  
6 hearing examiner designated by the commission or the counties,  
7 in the name of the state or its citizens;

8 (4) To prepare and issue reports, recommendations, and  
9 proposed orders to the commission, the Governor, and the  
10 Legislature on any matter or subject within the jurisdiction  
11 of the commission, and to make such recommendations as he or  
12 she deems appropriate for legislation relative to commission  
13 procedures, rules, jurisdiction, personnel, and functions; ~~and~~

14 (5) To appear before other state agencies, federal  
15 agencies, and state and federal courts in connection with  
16 matters under the jurisdiction of the commission, in the name  
17 of the state or its citizens; ~~and-~~

18 (6) To represent, through the Insurance Consumer  
19 Advocate, the general public of the state on matters related  
20 to the regulation of insurance before the Office of Insurance  
21 Regulation, the Department of Financial Services, and the  
22 Financial Services Commission, as provided in s. 350.0615.

23 Section 10. Section 350.0613, Florida Statutes, is  
24 amended to read:

25 350.0613 Public Counsel; employees; receipt of  
26 pleadings.--The committee may authorize the Public Counsel to  
27 employ clerical and technical assistants whose qualifications,  
28 duties, and responsibilities the committee shall from time to  
29 time prescribe. The committee may from time to time authorize  
30 retention of the services of additional attorneys, actuaries,  
31 economists, or experts to the extent that the best interests

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1 of the people of the state will be better served thereby,  
 2 including the retention of expert witnesses and other  
 3 technical personnel for participation in contested proceedings  
 4 before the Public Service Commission, the Office of Insurance  
 5 Regulation, the Department of Financial Services, or the  
 6 Financial Services Commission. The Public Service Commission  
 7 shall furnish the Public Counsel with copies of the initial  
 8 pleadings in all proceedings before the commission. The Office  
 9 of Insurance Regulation, the Financial Services Commission,  
 10 and the Department of Financial Services shall furnish the  
 11 Public Counsel with copies of all filings, as requested by the  
 12 Public Counsel or under such criteria as requested by the  
 13 Public Counsel, which relate to the jurisdiction of the  
 14 Insurance Consumer Advocate pursuant to s. 350.0615., and If  
 15 the Public Counsel or Insurance Consumer Advocate intervenes  
 16 as a party in any proceeding he or she shall be served with  
 17 copies of all subsequent pleadings, exhibits, and prepared  
 18 testimony, if used. Upon filing notice of intervention, the  
 19 Public Counsel or Insurance Consumer Advocate shall serve all  
 20 interested parties with copies of such notice and all of his  
 21 or her subsequent pleadings and exhibits.

22 Section 11. Section 350.0615, Florida Statutes, is  
 23 created to read:

24 350.0615 Insurance Consumer Advocate.--The Chief  
 25 Financial Officer shall appoint the Insurance Consumer  
 26 Advocate, who shall be subject to confirmation by the  
 27 Committee on Public Service Commission and Insurance  
 28 Oversight. The Insurance Consumer Advocate shall represent the  
 29 general public of the state on matters related to the  
 30 regulation of insurance before the Office of Insurance  
 31 Regulation, the Department of Financial Services, and the

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1 Financial Services Commission. The Insurance Consumer Advocate  
 2 shall report directly to and be engaged as an employee of the  
 3 Public Counsel as a Deputy Public Counsel. The Public Counsel  
 4 shall provide administrative and staff support to the  
 5 Insurance Consumer Advocate. The Insurance Consumer Advocate  
 6 has all powers that are necessary to carry out his or her  
 7 duties, including, but not limited to, the powers to:

8       (1) Recommend to the office, department, or  
 9 commission, by petition, the commencement of any proceeding or  
 10 action; to appear in any proceeding or action before the  
 11 office, department, or commission; and to appear in any  
 12 proceeding before the Division of Administrative Hearings  
 13 relating to insurance matters under the jurisdiction of the  
 14 office, department, or commission.

15       (2) Have access to and use of all files, records, and  
 16 data of the office, department, or commission.

17       (3) Examine all rate and form filings submitted to the  
 18 office, hire consultants as necessary to aid in the review  
 19 process, and recommend to the office, department, commission,  
 20 or Legislature any position considered by the Insurance  
 21 Consumer Advocate to be in the public interest.

22       Section 12. Section 395.1060, Florida Statutes, is  
 23 created to read:

24       395.1060 Risk pooling by certain hospitals and  
 25 hospital systems.--

26       (1) Notwithstanding any other provision of law, any  
 27 two or more Florida-licensed hospitals located in this state  
 28 may form an alliance for the purpose of pooling and spreading  
 29 liabilities of its members relative to property exposure or  
 30 securing such property insurance coverage for the benefit of  
 31 its members, provided the alliance that is created must:

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1       (a) Have annual premiums in excess of \$3 million;

2       (b) Maintain a continuing program of premium  
3 calculation and evaluation and reserve evaluation to protect  
4 the financial stability of the alliance in an amount and  
5 manner determined by consultants using catastrophic (CAT)  
6 modeling criteria or other risk-estimating methodologies,  
7 including those used by qualified and independent actuaries;

8       (c) Cause to be prepared annually a fiscal year-end  
9 financial statement in accordance with generally accepted  
10 accounting principles and audited by an independent certified  
11 public accountant within 6 months after the end of the fiscal  
12 year; and

13       (d) Have a governing body comprised entirely of member  
14 entities whose representatives on such governing body are  
15 specified by the organizational documents of the alliance.

16       (2) For purposes of this section, the term:

17       (a) "Alliance" means a corporation, association,  
18 limited liability company, or partnership or any other legal  
19 entity formed by a group of eligible entities.

20       (b) "Property coverage" means coverage provided by  
21 self-insurance or insurance for real or personal property of  
22 every kind and every interest in such property against loss or  
23 damage from any hazard or cause and against any loss  
24 consequential to such loss or damage.

25       (3) An alliance that meets the requirements of this  
26 section is not subject to any provision of the Florida  
27 Insurance Code.

28       (4) An alliance that meets the requirements of this  
29 section is not an insurer for purposes of participation in or  
30 coverage by the Florida Insurance Guaranty Association  
31 established in part II of chapter 631. Alliance self-insured



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1 coverage is not subject to insurance premium tax, nor shall  
2 any such alliance pursuant to this section be assessed for  
3 purposes of s. 627.351 or s. 215.555.

4 Section 13. Section 553.73, Florida Statutes, is  
5 amended to read:

6 553.73 Florida Building Code.--

7 (1)(a) The commission shall adopt, by rule pursuant to  
8 ss. 120.536(1) and 120.54, the Florida Building Code which  
9 shall contain or incorporate by reference all laws and rules  
10 which pertain to and govern the design, construction,  
11 erection, alteration, modification, repair, and demolition of  
12 public and private buildings, structures, and facilities and  
13 enforcement of such laws and rules, except as otherwise  
14 provided in this section.

15 (b) The technical portions of the Florida  
16 Accessibility Code for Building Construction shall be  
17 contained in their entirety in the Florida Building Code. The  
18 civil rights portions and the technical portions of the  
19 accessibility laws of this state shall remain as currently  
20 provided by law. Any revision or amendments to the Florida  
21 Accessibility Code for Building Construction pursuant to part  
22 II shall be considered adopted by the commission as part of  
23 the Florida Building Code. Neither the commission nor any  
24 local government shall revise or amend any standard of the  
25 Florida Accessibility Code for Building Construction except as  
26 provided for in part II.

27 (c) The Florida Fire Prevention Code and the Life  
28 Safety Code shall be referenced in the Florida Building Code,  
29 but shall be adopted, modified, revised, or amended,  
30 interpreted, and maintained by the Department of Financial  
31 Services by rule adopted pursuant to ss. 120.536(1) and

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1 120.54. The Florida Building Commission may not adopt a fire  
 2 prevention or lifesafety code, and nothing in the Florida  
 3 Building Code shall affect the statutory powers, duties, and  
 4 responsibilities of any fire official or the Department of  
 5 Financial Services.

6 (d) Conflicting requirements between the Florida  
 7 Building Code and the Florida Fire Prevention Code and Life  
 8 Safety Code of the state established pursuant to ss. 633.022  
 9 and 633.025 shall be resolved by agreement between the  
 10 commission and the State Fire Marshal in favor of the  
 11 requirement that offers the greatest degree of lifesafety or  
 12 alternatives that would provide an equivalent degree of  
 13 lifesafety and an equivalent method of construction. If the  
 14 commission and State Fire Marshal are unable to agree on a  
 15 resolution, the question shall be referred to a mediator,  
 16 mutually agreeable to both parties, to resolve the conflict in  
 17 favor of the provision that offers the greatest lifesafety, or  
 18 alternatives that would provide an equivalent degree of  
 19 lifesafety and an equivalent method of construction.

20 (e) Subject to the provisions of this act,  
 21 responsibility for enforcement, interpretation, and regulation  
 22 of the Florida Building Code shall be vested in a specified  
 23 local board or agency, and the words "local government" and  
 24 "local governing body" as used in this part shall be construed  
 25 to refer exclusively to such local board or agency.

26 (2) The Florida Building Code shall contain provisions  
 27 or requirements for public and private buildings, structures,  
 28 and facilities relative to structural, mechanical, electrical,  
 29 plumbing, energy, and gas systems, existing buildings,  
 30 historical buildings, manufactured buildings, elevators,  
 31 coastal construction, lodging facilities, food sales and food

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1 service facilities, health care facilities, including assisted  
2 living facilities, adult day care facilities, hospice  
3 residential and inpatient facilities and units, and facilities  
4 for the control of radiation hazards, public or private  
5 educational facilities, swimming pools, and correctional  
6 facilities and enforcement of and compliance with such  
7 provisions or requirements. Further, the Florida Building Code  
8 must provide for uniform implementation of ss. 515.25, 515.27,  
9 and 515.29 by including standards and criteria for residential  
10 swimming pool barriers, pool covers, latching devices, door  
11 and window exit alarms, and other equipment required therein,  
12 which are consistent with the intent of s. 515.23. Technical  
13 provisions to be contained within the Florida Building Code  
14 are restricted to requirements related to the types of  
15 materials used and construction methods and standards employed  
16 in order to meet criteria specified in the Florida Building  
17 Code. Provisions relating to the personnel, supervision or  
18 training of personnel, or any other professional qualification  
19 requirements relating to contractors or their workforce may  
20 not be included within the Florida Building Code, and  
21 subsections (4), (5), (6), ~~and (7),~~ and (8) are not to be  
22 construed to allow the inclusion of such provisions within the  
23 Florida Building Code by amendment. This restriction applies  
24 to both initial development and amendment of the Florida  
25 Building Code.

26 (3) The commission shall select from available  
27 national or international model building codes, or other  
28 available building codes and standards currently recognized by  
29 the laws of this state, to form the foundation for the Florida  
30 Building Code. The commission may modify the selected model  
31 codes and standards as needed to accommodate the specific

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1 needs of this state. Standards or criteria referenced by the  
 2 selected model codes shall be similarly incorporated by  
 3 reference. If a referenced standard or criterion requires  
 4 amplification or modification to be appropriate for use in  
 5 this state, only the amplification or modification shall be  
 6 specifically set forth in the Florida Building Code. The  
 7 Florida Building Commission may approve technical amendments  
 8 to the code, subject to the requirements of subsections (7)  
 9 and (8), after the amendments have been subject to the  
 10 following conditions:

11 (a) The proposed amendment has been published on the  
 12 commission's website for a minimum of 45 days and all the  
 13 associated documentation has been made available to any  
 14 interested party before any consideration by any Technical  
 15 Advisory Committee;

16 (b) In order for a Technical Advisory Committee to  
 17 make a favorable recommendation to the commission, the  
 18 proposal must receive a three-fourths vote of the members  
 19 present at the Technical Advisory Committee meeting and at  
 20 least half of the regular members must be present in order to  
 21 conduct a meeting;

22 (c) After Technical Advisory Committee consideration  
 23 and a recommendation for approval of any proposed amendment,  
 24 the proposal must be published on the commission's website for  
 25 not less than 45 days before any consideration by the  
 26 commission; and

27 (d) Any proposal may be modified by the commission  
 28 based on public testimony and evidence from a public hearing  
 29 held in accordance with chapter 120.

30  
 31 The commission shall incorporate within sections of the

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1 Florida Building Code provisions which address regional and  
 2 local concerns and variations. The commission shall make every  
 3 effort to minimize conflicts between the Florida Building  
 4 Code, the Florida Fire Prevention Code, and the Life Safety  
 5 Code.

6 (4)(a) All entities authorized to enforce the Florida  
 7 Building Code pursuant to s. 553.80 shall comply with  
 8 applicable standards for issuance of mandatory certificates of  
 9 occupancy, minimum types of inspections, and procedures for  
 10 plans review and inspections as established by the commission  
 11 by rule. Local governments may adopt amendments to the  
 12 administrative provisions of the Florida Building Code,  
 13 subject to the limitations of this paragraph. Local amendments  
 14 shall be more stringent than the minimum standards described  
 15 herein and shall be transmitted to the commission within 30  
 16 days after enactment. The local government shall make such  
 17 amendments available to the general public in a usable format.  
 18 The State Fire Marshal is responsible for establishing the  
 19 standards and procedures required in this paragraph for  
 20 governmental entities with respect to applying the Florida  
 21 Fire Prevention Code and the Life Safety Code.

22 (b) Local governments may, subject to the limitations  
 23 of this section, adopt amendments to the technical provisions  
 24 of the Florida Building Code which apply solely within the  
 25 jurisdiction of such government and which provide for more  
 26 stringent requirements than those specified in the Florida  
 27 Building Code, not more than once every 6 months. A local  
 28 government may adopt technical amendments that address local  
 29 needs if:

30 1. The local governing body determines, following a  
 31 public hearing which has been advertised in a newspaper of

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1 general circulation at least 10 days before the hearing, that  
 2 there is a need to strengthen the requirements of the Florida  
 3 Building Code. The determination must be based upon a review  
 4 of local conditions by the local governing body, which review  
 5 demonstrates by evidence or data that the geographical  
 6 jurisdiction governed by the local governing body exhibits a  
 7 local need to strengthen the Florida Building Code beyond the  
 8 needs or regional variation addressed by the Florida Building  
 9 Code, that the local need is addressed by the proposed local  
 10 amendment, and that the amendment is no more stringent than  
 11 necessary to address the local need.

12         2. Such additional requirements are not discriminatory  
 13 against materials, products, or construction techniques of  
 14 demonstrated capabilities.

15         3. Such additional requirements may not introduce a  
 16 new subject not addressed in the Florida Building Code.

17         4. The enforcing agency shall make readily available,  
 18 in a usable format, all amendments adopted pursuant to this  
 19 section.

20         5. Any amendment to the Florida Building Code shall be  
 21 transmitted within 30 days by the adopting local government to  
 22 the commission. The commission shall maintain copies of all  
 23 such amendments in a format that is usable and obtainable by  
 24 the public. Local technical amendments shall not become  
 25 effective until 30 days after the amendment has been received  
 26 and published by the commission.

27         6. Any amendment to the Florida Building Code adopted  
 28 by a local government pursuant to this paragraph shall be  
 29 effective only until the adoption by the commission of the new  
 30 edition of the Florida Building Code every third year. At such  
 31 time, the commission shall review such amendment for

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1 consistency with the criteria in paragraph(8)(a) ~~(7)(a)~~ and  
 2 adopt such amendment as part of the Florida Building Code or  
 3 rescind the amendment. The commission shall immediately notify  
 4 the respective local government of the rescission of any  
 5 amendment. After receiving such notice, the respective local  
 6 government may readopt the rescinded amendment pursuant to the  
 7 provisions of this paragraph.

8           7. Each county and municipality desiring to make local  
 9 technical amendments to the Florida Building Code shall by  
 10 interlocal agreement establish a countywide compliance review  
 11 board to review any amendment to the Florida Building Code,  
 12 adopted by a local government within the county pursuant to  
 13 this paragraph, that is challenged by any substantially  
 14 affected party for purposes of determining the amendment's  
 15 compliance with this paragraph. If challenged, the local  
 16 technical amendments shall not become effective until time for  
 17 filing an appeal pursuant to subparagraph 8. has expired or,  
 18 if there is an appeal, until the commission issues its final  
 19 order determining the adopted amendment is in compliance with  
 20 this subsection.

21           8. If the compliance review board determines such  
 22 amendment is not in compliance with this paragraph, the  
 23 compliance review board shall notify such local government of  
 24 the noncompliance and that the amendment is invalid and  
 25 unenforceable until the local government corrects the  
 26 amendment to bring it into compliance. The local government  
 27 may appeal the decision of the compliance review board to the  
 28 commission. If the compliance review board determines such  
 29 amendment to be in compliance with this paragraph, any  
 30 substantially affected party may appeal such determination to  
 31 the commission. Any such appeal shall be filed with the

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1 commission within 14 days of the board's written  
2 determination. The commission shall promptly refer the appeal  
3 to the Division of Administrative Hearings for the assignment  
4 of an administrative law judge. The administrative law judge  
5 shall conduct the required hearing within 30 days, and shall  
6 enter a recommended order within 30 days of the conclusion of  
7 such hearing. The commission shall enter a final order within  
8 30 days thereafter. The provisions of chapter 120 and the  
9 uniform rules of procedure shall apply to such proceedings.  
10 The local government adopting the amendment that is subject to  
11 challenge has the burden of proving that the amendment  
12 complies with this paragraph in proceedings before the  
13 compliance review board and the commission, as applicable.  
14 Actions of the commission are subject to judicial review  
15 pursuant to s. 120.68. The compliance review board shall  
16 determine whether its decisions apply to a respective local  
17 jurisdiction or apply countywide.

18           9. An amendment adopted under this paragraph shall  
19 include a fiscal impact statement which documents the costs  
20 and benefits of the proposed amendment. Criteria for the  
21 fiscal impact statement shall include the impact to local  
22 government relative to enforcement, the impact to property and  
23 building owners, as well as to industry, relative to the cost  
24 of compliance. The fiscal impact statement may not be used as  
25 a basis for challenging the amendment for compliance.

26           10. In addition to subparagraphs 7. and 9., the  
27 commission may review any amendments adopted pursuant to this  
28 subsection and make nonbinding recommendations related to  
29 compliance of such amendments with this subsection.

30           (c) Any amendment adopted by a local enforcing agency  
31 pursuant to this subsection shall not apply to state or school



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1 district owned buildings, manufactured buildings or  
 2 factory-built school buildings approved by the commission, or  
 3 prototype buildings approved pursuant to s. 553.77(3). The  
 4 respective responsible entities shall consider the physical  
 5 performance parameters substantiating such amendments when  
 6 designing, specifying, and constructing such exempt buildings.

7       (5) The initial adoption of, and any subsequent update  
 8 or amendment to, the Florida Building Code by the commission  
 9 is deemed adopted for use statewide without adoptions by local  
 10 government. For a building permit for which an application is  
 11 submitted prior to the effective date of the Florida Building  
 12 Code, the state minimum building code in effect in the  
 13 permitting jurisdiction on the date of the application governs  
 14 the permitted work for the life of the permit and any  
 15 extension granted to the permit.

16       (6)(a) The commission, by rule adopted pursuant to ss.  
 17 120.536(1) and 120.54, shall update the Florida Building Code  
 18 every 3 years. When updating the Florida Building Code, the  
 19 commission shall select the most current version of the  
 20 International Building Code, the International Fuel Gas Code,  
 21 the International Mechanical Code, the International Plumbing  
 22 Code, and the International Residential Code, all of which are  
 23 adopted by the International Code Council, and the National  
 24 Electrical Code, which is adopted by the National Fire  
 25 Protection Association, to form the foundation codes of the  
 26 updated Florida Building Code, if the version has been adopted  
 27 by the applicable model code entity and made available to the  
 28 public at least 6 months prior to its selection by the  
 29 commission.

30       (b) Codes regarding noise contour lines shall be  
 31 reviewed annually, and the most current federal guidelines

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1 shall be adopted.

2 (c) The commission may modify any portion of the  
3 foundation codes only as needed to accommodate the specific  
4 needs of this state, maintaining Florida-specific amendments  
5 previously adopted by the commission and not addressed by the  
6 updated foundation code. Standards or criteria referenced by  
7 the codes shall be incorporated by reference. If a referenced  
8 standard or criterion requires amplification or modification  
9 to be appropriate for use in this state, only the  
10 amplification or modification shall be set forth in the  
11 Florida Building Code. The commission may approve technical  
12 amendments to the updated Florida Building Code after the  
13 amendments have been subject to the conditions set forth in  
14 paragraphs (3)(a)-(d). Amendments to the foundation codes  
15 which are adopted in accordance with this subsection shall be  
16 clearly marked in printed versions of the Florida Building  
17 Code so that the fact that the provisions are Florida-specific  
18 amendments to the foundation codes is readily apparent.

19 (d) The commission shall further consider the  
20 commission's own interpretations, declaratory statements,  
21 appellate decisions, and approved statewide and local  
22 technical amendments and shall incorporate such  
23 interpretations, statements, decisions, and amendments into  
24 the updated Florida Building Code only to the extent that they  
25 are needed to modify the foundation codes to accommodate the  
26 specific needs of the state. A change made by an institute or  
27 standards organization to any standard or criterion that is  
28 adopted by reference in the Florida Building Code does not  
29 become effective statewide until it has been adopted by the  
30 commission. Furthermore, the edition of the Florida Building  
31 Code which is in effect on the date of application for any

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1 permit authorized by the code governs the permitted work for  
2 the life of the permit and any extension granted to the  
3 permit.

4 (e) A rule updating the Florida Building Code in  
5 accordance with this subsection shall take effect no sooner  
6 than 6 months after publication of the updated code. Any  
7 amendment to the Florida Building Code which is adopted upon a  
8 finding by the commission that the amendment is necessary to  
9 protect the public from immediate threat of harm takes effect  
10 immediately.

11 (f) Provisions of the foundation codes, including  
12 those contained in referenced standards and criteria, relating  
13 to wind resistance or the prevention of water intrusion may  
14 not be modified to diminish those construction requirements;  
15 however, the commission may, subject to conditions in this  
16 subsection, modify the provisions to enhance those  
17 construction requirements.

18 ~~(7)(f)~~ Upon the conclusion of a triennial update to  
19 the Florida Building Code, notwithstanding the provisions of  
20 ~~this subsection or~~ subsection (3) or subsection (6), the  
21 commission may address issues identified in this subsection  
22 ~~paragraph~~ by amending the code pursuant only to the rule  
23 adoption procedures contained in chapter 120. Provisions of  
24 the Florida Building Code, including those contained in  
25 referenced standards and criteria, relating to wind resistance  
26 or the prevention of water intrusion may not be amended  
27 pursuant to this subsection to diminish those construction  
28 requirements; however, the commission may, subject to  
29 conditions in this subsection, amend the provisions to enhance  
30 those construction requirements. Following the approval of any  
31 amendments to the Florida Building Code by the commission and

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1 publication of the amendments on the commission's website,  
2 authorities having jurisdiction to enforce the Florida  
3 Building Code may enforce the amendments. The commission may  
4 approve amendments that are needed to address:

5 ~~(a)1.~~ Conflicts within the updated code;

6 ~~(b)2.~~ Conflicts between the updated code and the  
7 Florida Fire Prevention Code adopted pursuant to chapter 633;

8 ~~(c)3.~~ The omission of previously adopted  
9 Florida-specific amendments to the updated code if such  
10 omission is not supported by a specific recommendation of a  
11 technical advisory committee or particular action by the  
12 commission; or

13 ~~(d)4.~~ Unintended results from the integration of  
14 previously adopted Florida-specific amendments with the model  
15 code.

16 ~~(8)(7)(a)~~ The commission may approve technical  
17 amendments to the Florida Building Code once each year for  
18 statewide or regional application upon a finding that the  
19 amendment:

20 1. Is needed in order to accommodate the specific  
21 needs of this state.

22 2. Has a reasonable and substantial connection with  
23 the health, safety, and welfare of the general public.

24 3. Strengthens or improves the Florida Building Code,  
25 or in the case of innovation or new technology, will provide  
26 equivalent or better products or methods or systems of  
27 construction.

28 4. Does not discriminate against materials, products,  
29 methods, or systems of construction of demonstrated  
30 capabilities.

31 5. Does not degrade the effectiveness of the Florida

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1 Building Code.

2

3 Furthermore, the Florida Building Commission may approve  
4 technical amendments to the code once each year to incorporate  
5 into the Florida Building Code its own interpretations of the  
6 code which are embodied in its opinions, final orders,  
7 declaratory statements, and interpretations of hearing officer  
8 panels under s. 553.775(3)(c), but shall do so only to the  
9 extent that incorporation of interpretations is needed to  
10 modify the foundation codes to accommodate the specific needs  
11 of this state. Amendments approved under this paragraph shall  
12 be adopted by rule pursuant to ss. 120.536(1) and 120.54,  
13 after the amendments have been subjected to the provisions of  
14 subsection (3).

15 (b) A proposed amendment shall include a fiscal impact  
16 statement which documents the costs and benefits of the  
17 proposed amendment. Criteria for the fiscal impact statement  
18 shall be established by rule by the commission and shall  
19 include the impact to local government relative to  
20 enforcement, the impact to property and building owners, as  
21 well as to industry, relative to the cost of compliance.

22 (c) The commission may not approve any proposed  
23 amendment that does not accurately and completely address all  
24 requirements for amendment which are set forth in this  
25 section. The commission shall require all proposed amendments  
26 and information submitted with proposed amendments to be  
27 reviewed by commission staff prior to consideration by any  
28 technical advisory committee. These reviews shall be for  
29 sufficiency only and are not intended to be qualitative in  
30 nature. Staff members shall reject any proposed amendment that  
31 fails to include a fiscal impact statement. Proposed

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1 amendments rejected by members of the staff may not be  
2 considered by the commission or any technical advisory  
3 committee.

4 (d) Provisions of the Florida Building Code, including  
5 those contained in referenced standards and criteria, relating  
6 to wind resistance or the prevention of water intrusion may  
7 not be amended pursuant to this subsection to diminish those  
8 construction requirements; however, the commission may,  
9 subject to conditions in this subsection, amend the provisions  
10 to enhance those construction requirements.

11 ~~(9)(8)~~ The following buildings, structures, and  
12 facilities are exempt from the Florida Building Code as  
13 provided by law, and any further exemptions shall be as  
14 determined by the Legislature and provided by law:

15 (a) Buildings and structures specifically regulated  
16 and preempted by the Federal Government.

17 (b) Railroads and ancillary facilities associated with  
18 the railroad.

19 (c) Nonresidential farm buildings on farms.

20 (d) Temporary buildings or sheds used exclusively for  
21 construction purposes.

22 (e) Mobile or modular structures used as temporary  
23 offices, except that the provisions of part II relating to  
24 accessibility by persons with disabilities shall apply to such  
25 mobile or modular structures.

26 (f) Those structures or facilities of electric  
27 utilities, as defined in s. 366.02, which are directly  
28 involved in the generation, transmission, or distribution of  
29 electricity.

30 (g) Temporary sets, assemblies, or structures used in  
31 commercial motion picture or television production, or any

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1 sound-recording equipment used in such production, on or off  
2 the premises.

3 (h) Storage sheds that are not designed for human  
4 habitation and that have a floor area of 720 square feet or  
5 less are not required to comply with the mandatory  
6 wind-borne-debris-impact standards of the Florida Building  
7 Code.

8 (i) Chickees constructed by the Miccosukee Tribe of  
9 Indians of Florida or the Seminole Tribe of Florida. As used  
10 in this paragraph, the term "chickee" means an open-sided  
11 wooden hut that has a thatched roof of palm or palmetto or  
12 other traditional materials, and that does not incorporate any  
13 electrical, plumbing, or other nonwood features.

14  
15 With the exception of paragraphs (a), (b), (c), and (f), in  
16 order to preserve the health, safety, and welfare of the  
17 public, the Florida Building Commission may, by rule adopted  
18 pursuant to chapter 120, provide for exceptions to the broad  
19 categories of buildings exempted in this section, including  
20 exceptions for application of specific sections of the code or  
21 standards adopted therein. The Department of Agriculture and  
22 Consumer Services shall have exclusive authority to adopt by  
23 rule, pursuant to chapter 120, exceptions to nonresidential  
24 farm buildings exempted in paragraph (c) when reasonably  
25 necessary to preserve public health, safety, and welfare. The  
26 exceptions must be based upon specific criteria, such as  
27 under-roof floor area, aggregate electrical service capacity,  
28 HVAC system capacity, or other building requirements. Further,  
29 the commission may recommend to the Legislature additional  
30 categories of buildings, structures, or facilities which  
31 should be exempted from the Florida Building Code, to be

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1 provided by law.

2           ~~(10)(9)~~(a) In the event of a conflict between the  
3 Florida Building Code and the Florida Fire Prevention Code and  
4 the Life Safety Code as applied to a specific project, the  
5 conflict shall be resolved by agreement between the local  
6 building code enforcement official and the local fire code  
7 enforcement official in favor of the requirement of the code  
8 which offers the greatest degree of lifesafety or alternatives  
9 which would provide an equivalent degree of lifesafety and an  
10 equivalent method of construction.

11           (b) Any decision made by the local fire official and  
12 the local building official may be appealed to a local  
13 administrative board designated by the municipality, county,  
14 or special district having firesafety responsibilities. If the  
15 decision of the local fire official and the local building  
16 official is to apply the provisions of either the Florida  
17 Building Code or the Florida Fire Prevention Code and the Life  
18 Safety Code, the board may not alter the decision unless the  
19 board determines that the application of such code is not  
20 reasonable. If the decision of the local fire official and  
21 the local building official is to adopt an alternative to the  
22 codes, the local administrative board shall give due regard to  
23 the decision rendered by the local officials and may modify  
24 that decision if the administrative board adopts a better  
25 alternative, taking into consideration all relevant  
26 circumstances. In any case in which the local administrative  
27 board adopts alternatives to the decision rendered by the  
28 local fire official and the local building official, such  
29 alternatives shall provide an equivalent degree of lifesafety  
30 and an equivalent method of construction as the decision  
31 rendered by the local officials.



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1           (c) If the local building official and the local fire  
 2 official are unable to agree on a resolution of the conflict  
 3 between the Florida Building Code and the Florida Fire  
 4 Prevention Code and the Life Safety Code, the local  
 5 administrative board shall resolve the conflict in favor of  
 6 the code which offers the greatest degree of lifesafety or  
 7 alternatives which would provide an equivalent degree of  
 8 lifesafety and an equivalent method of construction.

9           (d) All decisions of the local administrative board,  
 10 or if none exists, the decisions of the local building  
 11 official and the local fire official, are subject to review by  
 12 a joint committee composed of members of the Florida Building  
 13 Commission and the Fire Code Advisory Council. If the joint  
 14 committee is unable to resolve conflicts between the codes as  
 15 applied to a specific project, the matter shall be resolved  
 16 pursuant to the provisions of paragraph (1)(d).

17           (e) The local administrative board shall, to the  
 18 greatest extent possible, be composed of members with  
 19 expertise in building construction and firesafety standards.

20           (f) All decisions of the local building official and  
 21 local fire official and all decisions of the administrative  
 22 board shall be in writing and shall be binding upon all  
 23 persons but shall not limit the authority of the State Fire  
 24 Marshal or the Florida Building Commission pursuant to  
 25 paragraph (1)(d) and ss. 663.01 and 633.161. Decisions of  
 26 general application shall be indexed by building and fire code  
 27 sections and shall be available for inspection during normal  
 28 business hours.

29           ~~(11)(10)~~ Except within coastal building zones as  
 30 defined in s. 161.54, specification standards developed by  
 31 nationally recognized code promulgation organizations to

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1 determine compliance with engineering criteria of the Florida  
 2 Building Code for wind load design shall not apply to one or  
 3 two family dwellings which are two stories or less in height  
 4 unless approved by the commission for use or unless expressly  
 5 made subject to said standards and criteria by local ordinance  
 6 adopted in accordance with the provisions of subsection (4).

7       ~~(12)(11)~~ The Florida Building Code does not apply to,  
 8 and no code enforcement action shall be brought with respect  
 9 to, zoning requirements, land use requirements, and owner  
 10 specifications or programmatic requirements which do not  
 11 pertain to and govern the design, construction, erection,  
 12 alteration, modification, repair, or demolition of public or  
 13 private buildings, structures, or facilities or to  
 14 programmatic requirements that do not pertain to enforcement  
 15 of the Florida Building Code. Additionally, a local code  
 16 enforcement agency may not administer or enforce the Florida  
 17 Building Code to prevent the siting of any publicly owned  
 18 facility, including, but not limited to, correctional  
 19 facilities, juvenile justice facilities, or state  
 20 universities, community colleges, or public education  
 21 facilities, as provided by law.

22       Section 14. Subsection (2) of section 553.775, Florida  
 23 Statutes, is amended to read:

24       553.775 Interpretations.--

25       (2) Local enforcement agencies, local building  
 26 officials, state agencies, and the commission shall interpret  
 27 provisions of the Florida Building Code in a manner that is  
 28 consistent with declaratory statements and interpretations  
 29 entered by the commission, except that conflicts between the  
 30 Florida Fire Prevention Code and the Florida Building Code  
 31 shall be resolved in accordance with s. 553.73(10)(c) and (d).

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1 ~~s. 553.73(9)(c) and (d).~~

2           Section 15. Upon the effective date of this act, each  
3 jurisdiction having authority to enforce the Florida Building  
4 Code shall, at a minimum, require wind-borne-debris protection  
5 in accordance with s. 1609.1, International Building Code  
6 (2006) within the "wind-borne-debris region" as that term is  
7 defined in s. 1609.2, International Building Code (2006).

8           Section 16. (1) The Florida Building Commission shall  
9 amend the Florida Building Code to reflect the application of  
10 provisions identified in section 553.73, Florida Statutes, and  
11 to eliminate all exceptions that provide less stringent  
12 requirements. The amendments by the commission shall apply  
13 throughout the state with the exception of the High Velocity  
14 Hurricane Zone, which shall be governed as currently provided  
15 within the Florida Building Code. The commission shall, in  
16 addition, amend the code to require that, at a minimum, in  
17 areas where the applicable design wind speed is less than 120  
18 miles per hour, all new residences are designed and  
19 constructed to withstand internal pressures. The commission  
20 shall fulfill these obligations before July 1, 2007, pursuant  
21 only to the provisions of chapter 120, Florida Statutes.

22           (2) The Florida Building Commission shall develop  
23 voluntary "Code Plus" guidelines for increasing the hurricane  
24 resistance of buildings. The guidelines must be modeled on the  
25 requirements for the High Velocity Hurricane Zone and must  
26 identify products, systems, and methods of construction that  
27 the commission anticipates could result in stronger  
28 construction. The commission shall include these guidelines in  
29 its report to the 2008 Legislature.

30           Section 17. Paragraph (b) of subsection (3) of section  
31 624.319, Florida Statutes, is amended to read:

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1           624.319 Examination and investigation reports.--  
2           (3)  
3           (b) Workpapers and other information held by the  
4 department or office, and workpapers and other information  
5 received from another governmental entity or the National  
6 Association of Insurance Commissioners, for the department's  
7 or office's use in the performance of its examination or  
8 investigation duties pursuant to this section and ss. 624.316,  
9 624.3161, 624.317, and 624.318 are confidential and exempt  
10 from the provisions of s. 119.07(1) and s. 24(a), Art. I of  
11 the State Constitution. This exemption applies to workpapers  
12 and other information held by the department or office before,  
13 on, or after the effective date of this exemption. Such  
14 confidential and exempt information may be disclosed to  
15 another governmental entity, if disclosure is necessary for  
16 the receiving entity to perform its duties and  
17 responsibilities, and may be disclosed to the National  
18 Association of Insurance Commissioners. The Public Counsel and  
19 the Insurance Consumer Advocate shall have access to such  
20 confidential and exempt information pertaining to insurance at  
21 any time. The receiving governmental entity or the association  
22 must maintain the confidential and exempt status of the  
23 information. The information made confidential and exempt by  
24 this paragraph may be used in a criminal, civil, or  
25 administrative proceeding so long as the confidential and  
26 exempt status of such information is maintained. This  
27 paragraph is subject to the Open Government Sunset Review Act  
28 of 1995 in accordance with s. 119.15 and shall stand repealed  
29 on October 2, 2007, unless reviewed and saved from repeal  
30 through reenactment by the Legislature.

31           Section 18. Paragraph (a) of subsection (2) of section

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1 624.462, Florida Statutes, is amended to read:

2 624.462 Commercial self-insurance funds.--

3 (2) As used in ss. 624.460-624.488, "commercial  
4 self-insurance fund" or "fund" means a group of members,  
5 operating individually and collectively through a trust or  
6 corporation, that must be:

7 (a) Established by:

8 1. A not-for-profit trade association, industry  
9 association, or professional association of employers or  
10 professionals which has a constitution or bylaws, which is  
11 incorporated under the laws of this state, and which has been  
12 organized for purposes other than that of obtaining or  
13 providing insurance and operated in good faith for a  
14 continuous period of 1 year;

15 2. A self-insurance trust fund organized pursuant to  
16 s. 627.357 and maintained in good faith for a continuous  
17 period of 1 year for purposes other than that of obtaining or  
18 providing insurance pursuant to this section. Each member of a  
19 commercial self-insurance trust fund established pursuant to  
20 this subsection must maintain membership in the self-insurance  
21 trust fund organized pursuant to s. 627.357;

22 3. A group of 10 or more health care providers, as  
23 defined in s. 627.351(4)(h), for purposes of providing medical  
24 malpractice coverage; or

25 4. A not-for-profit group comprised of no fewer ~~less~~  
26 than 10 community condominium associations created and  
27 operating under chapter 718, chapter 719, chapter 720, chapter  
28 721, or chapter 723 ~~as defined in s. 718.103(2), which is~~  
29 ~~incorporated under the laws of this state,~~ which restricts its  
30 membership to community condominium associations only, and  
31 which has been organized and maintained in good faith for the

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1 purpose of pooling and spreading the liabilities of its group  
 2 members relating to property or casualty risk or surety  
 3 insurance ~~a continuous period of 1 year for purposes other~~  
 4 ~~than that of obtaining or providing insurance.~~

5 Section 19. Subsection (1) of section 624.4622,  
 6 Florida Statutes, is amended to read:

7 624.4622 Local government self-insurance funds.--

8 (1) Any two or more local governmental entities may  
 9 enter into interlocal agreements for the purpose of securing  
 10 the payment of benefits under chapter 440, or insuring or  
 11 self-insuring real or personal property of every kind and  
 12 every interest in such property against loss or damage from  
 13 any hazard or cause and against any loss consequential to such  
 14 loss or damage, provided the local government self-insurance  
 15 fund that is created must:

16 (a) Have annual normal premiums in excess of \$5  
 17 million;

18 (b) Maintain a continuing program of excess insurance  
 19 coverage and reserve evaluation to protect the financial  
 20 stability of the fund in an amount and manner determined by a  
 21 qualified and independent actuary;

22 (c) Submit annually an audited fiscal year-end  
 23 financial statement by an independent certified public  
 24 accountant within 6 months after the end of the fiscal year to  
 25 the office; and

26 (d) Have a governing body which is comprised entirely  
 27 of local elected officials.

28 Section 20. Section 624.462215, Florida Statutes, is  
 29 created to read:

30 (1) As used in this section, the term "public housing  
 31 authority" has the same meaning as the term "authority" in s.

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1 421.03.

2 (2) Any two or more public housing authorities in this  
3 state may create a self-insurance fund as defined in s.  
4 624.4622 for the purpose of:

5 (a) Securing the payment benefits under chapter 440;  
6 or

7 (b) Insuring or self-insuring real or personal  
8 property of every kind and every interest in such property  
9 against loss or damage from any hazard or cause and against  
10 any loss consequential to such loss or damage.

11  
12 Any fund created under this section must meet all the  
13 provisions of s. 624.4622.

14 (3) Each public housing authority is exempt from:

15 (a) Each tax or assessment imposed under ss. 175.101,  
16 185.08, 624.509, 627.351, and 631.55; and

17 (b) Any requirement to have a governing body that is  
18 composed entirely of local elected officials.

19 (4) Each public housing authority that creates a  
20 self-insurance fund meeting the requirements of this section  
21 is not subject to s. 624.4621 and need not file any report  
22 with the office under s. 440.38(2)(b) which is uniquely  
23 required of the group self-insurer funds qualified under s.  
24 624.4621. If any of the requirements of this section are not  
25 met, the local government self-insurance fund is subject to  
26 the requirements of s. 624.4621.

27  
28 (Redesignate subsequent sections.)

29  
30  
31

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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 3, line 12, through page 6, line 1, delete  
4 those lines

5

6 and insert:

7       filing; creating s. 284.3101, F.S.; providing  
8       for the Insurance Risk Management Trust Fund to  
9       cover or provide various types of insurance  
10       concerning public housing authorities; amending  
11       s. 284.36, F.S.; including public housing  
12       authorities in provisions concerning billing  
13       and charging for certain insurance premiums, to  
14       conform; amending s. 350.012, F.S.;  
15       redesignating the Committee on Public Service  
16       Commission Oversight as the "Committee on  
17       Public Service Commission and Insurance  
18       Oversight"; requiring that the committee  
19       confirm or reject the appointment of the  
20       Insurance Consumer Advocate by the Chief  
21       Financial Officer; amending s. 350.0611, F.S.,  
22       relating to the Public Counsel; providing  
23       duties with respect to the Insurance Consumer  
24       Advocate; amending s. 350.0613, F.S.;  
25       authorizing the Public Counsel to represent the  
26       public before the Office of Insurance  
27       Regulation, the Financial Services Commission,  
28       and the Department of Financial Services;  
29       including certain proceedings related to rules  
30       and rate filings for insurance; authorizing the  
31       Public Counsel to have access to files of the



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1 Office of Insurance Regulation, the Financial  
2 Services Commission, and the Department of  
3 Financial Services, to seek review of orders of  
4 the office and the commission, and to issue  
5 reports, recommendations, and proposed orders  
6 to the office and the commission; authorizing  
7 the Committee on Public Service Commission and  
8 Insurance Oversight to authorize the Public  
9 Counsel to employ certain types of employees;  
10 requiring the Office of Insurance Regulation,  
11 the Financial Services Commission, and the  
12 Department of Financial Services to provide  
13 copies of certain filings to the Public  
14 Counsel; creating s. 350.0615, F.S.; creating  
15 the office of Insurance Consumer Advocate to  
16 represent the public on matters relating to the  
17 regulation of insurance; requiring the Chief  
18 Financial Officer to appoint the Insurance  
19 Consumer Advocate, who is subject to  
20 confirmation by the Committee on Public Service  
21 Commission and Insurance Oversight; providing  
22 for the Insurance Consumer Advocate to report  
23 directly to and be employed by the Public  
24 Counsel; specifying the powers and duties of  
25 the Insurance Consumer Advocate; creating s.  
26 395.1060, F.S.; providing for risk pooling,  
27 with respect to property exposure, by certain  
28 hospitals and hospital systems; exempting  
29 entities formed to do so from the Florida  
30 Insurance Code; amending s. 553.73, F.S.;

31 prohibiting the Florida Building Commission

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1 from modifying certain foundation codes  
2 relating to wind resistance or the prevention  
3 of water intrusion unless the modification  
4 enhances such provisions; amending s. 553.775,  
5 F.S., relating to interpretations of the  
6 Florida Building Code; conforming a  
7 cross-reference; requiring jurisdictions having  
8 authority to enforce the Florida Building Code  
9 to require wind-borne-debris protection  
10 according to specified requirements; requiring  
11 that the Florida Building Commission amend the  
12 Florida Building Code to reflect the  
13 requirements of the act and eliminate certain  
14 less stringent requirements; providing an  
15 exception; requiring an amendment to the code  
16 with respect to certain provisions governing  
17 new residential construction; requiring the  
18 commission to develop voluntary guidelines for  
19 increasing the hurricane resistance of  
20 buildings; requiring that the guidelines be  
21 included in the commission's report to the 2008  
22 Legislature; amending s. 624.319, F.S. ;  
23 authorizing the Public Counsel and the  
24 Insurance Consumer Advocate to have access to  
25 certain confidential information held by the  
26 Department of Financial Services or the Office  
27 of Insurance Regulation; amending s. 624.462,  
28 F.S.; revising requirements for the  
29 establishment of a commercial self-insurance  
30 fund by a not-for-profit group; amending s.  
31 624.4622, F.S.; authorizing local government

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1 self-insurance funds to insure or self-insure  
2 real or personal property against loss or  
3 damage; creating s. 624.462215, F.S.; providing  
4 a definition; providing for a self-insurance  
5 fund for certain public housing authorities;  
6 specifying requirements concerning such a fund;  
7 exempting public housing authorities from  
8 various taxes and assessments concerning  
9 insurance; exempting public housing authorities  
10 from any requirement to have a governing body  
11 composed entirely of local elected officials;  
12 exempting public housing authorities that  
13 create a self insurance fund from certain  
14 reporting requirements under certain  
15 conditions; amending s. 624.610, F.S. ;  
16 specifying

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