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1                   A bill to be entitled  
2           An act relating to firesafety; providing a short title;  
3           creating s. 633.027, F.S., requiring owners of certain  
4           structures with light-frame truss-type construction to  
5           mark such structures with signs or symbols; requiring the  
6           State Fire Marshal to adopt rules governing the size,  
7           color and placement of such signs and symbols; providing  
8           for enforcement; providing penalties; amending s.  
9           663.0215, F.S., requiring the State Fire Marshal to  
10          conduct a study on the use of voice over Internet protocol  
11          telephone service for monitoring fire alarm systems;  
12          requiring rulemaking under certain conditions; amending s.  
13          633.022, F.S.; revising provisions relating to uniform  
14          firesafety standards to include application to tunnels;  
15          revising requirements pertaining to supervised automatic  
16          sprinkler systems within nursing homes; requiring a  
17          nursing home licensee to submit complete sprinkler  
18          construction documents to the Agency for Health Care  
19          Administration by a specified date; requiring such  
20          licensee to gain final approval from the agency to start  
21          construction by a specified date; authorizing the agency  
22          to extend the deadline under certain circumstances;  
23          amending s. 633.0245, F.S.; changing the application  
24          deadline for participation in the State Fire Marshal  
25          Nursing Home Loan Guarantee Program; providing an  
26          effective date.

27  
28   Be It Enacted by the Legislature of the State of Florida:  
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30           Section 1. This act may be cited as the "Aldridge/Benge  
31 Firefighter Safety Act."

32           Section 2. Section 633.027, Florida Statutes, is created to  
33 read:

34           633.027 Structures built with light-frame truss-type  
35 construction; notice requirements; enforcement.--

36           (1) The owner of any commercial or industrial structure, or  
37 any multiunit residential structure of three units or more, that  
38 uses light-frame truss-type construction shall mark the structure  
39 with a sign or symbol approved by the State Fire Marshal in a  
40 manner sufficient to warn persons conducting fire control and  
41 other emergency operations of the existence of light-frame truss-  
42 type construction in the structure.

43           (2) The State Fire Marshal shall adopt rules pursuant to  
44 ss. 120.536(1) and 120.54 to implement the provisions of this  
45 section, including, but not limited to:

46           (a) The dimensions and color of such sign or symbol.

47           (b) The time within which commercial, industrial, and  
48 multiunit residential structures that use light-frame truss-type  
49 construction shall be marked as required by this section.

50           (c) The location on each commercial, industrial, and  
51 multiunit residential structure that uses light-frame truss-type  
52 construction where such sign or symbol must be posted.

53           (3) The State Fire Marshal, and local fire officials in  
54 accordance with s. 633.121, shall enforce the provisions of this  
55 section. Any owner who fails to comply with the requirements of  
56 this section is subject to penalties as provided in s. 633.161.

57           Section 3. Subsection (12) is added to section 633.0215,  
58 Florida Statutes, to read:

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59 633.0215 Florida Fire Prevention Code.--

60 (12) Notwithstanding other provisions of this section, the  
61 State Fire Marshal must study the use of managed, facilities-  
62 based voice over Internet protocol telephone service for  
63 monitoring fire alarm signals. If the study determines that voice  
64 over Internet protocol telephone service technology provides a  
65 level of protection equivalent to that required by NFPA 72:  
66 National Fire Alarm Code, the State Fire Marshal must initiate  
67 rulemaking pursuant to ss. 120.536(1) and 120.54 by December 1,  
68 2008, to allow the use of this technology as an additional method  
69 of monitoring fire alarm systems.

70 Section 4. Paragraph (b) of subsection (1) and paragraph  
71 (a) of subsection (4) of section 633.022, Florida Statutes, are  
72 amended to read:

73 633.022 Uniform firesafety standards.--The Legislature  
74 hereby determines that to protect the public health, safety, and  
75 welfare it is necessary to provide for firesafety standards  
76 governing the construction and utilization of certain buildings  
77 and structures. The Legislature further determines that certain  
78 buildings or structures, due to their specialized use or to the  
79 special characteristics of the person utilizing or occupying  
80 these buildings or structures, should be subject to firesafety  
81 standards reflecting these special needs as may be appropriate.

82 (1) The department shall establish uniform firesafety  
83 standards that apply to:

84 (b) All new, existing, and proposed hospitals, nursing  
85 homes, assisted living facilities, adult family-care homes,  
86 correctional facilities, public schools, transient public lodging  
87 establishments, public food service establishments, elevators,

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88 migrant labor camps, mobile home parks, lodging parks,  
89 recreational vehicle parks, recreational camps, residential and  
90 nonresidential child care facilities, facilities for the  
91 developmentally disabled, motion picture and television special  
92 effects productions, tunnels, and self-service gasoline stations,  
93 of which standards the State Fire Marshal is the final  
94 administrative interpreting authority.

95  
96 ~~If In the event~~ there is a dispute between the owners of the  
97 buildings specified in paragraph (b) and a local authority  
98 requiring a more stringent uniform firesafety standard for  
99 sprinkler systems, the State Fire Marshal shall be the final  
100 administrative interpreting authority and the State Fire  
101 Marshal's interpretation regarding the uniform firesafety  
102 standards shall be considered final agency action.

103 (4) (a) Notwithstanding any provision of law to the  
104 contrary, each nursing home licensed under part II of chapter 400  
105 shall be protected throughout by an approved, supervised  
106 automatic sprinkler system in accordance with s. 9 of National  
107 Fire Protection Association, Inc., Life Safety Code, ~~in~~  
108 ~~accordance with the following schedule:~~

109 ~~1. Each hazardous area of each nursing home shall be~~  
110 ~~protected by an approved, supervised automatic sprinkler system~~  
111 ~~by no later than December 31, 2008.~~

112 ~~2. Each entire nursing home shall be protected by an~~  
113 ~~approved, supervised automatic sprinkler system by no later than~~  
114 ~~December 31, 2010. A nursing home licensee shall submit complete~~  
115 sprinkler construction documents to the Agency for Health Care  
116 Administration for review by December 31, 2008, and the licensee

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117 must gain final approval to start construction from the agency by  
118 June 30, 2009. The agency shall grant a 6-month extension to a  
119 nursing home licensee if the completion and submission of the  
120 sprinkler construction documents are contingent upon the approval  
121 of the application for the loan guarantee program authorized  
122 under s. 633.0245. In such case, the agency may extend the  
123 deadline for final approval to begin construction beyond June 30,  
124 2009, but the deadline may not be extended beyond December 31,  
125 2009.

126 Section 5. Subsection (9) of section 633.0245, Florida  
127 Statutes, is amended to read:

128 633.0245 State Fire Marshal Nursing Home Fire Protection  
129 Loan Guarantee Program.--

130 (9) An ~~Ne~~ application for participation in the State Fire  
131 Marshal Nursing Home Fire Protection Loan Guarantee Program may  
132 not be accepted by the State Fire Marshal after July 1, 2009 ~~June~~  
133 ~~30, 2006~~.

134 Section 6. This act shall take effect July 1, 2008.