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CHAMBER ACTION

| <u>Senate</u> | . | <u>House</u> |
|---------------|---|--------------|
| Comm: RCS | . | |
| 4/17/2008 | . | |
| | . | |
| | . | |

1 The Committee on Community Affairs (Geller) recommended the
2 following **amendment**:

3
4 **Senate Amendment (with title amendment)**

5 Delete everything after the enacting clause
6 and insert:

7 Section 1. Paragraph (e) of subsection (1) of section
8 218.23, Florida Statutes, is amended to read:

9 218.23 Revenue sharing with units of local government.--

10 (1) To be eligible to participate in revenue sharing beyond
11 the minimum entitlement in any fiscal year, a unit of local
12 government is required to have:

13 (e) Certified that persons in its employ as firefighters,
14 as defined in s. 633.30 ~~s. 633.30(1)~~, meet the qualification for
15 employment as established by the Division of State Fire Marshal
16 pursuant to the provisions of ss. 633.34 and 633.35 and that the
17 provisions of s. 633.382 have been met.



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18
19 Additionally, to receive its share of revenue sharing funds, a
20 unit of local government shall certify to the Department of
21 Revenue that the requirements of s. 200.065, if applicable, were
22 met. The certification shall be made annually within 30 days of
23 adoption of an ordinance or resolution establishing a final
24 property tax levy or, if no property tax is levied, not later
25 than November 1. The portion of revenue sharing funds which,
26 pursuant to this part, would otherwise be distributed to a unit
27 of local government which has not certified compliance or has
28 otherwise failed to meet the requirements of s. 200.065 shall be
29 deposited in the General Revenue Fund for the 12 months following
30 a determination of noncompliance by the department.

31 Section 2. Paragraph (b) of subsection (4) of section
32 447.203, Florida Statutes, is amended to read:

33 447.203 Definitions.--As used in this part:

34 (4) "Managerial employees" are those employees who:

35 (b) Serve as police chiefs, fire chiefs, or directors of
36 public safety of any police, fire, or public safety department.
37 Other police officers, as defined in s. 943.10(1), and
38 firefighters, as defined in s. 633.30 ~~s. 633.30(1)~~, may be
39 determined by the commission to be managerial employees of such
40 departments. In making such determinations, the commission shall
41 consider, in addition to the criteria established in paragraph
42 (a), the paramilitary organizational structure of the department
43 involved.

44
45 However, in determining whether an individual is a managerial
46 employee pursuant to either paragraph (a) or paragraph (b),



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47 | above, the commission may consider historic relationships of the
48 | employee to the public employer and to coemployees.

49 | Section 3. Subsection (1) of section 553.895, Florida
50 | Statutes, is amended to read:

51 | 553.895 Firesafety.--

52 | (1) Any transient public lodging establishment, as defined
53 | in chapter 509 and used primarily for transient occupancy as
54 | defined in s. 83.43(10), or any timeshare unit of a timeshare
55 | plan as defined in chapters 718 and 721, which is of three
56 | stories or more and for which the construction contract has been
57 | let after September 30, 1983, with interior corridors which do
58 | not have direct access from the guest area to exterior means of
59 | egress and on buildings over 75 feet in height that have direct
60 | access from the guest area to exterior means of egress and for
61 | which the construction contract has been let after September 30,
62 | 1983, shall be equipped with an automatic sprinkler system
63 | installed in compliance with the current edition of the
64 | applicable fire sprinkler standards adopted by the State Fire
65 | Marshal. ~~the provisions prescribed in the National Fire~~
66 | ~~Protection Association publication NFPA No. 13 (1985), "Standards~~
67 | ~~for the Installation of Sprinkler Systems."~~ Each guest room and
68 | each timeshare unit shall be equipped with an approved listed
69 | single-station smoke detector meeting the minimum requirements of
70 | NFPA 72, the current edition adopted by the State Fire Marshal,
71 | ~~74 (1984) "Standards for the Installation, Maintenance and Use of~~
72 | ~~Household Fire Warning Equipment,"~~ powered from the building
73 | electrical service, notwithstanding the number of stories in the
74 | structure, if the contract for construction is let after
75 | September 30, 1983. Single-station smoke detectors shall not be
76 | required when guest rooms or timeshare units contain smoke



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77 detectors connected to a central alarm system which also alarms
78 locally.

79 Section 4. Section 633.02, Florida Statutes, is amended to
80 read:

81 633.02 Agents; powers and duties; compensation.--The State
82 Fire Marshal shall appoint such agents as may be necessary to
83 carry out effectively the provisions of this chapter, who shall
84 be reimbursed for travel expenses as provided in s. 112.061, in
85 addition to their salary, when traveling or making investigations
86 in the performance of their duties. Such agents shall be at all
87 times under the direction and control of the State Fire Marshal,
88 who shall fix their compensation, and all orders shall be issued
89 in the State Fire Marshal's name and by her or his authority.

90 Section 5. Paragraph (b) of subsection (1) and paragraph
91 (a) of subsection (4) of section 633.022, Florida Statutes, are
92 amended to read:

93 633.022 Uniform firesafety standards.--The Legislature
94 hereby determines that to protect the public health, safety, and
95 welfare it is necessary to provide for firesafety standards
96 governing the construction and utilization of certain buildings
97 and structures. The Legislature further determines that certain
98 buildings or structures, due to their specialized use or to the
99 special characteristics of the person utilizing or occupying
100 these buildings or structures, should be subject to firesafety
101 standards reflecting these special needs as may be appropriate.

102 (1) The department shall establish uniform firesafety
103 standards that apply to:

104 (b) All new, existing, and proposed hospitals, nursing
105 homes, assisted living facilities, adult family-care homes,
106 correctional facilities, public schools, transient public lodging



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107 establishments, public food service establishments, elevators,
108 migrant labor camps, mobile home parks, lodging parks,
109 recreational vehicle parks, recreational camps, residential and
110 nonresidential child care facilities, facilities for the
111 developmentally disabled, motion picture and television special
112 effects productions, tunnels, and self-service gasoline stations,
113 of which standards the State Fire Marshal is the final
114 administrative interpreting authority.

115
116 ~~If In the event~~ there is a dispute between the owners of the
117 buildings specified in paragraph (b) and a local authority
118 requiring a more stringent uniform firesafety standard for
119 sprinkler systems, the State Fire Marshal shall be the final
120 administrative interpreting authority and the State Fire
121 Marshal's interpretation regarding the uniform firesafety
122 standards shall be considered final agency action.

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

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

132 ~~2. Each entire nursing home shall be protected by an~~
133 ~~approved, supervised automatic sprinkler system by no later than~~
134 ~~December 31, 2010.~~

135 Section 6. Subsection (9) of section 633.0245, Florida
136 Statutes, is amended to read:



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137 633.0245 State Fire Marshal Nursing Home Fire Protection
138 Loan Guarantee Program.--

139 (9) An ~~Ne~~ application for participation in the State Fire
140 Marshal Nursing Home Fire Protection Loan Guarantee Program may
141 not be accepted by the State Fire Marshal after July 1, 2009 ~~June~~
142 ~~30, 2006~~.

143 Section 7. Subsection (11) is added to section 633.025,
144 Florida Statutes, to read:

145 633.025 Minimum firesafety standards.--

146 (11) (a) The plans for, and inspections of, manufactured
147 buildings may be completed at the point of manufacture as long as
148 the following requirements are met:

149 1. The person reviewing the plans and inspecting the
150 manufactured or prototype building must be currently certified as
151 a firesafety inspector under s. 633.081(2); and

152 2. The manufacturer's modular data plate, stating that the
153 building is in compliance with chapter 633 and the rules of the
154 department, has been affixed to the building.

155 (b) The local fire official shall recognize and approve
156 such manufactured building, subject to local fire code
157 amendments, acceptable performance testing of life safety
158 systems, and site conditions. The cost of any additional work
159 necessary to meet these requirements, if any, shall be born by
160 the manufacturer. The department may adopt rules to administer
161 this subsection.

162 Section 8. Section 633.03, Florida Statutes, is amended to
163 read:

164 633.03 Investigation of fires and explosions ~~fire~~;
165 reports.--The State Fire Marshal shall investigate the cause,
166 origin, and circumstances of every fire or explosion occurring in



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167 | this state wherein the State Fire Marshal deems an investigation
168 | is necessary and ~~property has been damaged or destroyed~~ where
169 | there is probable cause to believe that the fire or explosion was
170 | the result of carelessness or design. Report of all such
171 | investigations shall be made on approved forms to be furnished by
172 | the State Fire Marshal.

173 | Section 9. Subsections (1) and (2), and paragraph (a) of
174 | subsection (3) of section 633.061, Florida Statutes, are amended
175 | to read:

176 | 633.061 Fire suppression equipment; license to install or
177 | maintain.--

178 | (1) It is unlawful for any organization or individual to
179 | engage in the business of servicing, repairing, recharging,
180 | testing, marking, inspecting, installing, or hydrotesting any
181 | fire extinguisher or preengineered system in this state except in
182 | conformity with the provisions of this chapter. Each organization
183 | or individual that engages in such activity must possess a valid
184 | and subsisting license issued by the State Fire Marshal. All fire
185 | extinguishers and preengineered systems required by statute or by
186 | rule must be serviced by an organization or individual licensed
187 | under the provisions of this chapter. A licensee who receives
188 | appropriate training shall not be prohibited by a manufacturer
189 | from servicing any particular brand of fire extinguisher or
190 | preengineered system. The licensee is legally qualified to act
191 | for the business organization in all matters connected with its
192 | business, and the licensee must supervise all activities
193 | undertaken by such business organization. Each licensee shall
194 | maintain a specific business location. A further requirement, in
195 | the case of multiple locations where such servicing or recharging
196 | is taking place, is that each licensee who maintains more than



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197 one place of business where actual work is carried on must
198 possess an additional license, as set forth in this section, for
199 each location, except that a licensed individual may not qualify
200 for more than five locations. A licensee is limited to a specific
201 type of work performed depending upon the class of license held.

202 Licenses and license fees are required for the following:

203 (a) Class A....\$250

204 To service, recharge, repair, install, or inspect all types of
205 fire extinguishers and to conduct hydrostatic tests on all types
206 of fire extinguishers.

207 (b) Class B....\$150

208 To service, recharge, repair, install, or inspect all types of
209 fire extinguishers, including recharging carbon dioxide units and
210 conducting hydrostatic tests on all types of fire extinguishers,
211 except carbon dioxide units.

212 (c) Class C....\$150

213 To service, recharge, repair, install, or inspect all types of
214 fire extinguishers, except recharging carbon dioxide units, and
215 to conduct hydrostatic tests on all types of fire extinguishers,
216 except carbon dioxide units.

217 (d) Class D....\$200

218 To service, repair, recharge, hydrotest, install, or inspect all
219 types of preengineered fire extinguishing systems.

220 (e) Licenses issued as duplicates or to reflect a change of
221 address....\$10

222

223 Any fire equipment dealer licensed pursuant to this subsection
224 who does not want to engage in the business of servicing,
225 inspecting, recharging, repairing, hydrotesting, or installing
226 clean agent ~~halon~~ equipment must file an affidavit on a form



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227 provided by the division so stating. Licenses will be issued by
228 the division to reflect the work authorized thereunder. It is
229 unlawful, unlicensed activity for any person or firm to falsely
230 hold himself or herself or a business organization out to perform
231 any service, inspection, recharge, repair, hydrotest, or
232 installation except as specifically described in the license.

233 (2) Each individual actually performing the work of
234 servicing, recharging, repairing, hydrotesting, installing,
235 testing, or inspecting fire extinguishers or preengineered
236 systems must possess a valid and subsisting permit issued by the
237 State Fire Marshal. Permittees are limited as to specific type of
238 work performed to allow work no more extensive than the class of
239 license held by the licensee under whom the permittee is working.
240 Permits will be issued by the division and the fees required are
241 as follows:

242 (a) Portable permit....\$90

243 "Portable permittee" means a person who is limited to performing
244 work no more extensive than the employing licensee in the
245 servicing, recharging, repairing, installing, or inspecting all
246 types of portable fire extinguishers.

247 (b) Preengineered permit....\$120

248 "Preengineered permittee" means a person who is limited to the
249 servicing, recharging, repairing, installing, or inspecting of
250 all types of preengineered fire extinguishing systems.

251 (c) Permits issued as duplicates or to reflect a change of
252 address....\$10

253

254 Any fire equipment permittee licensed pursuant to this subsection
255 who does not want to engage in servicing, inspecting, recharging,
256 repairing, hydrotesting, or installing clean agent ~~halon~~



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257 | equipment must file an affidavit on a form provided by the
258 | division so stating. Permits will be issued by the division to
259 | reflect the work authorized thereunder. It is unlawful,
260 | unlicensed activity for any person or firm to falsely hold
261 | himself or herself out to perform any service, inspection,
262 | recharge, repair, hydrotest, or installation except as
263 | specifically described in the permit.

264 | (3) (a) Such licenses and permits shall be issued by the
265 | State Fire Marshal for 2 years beginning January 1, 2000, and
266 | each 2-year period thereafter and expiring December 31 of the
267 | second year. All licenses or permits issued will expire on
268 | December 31 of each odd-numbered year. The failure to renew a
269 | license or permit by December 31 of the second year will cause
270 | the license or permit to become inoperative. The holder of an
271 | inoperative license or permit shall not engage in any activities
272 | for which a license or permit is required by this section. A
273 | license or permit which is inoperative because of the failure to
274 | renew it shall be restored upon payment of the applicable fee
275 | plus a penalty equal to the applicable fee, if the application
276 | for renewal is filed no later than the following March 31. If the
277 | application for restoration is not made before the March 31st
278 | deadline, the fee for restoration shall be equal to the original
279 | application fee and the penalty provided for herein, and, in
280 | addition, the State Fire Marshal shall require reexamination of
281 | the applicant. The fee for a license or permit issued for 1 year
282 | or less shall be prorated at 50 percent of the applicable fee for
283 | a biennial license or permit. Following the initial licensure,
284 | each licensee or permittee shall successfully complete a course
285 | or courses of continuing education for fire equipment technicians
286 | of at least 16 ~~32~~ hours. A license or permit may not be renewed



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287 | unless the licensee or permittee produces documentation of the
288 | completion of at least 16 hours of continuing education for fire
289 | equipment technicians during the biennial licensure period ~~within~~
290 | ~~4 years of initial issuance of a license or permit and within~~
291 | ~~each 4-year period thereafter or no such license or permit shall~~
292 | ~~be renewed.~~ A person who is both a licensee and a permittee shall
293 | be required to complete a total of 16 ~~32~~ hours of continuing
294 | education during each renewal ~~per 4-year~~ period. Each licensee
295 | shall ensure that all permittees in his or her employment meet
296 | their continuing education requirements. The State Fire Marshal
297 | shall adopt rules describing the continuing education
298 | requirements and shall have the authority upon reasonable belief,
299 | to audit a fire equipment dealer to determine compliance with
300 | continuing education requirements.

301 | Section 10. Section 633.081, Florida Statutes, is amended
302 | to read:

303 | 633.081 Inspection of buildings and equipment; orders;
304 | firesafety inspection training requirements; certification;
305 | disciplinary action.--The State Fire Marshal and her or his
306 | agents may ~~shall~~, at any reasonable hour, when the department has
307 | reasonable cause to believe that a violation of this chapter or
308 | s. 509.215, or a rule promulgated thereunder, or a minimum
309 | firesafety code adopted by the State Fire Marshal or a local
310 | authority, may exist, inspect any and all buildings and
311 | structures which are subject to the requirements of this chapter
312 | or s. 509.215 and rules promulgated thereunder. The authority to
313 | inspect shall extend to all equipment, vehicles, and chemicals
314 | which are located on or within the premises of any such building
315 | or structure.



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316 (1) Each county, municipality, and special district that
317 has firesafety enforcement responsibilities shall employ or
318 contract with a firesafety inspector. The firesafety inspector
319 must conduct all firesafety inspections that are required by law.
320 The governing body of a county, municipality, or special district
321 that has firesafety enforcement responsibilities may provide a
322 schedule of fees to pay only the costs of inspections conducted
323 pursuant to this subsection and related administrative expenses.
324 Two or more counties, municipalities, or special districts that
325 have firesafety enforcement responsibilities may jointly employ
326 or contract with a firesafety inspector.

327 (2) Every firesafety inspection conducted pursuant to state
328 or local firesafety requirements shall be by a person certified
329 as having met the inspection training requirements set by the
330 State Fire Marshal. Such person shall:

331 (a) Be a high school graduate or the equivalent as
332 determined by the department;

333 (b) Not have been found guilty of, or having pleaded guilty
334 or nolo contendere to, a felony or a crime punishable by
335 imprisonment of 1 year or more under the law of the United
336 States, or of any state thereof, which involves moral turpitude,
337 without regard to whether a judgment of conviction has been
338 entered by the court having jurisdiction of such cases;

339 (c) Have her or his fingerprints on file with the
340 department or with an agency designated by the department;

341 (d) Have good moral character as determined by the
342 department;

343 (e) Be at least 18 years of age;

344 (f) Have satisfactorily completed the firesafety inspector
345 certification examination as prescribed by the department; and



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346 (g)1. Have satisfactorily completed, as determined by the
347 department, a firesafety inspector training program of not less
348 than 200 hours established by the department and administered by
349 agencies and institutions approved by the department for the
350 purpose of providing basic certification training for firesafety
351 inspectors; or

352 2. Have received in another state training which is
353 determined by the department to be at least equivalent to that
354 required by the department for approved firesafety inspector
355 education and training programs in this state.

356 (3) (a)1. Effective July 1, 2011, the classification of
357 special state firesafety inspector is abolished and all special
358 state firesafety inspector certifications expire at midnight June
359 30, 2011.

360 2. Any person who is a special state firesafety inspector
361 on June 30, 2011, and who has failed to comply with paragraph (b)
362 or paragraph (c) is not permitted to perform any firesafety
363 inspection required by law.

364 3. A special state firesafety inspector certification may
365 not be awarded after June 30, 2008.

366 (b)1. Any person who is a special state firesafety
367 inspector on July 1, 2008, and who has at least 5 years of
368 experience as a special state firesafety inspector as of July 1,
369 2008, may take the same firesafety inspection examination as
370 provided in paragraph (2) (f) for firesafety inspectors before
371 July 1, 2011, to be certified as a firesafety inspector described
372 in subsection (2).

373 2. Upon passing the examination, the person shall be
374 certified as a firesafety inspector as provided in subsection
375 (2).



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376 3. Failure to obtain certification requires compliance with
377 paragraph (c) to be certified as a firesafety inspector as
378 provided in subsection (2).

379 (c)1. To be certified as a firesafety inspector as provided
380 in subsection (2), any person who:

381 a. Is a special state firesafety inspector on July 1, 2008,
382 and who does not have 5 years of experience as a special state
383 firesafety inspector as of July 1, 2008; or

384 b. Has 5 years of experience as a special state firesafety
385 inspector but has failed the examination taken pursuant to
386 paragraph (b), must take an additional 80 hours of the courses
387 described in paragraph (2)(g).

388 2. After successfully completing the courses described in
389 this paragraph, such person is permitted to take the firesafety
390 inspection examination described in paragraph (2)(f), if such
391 examination is taken before July 1, 2011.

392 3. Upon passing the examination, the person is certified as
393 a firesafety inspector as provided in subsection (2).

394 4. A person who fails the course of study or the
395 examination described in this paragraph may not perform any
396 firesafety inspection required by law on or after July 1, 2011
397 ~~Each special state firesafety inspection which is required by law~~
398 ~~and is conducted by or on behalf of an agency of the state must~~
399 ~~be performed by an individual who has met the provision of~~
400 ~~subsection (2), except that the duration of the training program~~
401 ~~shall not exceed 120 hours of specific training for the type of~~
402 ~~property that such special state firesafety inspectors are~~
403 ~~assigned to inspect.~~

404 (4) A firefighter certified pursuant to s. 633.35 may
405 conduct firesafety inspections, under the supervision of a



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406 certified firesafety inspector, while on duty as a member of a
407 fire department company conducting inservice firesafety
408 inspections without being certified as a firesafety inspector, if
409 such firefighter has satisfactorily completed an inservice fire
410 department company inspector training program of at least 24
411 hours' duration as provided by rule of the department.

412 (5) Every firesafety inspector ~~or special state firesafety~~
413 ~~inspector~~ certificate is valid for a period of 3 years from the
414 date of issuance. Renewal of certification shall be subject to
415 the affected person's completing proper application for renewal
416 and meeting all of the requirements for renewal as established
417 under this chapter or by rule adopted ~~promulgated~~ thereunder,
418 which shall include completion of at least 40 hours during the
419 preceding 3-year period of continuing education as required by
420 the rule of the department or, in lieu thereof, successful
421 passage of an examination as established by the department.

422 (6) The State Fire Marshal may deny, refuse to renew,
423 suspend, or revoke the certificate of a firesafety inspector ~~or~~
424 ~~special state firesafety inspector~~ if it finds that any of the
425 following grounds exist:

426 (a) Any cause for which issuance of a certificate could
427 have been refused had it then existed and been known to the State
428 Fire Marshal.

429 (b) Violation of this chapter or any rule or order of the
430 State Fire Marshal.

431 (c) Falsification of records relating to the certificate.

432 (d) Having been found guilty of or having pleaded guilty or
433 nolo contendere to a felony, whether or not a judgment of
434 conviction has been entered.

435 (e) Failure to meet any of the renewal requirements.



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436 (f) Having been convicted of a crime in any jurisdiction
437 which directly relates to the practice of fire code inspection,
438 plan review, or administration.

439 (g) Making or filing a report or record that the
440 certificateholder knows to be false, or knowingly inducing
441 another to file a false report or record, or knowingly failing to
442 file a report or record required by state or local law, or
443 knowingly impeding or obstructing such filing, or knowingly
444 inducing another person to impede or obstruct such filing.

445 (h) Failing to properly enforce applicable fire codes or
446 permit requirements within this state which the certificateholder
447 knows are applicable by committing willful misconduct, gross
448 negligence, gross misconduct, repeated negligence, or negligence
449 resulting in a significant danger to life or property.

450 (i) Accepting labor, services, or materials at no charge or
451 at a noncompetitive rate from any person who performs work that
452 is under the enforcement authority of the certificateholder and
453 who is not an immediate family member of the certificateholder.
454 For the purpose of this paragraph, the term "immediate family
455 member" means a spouse, child, parent, sibling, grandparent,
456 aunt, uncle, or first cousin of the person or the person's spouse
457 or any person who resides in the primary residence of the
458 certificateholder.

459 (7) The department shall provide by rule for the
460 certification of firesafety inspectors.

461 (8) The State Fire Marshal may develop by rule an advanced
462 training and certification program for firesafety inspectors with
463 fire code management responsibility. This program shall be
464 consistent with national standards. The program shall establish



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465 minimum training, education, and experience levels for fire
466 safety inspectors with fire code management responsibilities.

467 (9) The Division of State Fire Marshal may enter into a
468 reciprocity agreement with the Florida Building Code
469 Administrators and Inspectors Board, established pursuant to s.
470 468.605, to facilitate joint recognition of continuing education
471 recertification hours for certificateholders licensed in
472 accordance with s. 468.609 and firesafety inspectors certified in
473 accordance with subsection (2).

474 Section 11. Paragraph (a) of subsection (1), and
475 subsections (2), (3), and (4) of section 633.085, Florida
476 Statutes, are amended to read:

477 633.085 Inspections of state buildings and premises; tests
478 of firesafety equipment; building plans to be approved.--

479 (1)(a) It is the duty of the State Fire Marshal and her or
480 his agents to inspect, or cause to be inspected, each state-owned
481 building and each building located on land owned by the state and
482 used primarily for state purposes as determined by the State Fire
483 Marshal, such buildings to be referred to in this section as a
484 state-owned building or state-owned buildings, on a recurring
485 basis established by rule, and to ensure that high-hazard
486 occupancies are inspected at least annually, for the purpose of
487 ascertaining and causing to be corrected any conditions liable to
488 cause fire or endanger life from fire and any violation of the
489 firesafety standards for state-owned buildings, the provisions of
490 this chapter, or the rules or regulations adopted and promulgated
491 pursuant hereto. The State Fire Marshal shall, within 7 days
492 following an inspection, submit a report of such inspection to
493 the head of the department of state government responsible for
494 the building.



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495 (2) The State Fire Marshal and her or his agents may ~~shall~~
496 conduct performance tests on any electronic fire warning and
497 smoke detection system, and any pressurized air-handling unit, in
498 any state-owned building or state-leased space on a recurring
499 basis as provided in subsection (1). The State Fire Marshal and
500 her or his agents shall also ensure that fire drills are
501 conducted in all high-hazard state-owned buildings or high-hazard
502 state-leased ~~high-hazard~~ occupancies at least annually.

503 (3) All construction of any new, or renovation, alteration,
504 or change of occupancy of any existing, state-owned building or
505 state-leased space shall comply with the uniform firesafety
506 standards of the State Fire Marshal.

507 (a) For all new construction or renovation, alteration, or
508 change of occupancy of state-leased space, compliance with the
509 uniform firesafety standards shall be determined by reviewing the
510 plans for the proposed construction or occupancy submitted by the
511 lessor to the Division of State Fire Marshal for review and
512 approval prior to commencement of construction or occupancy,
513 which review shall be completed within 10 working days after
514 receipt of the plans by the Division of State Fire Marshal.

515 (b) The plans for all construction of any new, or
516 renovation or alteration of any existing, state-owned building
517 are subject to the review and approval of the Division of State
518 Fire Marshal for compliance with the uniform firesafety standards
519 prior to commencement of construction or change of occupancy,
520 which review shall be completed within 30 calendar days of
521 receipt of the plans by the Division of State Fire Marshal.

522 (4) The Division of State Fire Marshal may inspect state-
523 owned buildings and space and state-leased space as necessary
524 prior to occupancy or during construction, renovation, or



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525 alteration to ascertain compliance with the uniform firesafety
526 standards. Whenever the Division of State Fire Marshal determines
527 by virtue of such inspection or by review of plans that
528 construction, renovation, or alteration of state-owned buildings
529 and state-leased space is not in compliance with the uniform
530 firesafety standards, the Division of State Fire Marshal shall
531 issue an order to cease construction, renovation, or alteration,
532 or to preclude occupancy, of a building until compliance is
533 obtained, except for those activities required to achieve such
534 compliance.

535 Section 12. Section 633.101, Florida Statutes, is amended
536 to read:

537 633.101 Hearings; investigations; investigatory powers of
538 State Fire Marshal; costs of service and witness fees.--

539 (1) The State Fire Marshal may in his or her discretion
540 take or cause to be taken the testimony on oath of all persons
541 whom he or she believes to be cognizant of any facts in relation
542 to matters under investigation. The State Fire Marshal may
543 administer oaths and affirmations, compel the attendance of
544 witnesses or proffering of matter, and collect evidence.

545 (2) If the State Fire Marshal seeks to obtain by request
546 any matter that, or the testimony of any person who, is located
547 outside the state, the person requested shall provide the
548 testimony to the State Fire Marshal or make the matter available
549 to the State Fire Marshal to examine at the place where the
550 matter is located. The State Fire Marshal may designate
551 representatives, including officials of the state in which the
552 matter is located, to inspect the matter on behalf of the State
553 Fire Marshal, and the State Fire Marshal may respond to similar
554 requests from officials of other states. ~~If the State Fire~~



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555 ~~Marshal shall be of the opinion that there is sufficient evidence~~
556 ~~to charge any person with an offense, he or she shall cause the~~
557 ~~arrest of such person and shall furnish to the prosecuting~~
558 ~~officer of any court having jurisdiction of said offense all~~
559 ~~information obtained by him or her, including a copy of all~~
560 ~~pertinent and material testimony taken, together with the names~~
561 ~~and addresses of all witnesses. In the conduct of such~~
562 ~~investigations, the fire marshal may request such assistance as~~
563 ~~may reasonably be given by such prosecuting officers and other~~
564 ~~local officials.~~

565 (3) (a) The State Fire Marshal may request that an
566 individual who refuses to comply with any request made under
567 subsection (2) be ordered by the circuit court to provide the
568 testimony or matter. The court may not order such compliance
569 unless the State Fire Marshal has demonstrated to the
570 satisfaction of the court that the testimony of the witness or
571 the matter under request has a direct bearing on matter under the
572 jurisdiction of the State Fire Marshal, constitutes a felony or
573 misdemeanor under this chapter, the Florida Insurance Code, or a
574 fraudulent insurance act or act of arson, or is pertinent and
575 necessary to further such investigation.

576 (b) Except in a prosecution for perjury, an individual who
577 complies with a court order to provide testimony or matter after
578 asserting a privilege against self-incrimination to which the
579 individual is entitled by law may not be subjected to a criminal
580 proceeding or to a civil penalty with respect to the act
581 concerning that which the individual is required to testify or
582 produce relevant matter.

583 (c) In the absence of fraud or bad faith, a person is not
584 subject to civil liability for libel, slander, or any other



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585 relevant tort by virtue of filing reports, without malice, or
586 furnishing other information, without malice, required by this
587 chapter or required by the State Fire Marshal under the authority
588 granted in this chapter, and no civil cause of action of any
589 nature shall arise against such person for:

590 1. Any information relating to a matter under the
591 jurisdiction of the State Fire Marshal, suspected violations of
592 the Florida Insurance Code, or fraudulent insurance acts or
593 persons suspected of engaging in such acts furnished to or
594 received from law enforcement officials or their agents or
595 employees;

596 2. Any information relating to any matter under the
597 jurisdiction of the State Fire Marshal, suspected violations of
598 the Florida Insurance Code, fraudulent insurance acts or acts of
599 arson, or persons suspected of engaging in such acts furnished to
600 or received from other persons subject to the provisions of this
601 chapter;

602 3. Any information furnished in reports to the State Fire
603 Marshal or any local, state, or federal enforcement officials or
604 their agents or employees; or

605 4. Other actions taken in cooperation with any of the
606 agencies or individuals specified in this paragraph in the lawful
607 investigation of violations under the jurisdiction of the State
608 Fire Marshal, suspected violations of the Florida Insurance Code,
609 or suspected fraudulent insurance acts.

610 (d) In addition to the immunity granted in paragraph (c), a
611 person identified as a designated employee whose responsibilities
612 include the investigation and disposition of violations under the
613 jurisdiction of the State Fire Marshal or the Florida Insurance
614 Code and claims relating to suspected fraudulent insurance acts



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615 may share information relating to persons suspected of such acts
616 with other designated employees employed by the same or other
617 insurers whose responsibilities include such acts. Unless the
618 employees of the insurer act in bad faith or in reckless
619 disregard for the rights of any insured, the insurer or its
620 designated employees are not civilly liable for libel, slander,
621 or any other relevant tort, and a civil action does not arise
622 against the insurer or its designated employees for:

623 1. Any information related to any matter under the
624 jurisdiction of the State Fire Marshal, the Florida Insurance
625 Code, or suspected fraudulent insurance acts provided to an
626 insurer; or

627 2. Any information relating to any matter under the
628 jurisdiction of the State Fire Marshal, the Florida Insurance
629 Code, or suspected fraudulent insurance acts provided to the
630 National Insurance Crime Bureau or the National Association of
631 Insurance Commissioners.

632
633 However, the qualified immunity against civil liability conferred
634 on any insurer or its designated employees shall be forfeited
635 with respect to the exchange or publication of any defamatory
636 information with third persons not expressly authorized by this
637 paragraph to share in such information.

638 (e) This section does not abrogate or modify in any way any
639 common-law or statutory privilege or immunity otherwise enjoyed
640 by any person.

641 ~~(3) The fire marshal may summon and compel the attendance~~
642 ~~of witnesses before him or her to testify in relation to any~~
643 ~~manner which is, by the provisions of this chapter, a subject of~~
644 ~~inquiry and investigation, and he or she may require the~~



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645 ~~production of any book, paper or document deemed pertinent~~
646 ~~thereto by him or her, and may seize furniture and other personal~~
647 ~~property to be held for evidence.~~

648 (4) Papers, documents, reports, or evidence relative to the
649 subject of an investigation under this section are not subject to
650 discovery until the investigation is completed or ceases to be
651 active. Agents of the State Fire Marshal are not subject to
652 subpoena in civil actions by any court of this state to testify
653 concerning any matter of which they have knowledge pursuant to a
654 pending investigation by the State Fire Marshal. All persons so
655 summoned and so testifying shall be entitled to the same witness
656 fees and mileage as provided for witnesses testifying in the
657 circuit courts of this state, and officers serving subpoenas or
658 orders of the fire marshal shall be paid in like manner for like
659 services in such courts, from the funds herein provided.

660 (5) Any person, other than an insurer, agent, or other
661 person licensed under the Florida Insurance Code, or an employee
662 of such licensee, having knowledge or a belief that a crime
663 involving arson, a destructive device, an illegal possession of
664 explosives, a fraudulent insurance act, or any other act or
665 practice which, upon conviction, constitutes a felony or a
666 misdemeanor under this chapter, the Florida Insurance Code, or s.
667 817.233, is being or has been committed may submit to the State
668 Fire Marshal a report or information pertinent to such knowledge
669 or belief and such additional information relative to such
670 knowledge or belief as the State Fire Marshal may request. Any
671 insurer, agent, or other person licensed under the Florida
672 Insurance Code, or an employee of such licensee, having knowledge
673 or a belief that a crime involving arson, a destructive device,
674 an illegal possession of explosives, or any other act or practice



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675 which, upon conviction, constitutes a felony or a misdemeanor
676 under this chapter or s. 817.233, is being or has been committed,
677 shall send to the State Fire Marshal a report or information
678 pertinent to such knowledge or belief and such additional
679 information relative to such knowledge or belief as the State
680 Fire Marshal may require. The State Fire Marshal shall review
681 such information or reports and select such information or
682 reports as, in his or her judgment, may require further
683 investigation. The State Fire Marshal shall then cause an
684 independent examination of the facts surrounding such information
685 or report to be made to determine the extent, if any, to which a
686 crime involving arson, a destructive device, or a fraudulent
687 insurance act, or any other act or practice that, upon
688 conviction, constitutes a felony or a misdemeanor under this
689 chapter, the Florida Insurance Code, or s. 817.233 is being or
690 has been committed. The State Fire Marshal shall report any
691 alleged violations of law which his or her investigations reveal
692 to the appropriate licensing agency and state attorney or other
693 prosecuting agency having jurisdiction with respect to any such
694 violation.

695 (6) It is unlawful for any person to resist an arrest by an
696 agent of the State Fire Marshal authorized by this section or in
697 any manner to interfere, by abetting or assisting such resistance
698 or otherwise interfering, with any Division of State Fire Marshal
699 investigator in the duties imposed upon such agent or
700 investigator by law or department rule.

701 Section 13. Section 633.121, Florida Statutes, is amended
702 to read:

703 633.121 Persons authorized to enforce laws and rules of
704 State Fire Marshal.--The chiefs of county, municipal, and



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705 special-district fire departments; other fire department
706 personnel designated by their respective chiefs; ~~and~~ personnel
707 designated by local governments having no organized fire
708 departments; and all law enforcement officers in the state duly
709 certified under chapter 943 and acting upon the request of the
710 State Fire Marshal or a chief of a county, municipal, or special
711 district fire department may ~~are authorized to~~ enforce this
712 chapter ~~law~~ and all rules adopted ~~prescribed~~ by the State Fire
713 Marshal within their respective jurisdictions. Such personnel
714 acting under the authority of this section shall be deemed to be
715 agents of their respective jurisdictions, not agents of the State
716 Fire Marshal.

717 Section 14. Section 633.13, Florida Statutes, is amended to
718 read:

719 633.13 State Fire Marshal; authority of agents.--The
720 authority given the State Fire Marshal under this chapter or any
721 rule or order adopted by the State Fire Marshal ~~law~~ may be
722 exercised by his or her agents, either individually or in
723 conjunction with any other state or local official charged with
724 similar responsibilities.

725 Section 15. Section 633.14, Florida Statutes, is amended to
726 read:

727 633.14 Agents; powers to make arrests, conduct searches and
728 seizures, serve summonses, and carry firearms.--Agents or
729 investigators of the State Fire Marshal have the power to make
730 arrests for criminal violations established as a result of
731 investigations. Such agents or investigators shall also be
732 considered state law enforcement officers for all purposes and
733 shall have the power to execute arrest warrants and search
734 warrants; serve subpoenas issued for the examination,



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735 investigation, and trial of all offenses; and to arrest upon
736 probable cause, without warrant, any person violating any
737 provision of the laws of this state. Agents or investigators
738 empowered to make arrests under this section may bear arms in the
739 performance of their duties. In such a situation, the
740 investigator must be certified in compliance with the provisions
741 of s. 943.1395 or must meet the temporary employment or
742 appointment exemption requirements of s. 943.131 until certified
743 ~~shall have the same authority to serve summonses, make arrests,~~
744 ~~carry firearms, and make searches and seizures, as the sheriff or~~
745 ~~her or his deputies, in the respective counties where such~~
746 ~~investigations, hearings, or inspections may be held; and~~
747 ~~affidavits necessary to authorize any such arrests, searches, or~~
748 ~~seizures may be made before any trial court judge having~~
749 ~~authority under the law to issue appropriate processes.~~

750 Section 16. Subsections (1) and (3) of section 633.161,
751 Florida Statutes, are amended to read:

752 633.161 Violations; orders to cease and desist, correct
753 hazardous conditions, preclude occupancy, or vacate; enforcement;
754 penalties.--

755 (1) If it is determined by the department that a violation
756 specified in this subsection exists, the State Fire Marshal or
757 her or his agent ~~deputy~~ may issue and deliver to the person
758 committing the violation an order to cease and desist from such
759 violation, to correct any hazardous condition, to preclude
760 occupancy of the affected building or structure, or to vacate the
761 premises of the affected building or structure. Such violations
762 consist of ~~are~~:

763 (a) Except as set forth in paragraph (b), a violation of
764 any provision of this chapter, of any rule adopted pursuant



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765 thereto, of any applicable uniform firesafety standard adopted
766 pursuant to s. 633.022 which is not adequately addressed by any
767 alternative requirements adopted on a local level, or of any
768 minimum firesafety standard adopted pursuant to s. 394.879.

769 (b) A substantial violation of an applicable minimum
770 firesafety standard adopted pursuant to s. 633.025 which is not
771 reasonably addressed by any alternative requirement imposed at
772 the local level, or an unreasonable interpretation of an
773 applicable minimum firesafety standard, and which violation or
774 interpretation clearly constitutes a danger to lifesafety.

775 (c) A building or structure which is in a dilapidated
776 condition and as a result thereof creates a danger to life,
777 safety, or property.

778 (d) A building or structure which contains explosive matter
779 or flammable liquids or gases constituting a danger to life,
780 safety, or property.

781 (e) A fire department that is not designated by a political
782 subdivision as defined in s. 1.01.

783 (3) Any person who violates or fails to comply with any
784 order under subsection (1) or subsection (2) commits ~~is guilty of~~
785 a misdemeanor, punishable as provided in s. 633.171.

786 Section 17. Subsection (1) of section 633.171, Florida
787 Statutes, is amended to read:

788 633.171 Penalty for violation of law, rule, or order to
789 cease and desist or for failure to comply with corrective
790 order.--

791 (1) Any person who violates any provision of this chapter
792 ~~law~~, any order or rule of the State Fire Marshal, or any order to
793 cease and desist or to correct conditions issued under this



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794 chapter commits a misdemeanor of the second degree, punishable as
795 provided in s. 775.082 or s. 775.083.

796 Section 18. Subsection (1) of section 633.175, Florida
797 Statutes, is amended to read:

798 633.175 Investigation of fraudulent insurance claims and
799 crimes; immunity of insurance companies supplying information.--

800 (1) In addition to the other powers granted by this
801 chapter, the State Fire Marshal or an agent appointed pursuant to
802 s. 633.02, any law enforcement officer as defined in s. 111.065,
803 any law enforcement officer of a federal agency, or any fire
804 department official who is engaged in the investigation of a fire
805 loss may request any insurance company or its agent, adjuster,
806 employee, or attorney, investigating a claim under an insurance
807 policy or contract with respect to a fire to release any
808 information whatsoever in the possession of the insurance company
809 or its agent, adjuster, employee, or attorney relative to a loss
810 from that fire. The insurance company shall release the available
811 information to and cooperate with any official authorized to
812 request such information pursuant to this section. The
813 information shall include, but shall not be limited to:

814 (a) Any insurance policy relevant to a loss under
815 investigation and any application for such a policy.

816 (b) Any policy premium payment records.

817 (c) The records, reports, and all material pertaining to
818 any previous claims made by the insured with the reporting
819 company.

820 (d) Material relating to the investigation of the loss,
821 including statements of any person, proof of loss, and other
822 relevant evidence.



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823 (e) Memoranda, notes, and correspondence relating to the
824 investigation of the loss in the possession of the insurance
825 company or its agents, adjusters, employees, or attorneys.

826 Section 19. Section 633.18, Florida Statutes, is amended to
827 read:

828 633.18 State Fire Marshal; hearings and investigations;
829 subpoena of witnesses; orders of circuit court.--Any agent
830 designated by the State Fire Marshal for such purposes, may hold
831 hearings, sign and issue subpoenas, administer oaths, examine
832 witnesses, receive evidence, and require by subpoena the
833 attendance and testimony of witnesses and the production of such
834 accounts, records, memoranda or other evidence, as may be
835 material for the determination of any complaint or conducting any
836 inquiry or investigation under this chapter or any rule or order
837 of the State Fire Marshal law. In case of disobedience to a
838 subpoena, the State Fire Marshal or his or her agent may invoke
839 the aid of any court of competent jurisdiction in requiring the
840 attendance and testimony of witnesses and the production of
841 accounts, records, memoranda or other evidence and any such court
842 may in case of contumacy or refusal to obey a subpoena issued to
843 any person, issue an order requiring the person to appear before
844 the State Fire Marshal's agent or produce accounts, records,
845 memoranda or other evidence, as so ordered, or to give evidence
846 touching any matter pertinent to any complaint or the subject of
847 any inquiry or investigation, and any failure to obey such order
848 of the court shall be punished by the court as a contempt
849 thereof.

850 Section 20. Section 633.30, Florida Statutes, is amended to
851 read:



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852 633.30 Standards for firefighting; definitions.--As used in
853 this chapter, the term:

854 (1) "Career firefighter" means a person who is compensated
855 at an hourly or salaried rate and whose work hours are scheduled
856 in advance to maintain a schedule of coverage at a station,
857 facility, or area to function as described in subsection (8)

858 ~~"Firefighter" means any person initially employed as a full-time~~
859 ~~professional firefighter by any employing agency, as defined~~
860 ~~herein, whose primary responsibility is the prevention and~~
861 ~~extinguishment of fires, the protection and saving of life and~~
862 ~~property, and the enforcement of municipal, county, and state~~
863 ~~fire prevention codes, as well as of any law pertaining to the~~
864 ~~prevention and control of fires.~~

865 (2) "Council" means the Firefighters Employment, Standards,
866 and Training Council ~~"Employing agency" means any municipality or~~
867 ~~county, the state, or any political subdivision of the state,~~
868 ~~including authorities and special districts, employing~~
869 ~~firefighters as defined in subsection (1).~~

870 (3) "Department" means the Department of Financial
871 Services.

872 (4) "Division" means the Division of State Fire Marshal of
873 the Department of Financial Services ~~"Council" means the~~
874 ~~Firefighters Employment, Standards, and Training Council.~~

875 (5) "Employing agency" means any municipality or county,
876 the state, or any political subdivision of the state, including
877 authorities, special districts, or any private entity under
878 contract with such entities ~~"Division" means the Division of~~
879 ~~State Fire Marshal of the Department of Financial Services.~~

880 (6) "Fire department" means an organization designated by a
881 state political subdivision, such as a county, municipality, or



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882 special fire control district, to provide emergency response for
883 the protection of life and property within a specified
884 geographical area.

885 (7) "Fire service apprentice" means any high school student
886 who completes a high school course of instruction and examination
887 approved by the department that includes specified components of
888 firefighter I and II certification in accordance with the
889 division's rules. Before the age of 18, a fire service apprentice
890 may function as a fireground resource technician with a
891 recognized fire department. Upon age of 18 and graduation from
892 high school, the fire service apprentice may complete the
893 outstanding components of firefighter I and II certification
894 training and become certified at level II in accordance with the
895 division's rules.

896 (8) "Firefighter" means any person whose responsibility is
897 the emergency response to fires and other emergencies, the
898 prevention and extinguishment of fires, the protection and saving
899 of life and property, and the enforcement of municipal, county,
900 and state fire prevention codes, as well as of any law pertaining
901 to the prevention and control of fires.

902 (9) "Firefighter I" means a person who has successfully
903 completed the firefighter I training program and is certified at
904 level I in accordance with the division's rules. Firefighter I is
905 the minimum level of certification to function as a volunteer
906 firefighter.

907 (10) "Firefighter II" means a person who has successfully
908 completed the firefighter II training program and is certified at
909 level II in accordance with the division's rules. Firefighter II
910 is the minimum level of certification to function as a career
911 firefighter as set forth in subsection (2). For purposes of this



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912 chapter, a certificate of compliance at level II replaces the
913 previous certificate of compliance required to be a career
914 firefighter. Firefighters currently certified with a certificate
915 of compliance are deemed to be in compliance with the
916 requirements of this chapter and need not become certified as a
917 firefighter II.

918 (11) "Fireground resource technician" means a volunteer
919 exterior firefighter or support person who is not qualified by
920 certification to be an interior firefighter but who has completed
921 a course of instruction in accordance with the division's rules.
922 Fireground resource technician is the minimum level of
923 certification to function on the fireground in accordance with
924 division rules.

925 Section 21. Section 633.34, Florida Statutes, is amended to
926 read:

927 633.34 Firefighters; qualifications for employment.--

928 (1) Any person applying for employment as a firefighter
929 must:

930 (a) ~~(1)~~ Be a high school graduate or the equivalent, as the
931 term may be determined by the division, and at least 18 years of
932 age.

933 (b) ~~(2)~~ Never have been adjudicated guilty of, or pled
934 guilty or nolo contendere to, any:

935 1. Felony. If an applicant has been convicted of a felony,
936 the applicant is not eligible for certification until the
937 applicant complies with s. 112.011(2) (b); or

938 2. Misdemeanor involving moral turpitude, or misleading or
939 false statements relating to certification or employment as a
940 firefighter.

941



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942 If an applicant has been sentenced for any conviction of a felony
943 or a misdemeanor, the applicant is not eligible for certification
944 until 4 years after the expiration of any sentence. If a sentence
945 is suspended or adjudication is withheld and a period of
946 probation is imposed, the applicant must have been released from
947 probation ~~Neither have been convicted of a felony or of a~~
948 ~~misdemeanor directly related to the position of employment~~
949 ~~sought, nor have pled nolo contendere to any charge of a felony.~~
950 ~~If an applicant has been convicted of a felony, such applicant~~
951 ~~must be in compliance with s. 112.011(2) (b). If an applicant has~~
952 ~~been convicted of a misdemeanor directly related to the position~~
953 ~~of employment sought, such applicant shall be excluded from~~
954 ~~employment for a period of 4 years after expiration of sentence.~~
955 ~~If the sentence is suspended or adjudication is withheld in a~~
956 ~~felony charge or in a misdemeanor directly related to the~~
957 ~~position or employment sought and a period of probation is~~
958 ~~imposed, the applicant must have been released from probation.~~

959 (c)(3) Pay for and submit fingerprints as directed by the
960 division ~~Submit a fingerprint card to the division with a current~~
961 ~~processing fee. The fingerprints shall fingerprint card will be~~
962 ~~forwarded to the Department of Law Enforcement or and/or the~~
963 ~~Federal Bureau of Investigation, or both, as directed by division~~
964 ~~rule.~~

965 ~~(4) Have a good moral character as determined by~~
966 ~~investigation under procedure established by the division.~~

967 (d)(5) Be in good physical condition as determined by a
968 medical examination given by a physician, surgeon, or physician
969 assistant licensed to practice in the state pursuant to chapter
970 458; an osteopathic physician, surgeon, or physician assistant
971 licensed to practice in the state pursuant to chapter 459; or an



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972 advanced registered nurse practitioner licensed to practice in
973 the state pursuant to chapter 464, who are aware of and familiar
974 with the medical requirements for training and certification as
975 stated in department rule. ~~Such examination may include, but need~~
976 ~~not be limited to, provisions of the National Fire Protection~~
977 ~~Association Standard 1582.~~ Results of this A medical examination
978 evidencing good physical condition shall be submitted to the
979 division, on a form as provided by rule, before an individual is
980 eligible for admission into a firefighter training program as
981 defined in s. 633.35.

982 (e)(6) Be a nonuser of tobacco or tobacco products for at
983 least 1 year immediately preceding application, as evidenced by
984 the sworn affidavit of the applicant.

985 (2) A person who does not hold a fire service apprentice,
986 fireground resource technician, firefighter I, or firefighter II
987 certificate may not respond or engage in hazardous operations,
988 including, but not limited to, interior structural firefighting,
989 hazardous-materials-incident mitigation, and incident command,
990 requiring the knowledge and skills taught in the training
991 programs established in s. 633.35, regardless of volunteer or
992 employment status.

993 Section 22. Section 633.35, Florida Statutes, is amended to
994 read:

995 633.35 Firefighter training and certification.--

996 (1) The division shall establish by rule a firefighter
997 training programs for certification as a fireground resource
998 technician, a fire service apprentice, a firefighter I, and a
999 firefighter II, to be ~~program of not less than 360 hours,~~
1000 administered by such agencies and institutions as approved by the
1001 division in accordance with division rules ~~it approves~~ for the



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1002 | purpose of providing ~~basic employment~~ training for firefighters.
1003 | Nothing herein shall require a public employer to pay the cost of
1004 | such training.

1005 | (2) The division shall issue certificates ~~a certificate~~ of
1006 | compliance for certification as a fireground resource technician,
1007 | a fire service apprentice, a firefighter I, and a firefighter II
1008 | to any person who has satisfactorily completed ~~complying with~~ the
1009 | training programs ~~program~~ established in subsection (1), who has
1010 | successfully passed an examination as prescribed by the division,
1011 | and who possesses the qualifications specified ~~for employment~~ in
1012 | s. 633.34, ~~except s. 633.34(5)~~. A ~~No~~ person may not be employed
1013 | as a career ~~regular or permanent~~ firefighter by an employing
1014 | agency, or by a private entity under contract with the state or
1015 | any political subdivision of the state, including authorities and
1016 | special districts, unless certified as a firefighter II, except
1017 | for an individual hired to be trained and become certified as a
1018 | firefighter II. An individual hired to be trained and become
1019 | certified as a firefighter II has a maximum of ~~for a period of~~
1020 | ~~time in excess of~~ 1 year from the date of initial employment to
1021 | obtain the firefighter II ~~until he or she has obtained such~~
1022 | certificate of compliance. A person who does not hold a
1023 | firefighter II certificate of compliance and is employed under
1024 | this section may not directly engage in hazardous operations,
1025 | such as interior structural firefighting and hazardous-materials-
1026 | incident mitigation, requiring the knowledge and skills taught in
1027 | a training program established in subsection (1), including
1028 | incident command. However, a person who is certified and has been
1029 | employed by ~~served as a volunteer firefighter with~~ the state or
1030 | any political subdivision of the state, including authorities and
1031 | special districts, who is then employed as a career ~~regular or~~



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1032 ~~permanent~~ firefighter may function, during this period, in the
1033 same capacity in which he or she acted prior to being employed as
1034 a career firefighter as a volunteer firefighter, provided that he
1035 ~~or she has completed all training required by the volunteer~~
1036 ~~organization.~~

1037 (3) The division may issue a certificate of compliance at
1038 the firefighter I or firefighter II level to any person who has
1039 received basic employment training for firefighters in another
1040 state when the division has determined that such training was at
1041 least equivalent to that required by the division for approved
1042 firefighter education and training programs in this state and
1043 when such person has satisfactorily complied with all other
1044 requirements of this section. The division may also issue a
1045 special certificate to a person who is otherwise qualified under
1046 this section and who is employed as the administrative and
1047 command head of a fire/rescue/emergency services organization,
1048 based on the acknowledgment that such person is less likely to
1049 need physical dexterity and more likely to need advanced
1050 knowledge of firefighting and supervisory skills. The certificate
1051 is valid only while the person is serving in a position as an
1052 administrative and command head of a fire/rescue/emergency
1053 services organization and must be obtained prior to employment in
1054 such capacity.

1055 (4) A person who fails an examination given under this
1056 section may retake the examination once within 6 months after the
1057 original examination date. An applicant who does not pass ~~retake~~
1058 the examination within such time must repeat or take the
1059 applicable training program ~~Minimum Standards Course~~, pursuant to
1060 subsection (1), before being reexamined. The division may



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1061 establish reasonable preregistration deadlines for such
1062 reexaminations.

1063 (5) Pursuant to s. 590.02(1)(e), the division shall
1064 establish a structural fire training program of not less than 40
1065 hours. The division shall issue to any person satisfactorily
1066 complying with this training program and who has successfully
1067 passed an examination as prescribed by the division and who has
1068 met the requirements of s. 590.02(1)(e) a Certificate of Forestry
1069 Firefighter.

1070 (6) A certified forestry firefighter is entitled to the
1071 same rights, privileges, and benefits provided for by law as a
1072 career certified firefighter. For the purposes of this statute,
1073 forestry compliance certification is equivalent to firefighter
1074 II.

1075 Section 23. Section 633.351, Florida Statutes, is amended
1076 to read:

1077 633.351 Disciplinary action; firefighters; standards for
1078 revocation of certification.--

1079 (1) The certification of a firefighter shall be revoked if
1080 evidence is found that the certification was improperly issued by
1081 the division or if evidence is found that the certification was
1082 issued on the basis of false, incorrect, incomplete, or
1083 misleading information.

1084 (2) The certification of a firefighter who has been
1085 adjudicated guilty of, or pled guilty or nolo contendere to, any
1086 felony, or any misdemeanor involving moral turpitude, or
1087 misleading or false statements relating to the certification or
1088 employment as a firefighter, shall be revoked. In the case of a
1089 felony, the certification may not be reinstated ~~is convicted of a~~
1090 ~~felony, or who is convicted of a misdemeanor relating to~~



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1091 ~~misleading or false statements, or who pleads nolo contendere to~~
1092 ~~any charge of a felony shall be revoked~~ until the firefighter
1093 complies with s. 112.011(2)(b). However, if sentence upon such
1094 felony or such misdemeanor charge is suspended or adjudication is
1095 withheld, the firefighter's revocation of certification shall
1096 continue for a period of 4 years after expiration of completion
1097 of any probation before the applicant is eligible for
1098 recertification ~~be revoked until she or he completes any~~
1099 ~~probation.~~

1100 (3) It is a violation of certification for any career
1101 firefighter as defined in this chapter, whose initial employment
1102 date is on or after July 1, 2008, to use tobacco products. An
1103 investigation by the local firefighter employer which determines
1104 such use, confirmed by legal means such as nicotine or cotinine
1105 testing, shall result in the suspension of the firefighter's
1106 state certification, requiring suspension or termination of
1107 employment. The division shall adopt rules setting forth the
1108 criteria for testing, investigation, and notification of the
1109 division by the local firefighter employer of violations, actions
1110 to be taken by the division, reinstatement of certification with
1111 appropriate medical approval and surveillance, and the number of
1112 violations allowed before permanent revocation of firefighter
1113 certification.

1114 Section 24. Section 633.352, Florida Statutes, is amended
1115 to read:

1116 633.352 Retention of firefighter certification.--

1117 (1) Any certified firefighter who has not been active as a
1118 firefighter, or as a volunteer firefighter with an organized fire
1119 department, for a period of 3 years shall be required to retake
1120 and pass the written and practical portions ~~portion~~ of the



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1121 ~~minimum standards state examination specified in division rules~~
1122 ~~rule 4A-37.056(6)(b), Florida Administrative Code,~~ in order to
1123 maintain her or his certification as a firefighter. ~~; however,~~

1124 (2) This requirement does not apply to state-certified
1125 firefighters who are certified and employed as full-time fire
1126 safety inspectors by a fire department employing agency or to
1127 instructors regardless of their employment status ~~instructors, as~~
1128 ~~determined by the division.~~

1129 (3) The 3-year period begins on the date the firefighter I
1130 or firefighter II certificate of compliance is issued, ~~or~~ upon
1131 termination of service with an organized fire department, or upon
1132 expiration of instructor certification.

1133 Section 25. Paragraph (b) of subsection (1) and paragraph
1134 (a) of subsection (2) of section 633.382, Florida Statutes, are
1135 amended to read:

1136 633.382 Firefighters; supplemental compensation.--

1137 (1) DEFINITIONS.--As used in this section, the term:

1138 (b) "Firefighter" means any person who meets the definition
1139 ~~of the term "firefighter" in s. 633.30(2) and (10) s. 633.30(1)~~
1140 ~~who is certified in compliance with s. 633.35 and who is employed~~
1141 solely within the fire department of the employing agency or is
1142 employed by the division.

1143 (2) QUALIFICATIONS FOR SUPPLEMENTAL COMPENSATION.--

1144 (a) In addition to the compensation now paid by an
1145 employing agency to a any firefighter II, every career
1146 firefighter shall be paid supplemental compensation by the
1147 employing agency when such firefighter has complied with one of
1148 the following criteria:

1149 1. Any firefighter II who receives an associate degree from
1150 an accredited ~~a~~ college, which degree is applicable to fire



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1151 department duties, as outlined in policy guidelines of the
1152 division, shall be additionally compensated as outlined in
1153 paragraph (3) (a).

1154 2. Any firefighter II, regardless of whether or not she or
1155 he earned an associate degree earlier, who receives from an
1156 accredited college or university a bachelor's degree, which
1157 bachelor's degree is applicable to fire department duties, as
1158 outlined in policy guidelines of the division, shall receive
1159 compensation as outlined in paragraph (3) (b).

1160 Section 26. Subsection (3) is added to section 633.524,
1161 Florida Statutes, to read:

1162 633.524 Certificate and permit fees; use and deposit of
1163 collected funds.--

1164 (3) The State Fire Marshal may enter into a contract with
1165 any qualified public entity or private company in accordance with
1166 chapter 287 to provide examinations for any applicant for any
1167 examination administered under the jurisdiction of the State Fire
1168 Marshal under this chapter or any other chapter under the
1169 jurisdiction of the State Fire Marshal. The State Fire Marshal
1170 may have payments from each applicant for each examination made
1171 directly to such public entity or private company.

1172 Section 27. Subsections (1) and (4) of section 633.541,
1173 Florida Statutes, are amended to read:

1174 633.541 Contracting without certificate prohibited;
1175 violations; penalty.--

1176 (1) It is unlawful for any organization or individual to
1177 engage in the business of, the layout, fabrication, installation,
1178 inspection, alteration, repair, or service of a fire protection
1179 system, other than a preengineered system, act in the capacity of
1180 a fire protection contractor, or advertise itself as being a fire



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1181 protection contractor without having been duly certified and
1182 holding a valid and existing certificate, except as hereinafter
1183 provided. The holder of a certificate used to qualify an
1184 organization must be a full-time employee of the qualified
1185 organization or business. A certificateholder who is employed by
1186 more than one fire protection contractor during the same period
1187 of time is deemed not to be a full-time employee of either
1188 contractor. The State Fire Marshal shall revoke, for a period of
1189 time determined by the State Fire Marshal, the certificate of a
1190 certificateholder who allows the use of the certificate to
1191 qualify a company of which the certificateholder is not a full-
1192 time employee. A contractor who maintains more than one place of
1193 business must employ a certificateholder at each location.
1194 ~~Nothing in~~ This subsection does not prohibit ~~prohibits~~ an
1195 employee acting on behalf of governmental entities from
1196 inspecting and enforcing firesafety codes, provided such employee
1197 is certified under s. 633.081, or an owner of a one or two family
1198 dwelling from inspecting or maintaining the fire protection
1199 system for his or her own house.

1200 (4) In addition to the penalties provided in subsection
1201 (3), a fire protection contractor certified under this chapter
1202 who violates any provision of this chapter ~~section~~ or who commits
1203 any act constituting cause for disciplinary action is subject to
1204 suspension or revocation of the certificate and administrative
1205 fines pursuant to s. 633.547.

1206 Section 28. Subsection (4) of section 633.72, Florida
1207 Statutes, is amended to read:

1208 633.72 Florida Fire Code Advisory Council.--

1209 (4) Each appointee shall serve a 4-year term. No member
1210 shall serve more than two consecutive terms ~~one term~~. No member



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1211 of the council shall be paid a salary as such member, but each
1212 shall receive travel and expense reimbursement as provided in s.
1213 112.061.

1214 Section 29. Section 633.811, Florida Statutes, is amended
1215 to read:

1216 633.811 Firefighter employer penalties.--If any firefighter
1217 employer violates or fails or refuses to comply with ss. 633.801-
1218 633.821, or with any rule adopted by the division under such
1219 sections in accordance with chapter 120 for the prevention of
1220 injuries, accidents, or occupational diseases or with any lawful
1221 order of the division in connection with ss. 633.801-633.821, or
1222 fails or refuses to furnish or adopt any safety device,
1223 safeguard, or other means of protection prescribed by division
1224 rule under ss. 633.801-633.821 for the prevention of accidents or
1225 occupational diseases, the division may issue an administrative
1226 cease and desist order, enforceable in the circuit court in the
1227 jurisdiction where the violation is occurring or has occurred,
1228 and assess an administrative fine against a firefighter employer
1229 of not less than \$100 nor more than \$1,000 for each violation and
1230 each day of each violation. The administrative penalty assessment
1231 shall be subject to the provisions of chapter 120. The division
1232 may also assess against the firefighter employer a civil penalty
1233 of not less than \$100 nor more than \$5,000 for each day the
1234 violation, omission, failure, or refusal continues after the
1235 firefighter employer has been given written notice of such
1236 violation, omission, failure, or refusal. The total penalty for
1237 each violation shall not exceed \$50,000. The division shall adopt
1238 rules requiring penalties commensurate with the frequency or
1239 severity of safety violations. A hearing shall be held in the
1240 county in which the violation, omission, failure, or refusal is



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1241 | alleged to have occurred, unless otherwise agreed to by the
1242 | firefighter employer and authorized by the division. All
1243 | penalties assessed and collected under this section shall be
1244 | deposited in the Insurance Regulatory Trust Fund.

1245 | Section 30. Subsection (3) of section 633.821, Florida
1246 | Statutes, is amended to read:

1247 | 633.821 Workplace safety.--

1248 | (3) With respect to 29 C.F.R. s. 1910.134(g)(4), the two
1249 | individuals located outside the immediately dangerous to life and
1250 | health atmosphere may be assigned to an additional role, such as
1251 | incident commander, pumper operator, engineer, or driver, so long
1252 | as such individual is able to immediately perform assistance or
1253 | rescue activities without jeopardizing the safety or health of
1254 | any firefighter working at an incident. ~~Also with respect to 29~~
1255 | ~~C.F.R. s. 1910.134(g)(4):~~

1256 | ~~(a) Each county, municipality, and special district shall~~
1257 | ~~implement such provision by April 1, 2002, except as provided in~~
1258 | ~~paragraphs (b) and (c).~~

1259 | ~~(b) If any county, municipality, or special district is~~
1260 | ~~unable to implement such provision by April 1, 2002, without~~
1261 | ~~adding additional personnel to its firefighting staff or~~
1262 | ~~expending significant additional funds, such county,~~
1263 | ~~municipality, or special district shall have an additional 6~~
1264 | ~~months within which to implement such provision. Such county,~~
1265 | ~~municipality, or special district shall notify the division that~~
1266 | ~~the 6-month extension to implement such provision is in effect in~~
1267 | ~~such county, municipality, or special district within 30 days~~
1268 | ~~after its decision to extend the time for the additional 6~~
1269 | ~~months. The decision to extend the time for implementation shall~~
1270 | ~~be made prior to April 1, 2002.~~



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1271 ~~(c) If, after the extension granted in paragraph (b), the~~
1272 ~~county, municipality, or special district, after having worked~~
1273 ~~with and cooperated fully with the division and the Firefighters~~
1274 ~~Employment, Standards, and Training Council, is still unable to~~
1275 ~~implement such provisions without adding additional personnel to~~
1276 ~~its firefighting staff or expending significant additional funds,~~
1277 ~~such municipality, county, or special district shall be exempt~~
1278 ~~from the requirements of 29 C.F.R. s. 1910.134(g)(4). However,~~
1279 ~~each year thereafter the division shall review each such county,~~
1280 ~~municipality, or special district to determine if such county,~~
1281 ~~municipality, or special district has the ability to implement~~
1282 ~~such provision without adding additional personnel to its~~
1283 ~~firefighting staff or expending significant additional funds. If~~
1284 ~~the division determines that any county, municipality, or special~~
1285 ~~district has the ability to implement such provision without~~
1286 ~~adding additional personnel to its firefighting staff or~~
1287 ~~expending significant additional funds, the division shall~~
1288 ~~require such county, municipality, or special district to~~
1289 ~~implement such provision. Such requirement by the division under~~
1290 ~~this paragraph constitutes final agency action subject to chapter~~
1291 ~~120.~~

1292 Section 31. Section 1013.12, Florida Statutes, is amended
1293 to read:

1294 1013.12 Casualty, safety, sanitation, and firesafety
1295 standards and inspection of property.--

1296 (1) FIRESAFETY.--The State Board of Education shall adopt
1297 and administer rules prescribing standards for the safety and
1298 health of occupants of educational and ancillary plants as a part
1299 of State Requirements for Educational Facilities or the Florida
1300 Building Code for educational facilities construction as provided



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1301 | ~~in s. 1013.37, except that the State Fire Marshal in consultation~~
1302 | ~~with the Department of Education shall adopt uniform firesafety~~
1303 | ~~standards for educational and ancillary plants and educational~~
1304 | ~~facilities, as provided in s. 633.022(1)(b), and a firesafety~~
1305 | ~~evaluation system to be used as an alternate firesafety~~
1306 | ~~inspection standard for existing educational and ancillary plants~~
1307 | ~~and educational facilities. The uniform firesafety standards and~~
1308 | ~~the alternate firesafety evaluation system shall be administered~~
1309 | ~~and enforced by local fire officials. These standards must be~~
1310 | ~~used by all public agencies when inspecting public educational~~
1311 | ~~and ancillary plants, and the firesafety standards must be used~~
1312 | ~~by local fire officials when performing firesafety inspections of~~
1313 | ~~public educational and ancillary plants and educational~~
1314 | ~~facilities. In accordance with such standards, each board shall~~
1315 | ~~prescribe policies and procedures establishing a comprehensive~~
1316 | ~~program of safety and sanitation for the protection of occupants~~
1317 | ~~of public educational and ancillary plants. Such policies must~~
1318 | ~~contain procedures for periodic inspections as prescribed in this~~
1319 | ~~section and for withdrawal of any educational and ancillary~~
1320 | ~~plant, or portion thereof, from use until unsafe or unsanitary~~
1321 | ~~conditions are corrected or removed.~~

1322 | (2) PERIODIC INSPECTION OF PROPERTY BY DISTRICT SCHOOL
1323 | BOARDS.--

1324 | (a) Each board shall provide for periodic inspection, other
1325 | than firesafety inspection, of each educational and ancillary
1326 | plant at least once during each fiscal year to determine
1327 | compliance with standards of sanitation and casualty safety
1328 | prescribed in the rules of the State Board of Education.

1329 | (b) Firesafety inspections of each educational and
1330 | ancillary plant must be made annually by persons certified by the



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1331 Division of State Fire Marshal to be eligible to conduct
1332 firesafety inspections in public educational and ancillary
1333 plants. Upon request of the State Fire Marshal, the board shall
1334 submit a copy of the firesafety inspection report to the State
1335 Fire Marshal and, if there is a local fire official who conducts
1336 firesafety inspections, to the local fire official.

1337 (c) In each firesafety inspection report, the board shall
1338 include a plan of action and a schedule for the correction of
1339 each deficiency which have been formulated in consultation with
1340 the local fire control authority. If immediate life-threatening
1341 deficiencies are noted in any inspection, the board shall either
1342 take action to promptly correct the deficiencies or withdraw the
1343 educational or ancillary plant from use until such time as the
1344 deficiencies are corrected.

1345 (3) INSPECTION OF EDUCATIONAL PROPERTY BY OTHER PUBLIC
1346 AGENCIES.--

1347 ~~(a)~~ A safety or sanitation inspection of any educational or
1348 ancillary plant may be made at any time by the Department of
1349 Education or any other state or local agency authorized or
1350 required to conduct such inspections by either general or special
1351 law. Each agency conducting inspections shall use the standards
1352 adopted by the Commissioner of Education in lieu of, and to the
1353 exclusion of, any other inspection standards prescribed either by
1354 statute or administrative rule. The agency shall submit a copy of
1355 the inspection report to the board.

1356 ~~(b) One firesafety inspection of each educational or~~
1357 ~~ancillary plant must be conducted each fiscal year by the county,~~
1358 ~~municipality, or special fire control district in which the plant~~
1359 ~~is located using the standards adopted by the State Fire Marshal.~~
1360 ~~The board shall cooperate with the inspecting authority when a~~



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1361 ~~firesafety inspection is made by a governmental authority under~~
1362 ~~this paragraph.~~

1363 ~~(c) In each firesafety inspection report, the local fire~~
1364 ~~official in conjunction with the board shall include a plan of~~
1365 ~~action and a schedule for the correction of each deficiency. If~~
1366 ~~immediate life threatening deficiencies are noted in any~~
1367 ~~inspection, the local fire official shall either take action to~~
1368 ~~require the board to promptly correct the deficiencies or~~
1369 ~~withdraw the educational facility from use until the deficiencies~~
1370 ~~are corrected, subject to review by the State Fire Marshal who~~
1371 ~~shall act within 10 days to ensure that the deficiencies are~~
1372 ~~corrected or withdraw the facility from use.~~

1373 (4) CORRECTIVE ACTION; DEFICIENCIES OTHER THAN FIRESAFETY
1374 DEFICIENCIES.--Upon failure of the board to take corrective
1375 action within a reasonable time, the agency making the
1376 inspection, other than a local fire official, may request the
1377 commissioner to:

1378 (a) Order that appropriate action be taken to correct all
1379 deficiencies in accordance with a schedule determined jointly by
1380 the inspecting authority and the board; in developing the
1381 schedule, consideration must be given to the seriousness of the
1382 deficiencies and the ability of the board to obtain the necessary
1383 funds; or

1384 (b) After 30 calendar days' notice to the board, order all
1385 or a portion of the educational or ancillary plant withdrawn from
1386 use until the deficiencies are corrected.

1387 ~~(5) INSPECTIONS OF PUBLIC POSTSECONDARY EDUCATION~~
1388 ~~FACILITIES.--~~

1389 ~~(a) Firesafety inspections of community college facilities~~
1390 ~~shall comply with State Board of Education rules.~~



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1391 ~~(b) Firesafety inspections of state universities shall~~
1392 ~~comply with rules of the Board of Governors.~~

1393 ~~(6) CORRECTIVE ACTION; FIRESAFETY DEFICIENCIES.-- Upon~~
1394 ~~failure of the board to take corrective action within the time~~
1395 ~~designated in the plan of action to correct any firesafety~~
1396 ~~deficiency noted under paragraph (2) (c) or paragraph (3) (c), the~~
1397 ~~local fire official shall immediately report the deficiency to~~
1398 ~~the State Fire Marshal, who shall have enforcement authority with~~
1399 ~~respect to educational and ancillary plants and educational~~
1400 ~~facilities as provided in chapter 633 for any other building or~~
1401 ~~structure.~~

1402 ~~(7) ADDITIONAL STANDARDS.-- In addition to any other rules~~
1403 ~~adopted under this section or s. 633.022, the State Fire Marshal~~
1404 ~~in consultation with the Department of Education shall adopt and~~
1405 ~~administer rules prescribing the following standards for the~~
1406 ~~safety and health of occupants of educational and ancillary~~
1407 ~~plants:~~

1408 ~~(a) The designation of serious life-safety hazards,~~
1409 ~~including, but not limited to, nonfunctional fire alarm systems,~~
1410 ~~nonfunctional fire sprinkler systems, doors with padlocks or~~
1411 ~~other locks or devices that preclude egress at any time,~~
1412 ~~inadequate exits, hazardous electrical system conditions,~~
1413 ~~potential structural failure, and storage conditions that create~~
1414 ~~a fire hazard.~~

1415 ~~(b) The proper placement of functional smoke and heat~~
1416 ~~detectors and accessible, unexpired fire extinguishers.~~

1417 ~~(c) The maintenance of fire doors without doorstops or~~
1418 ~~wedges improperly holding them open.~~

1419 ~~(8) ANNUAL REPORT.-- The State Fire Marshal shall publish an~~
1420 ~~annual report to be filed with the substantive committees of the~~



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1421 ~~state House of Representatives and Senate having jurisdiction~~
1422 ~~over education, the Commissioner of Education or his or her~~
1423 ~~successor, the State Board of Education, the Board of Governors,~~
1424 ~~and the Governor documenting the status of each board's~~
1425 ~~firesafety program, including the improvement or lack thereof.~~

1426 Section 32. This act shall take effect July 1, 2008.

1427
1428 ===== T I T L E A M E N D M E N T =====

1429 And the title is amended as follows:

1430
1431 Delete everything before the enacting clause
1432 and insert:

1433 A bill to be entitled
1434 An act relating to fire prevention and control; amending
1435 ss. 218.23 and 447.203, F.S.; revising cross-references;
1436 amending s. 553.895, F.S.; revising outdated publication
1437 references; amending s. 633.02, F.S.; providing the
1438 correct name for the State Fire Marshal; amending s.
1439 633.022, F.S.; revising provisions relating to uniform
1440 firesafety standards to include application to tunnels;
1441 revising requirements pertaining to supervised automatic
1442 sprinkler systems within nursing homes; amending s.
1443 633.0245, F.S.; changing the application deadline for
1444 participation in the State Fire Marshal Nursing Home Loan
1445 Guarantee Program; amending s. 633.025, F.S.; providing
1446 requirements for firesafety plans and inspections for
1447 manufactured buildings; amending s. 633.03, F.S.;
1448 expanding application of authority of the State Fire
1449 Marshal to investigate fires to include explosions;
1450 amending s. 633.061, F.S.; revising the type of fire



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1451 suppression equipment in which a person must be licensed
1452 in order to engage in the business of servicing,
1453 inspecting, recharging, hydrotesting, or installing;
1454 revising the requirements for the renewal of a license to
1455 engage in the business of servicing, inspecting,
1456 recharging, hydrotesting, or installing fire suppression
1457 equipment; amending s. 633.081, F.S.; authorizing the
1458 State Fire Marshal to inspect buildings or structures for
1459 certain violations; abolishing special state firesafety
1460 inspector classifications; providing for certification as
1461 a firesafety inspector; providing application and
1462 examination requirements; authorizing the State Fire
1463 Marshal to develop a certain advanced training and
1464 certification program for firesafety inspectors;
1465 authorizing the Division of State Fire Marshal to enter
1466 into a reciprocity agreement with the Florida Building
1467 Code Administrators and Inspectors Board for certain
1468 continuing education recertification purposes; amending s.
1469 633.085, F.S.; revising requirements for the State Fire
1470 Marshal to inspect state buildings; amending s. 633.101,
1471 F.S.; revising and expanding the authority and powers of
1472 the State Fire Marshal to administer oaths, compel
1473 attendance of witnesses, and collect evidence; providing
1474 certain forms of immunity from liability for certain
1475 actions and persons under certain circumstances; exempting
1476 certain information from discovery under certain
1477 circumstances; exempting agents of the State Fire Marshal
1478 from subpoena under certain circumstances; specifying
1479 limitations on treatment of physical evidence; authorizing
1480 persons and agents of the State Fire Marshal to submit



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1481 certain crime-related reports or information to the State
1482 Fire Marshal; authorizing agents of the State Fire Marshal
1483 to make arrests as state law enforcement officers under
1484 certain circumstances; providing that it is unlawful to
1485 resist arrest; amending s. 633.121, F.S.; expanding the
1486 list of eligible persons authorized to enforce laws and
1487 rules of the State Fire Marshal; amending s. 633.13, F.S.;
1488 revising a provision relating to the authority of agents
1489 of the State Fire Marshal; amending s. 633.14, F.S.;
1490 revising and expanding powers regarding arrests, searches,
1491 and the carrying of firearms by State Fire Marshal agents
1492 and investigators; amending s. 633.161, F.S.; expanding
1493 the list of violations for which the State Fire Marshal
1494 may issue certain enforcement orders; providing criminal
1495 penalties for failure to comply with such orders; amending
1496 s. 633.171, F.S.; conforming a provision; amending s.
1497 633.175, F.S.; specifying additional powers granted to the
1498 State Fire Marshal; amending s. 633.18, F.S.; revising a
1499 provision relating to conduct of inquiries or
1500 investigations by agents of the State Fire Marshal;
1501 amending s. 633.30, F.S.; revising and providing
1502 definitions; amending s. 633.34, F.S.; revising
1503 requirements for qualification for employment as a
1504 firefighter; amending s. 633.35, F.S.; revising
1505 requirements for firefighter training and certification;
1506 amending s. 633.351, F.S.; revising provisions for
1507 disciplinary actions for firefighters; revising standards
1508 for revocation of firefighter certifications; amending s.
1509 633.352, F.S.; revising requirements for retention of
1510 firefighter certification; amending s. 633.382, F.S.;



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1511 | revising provisions regarding required supplemental
1512 | compensation for firefighters; amending s. 633.524, F.S.;
1513 | authorizing the State Fire Marshal to contract to provide
1514 | certain examinations; amending s. 633.541, F.S.; expanding
1515 | an exclusion from application of a prohibition against
1516 | contracting without certification for certain homeowners;
1517 | amending s. 633.72, F.S.; revising the membership terms of
1518 | the Fire Code Advisory Council; amending s. 633.811, F.S.;
1519 | expanding authority of the division to enforce provisions
1520 | of law and rules applicable to employers; authorizing
1521 | assessment of administrative fines; amending s. 633.821,
1522 | F.S.; deleting certain obsolete provisions requiring
1523 | counties, municipalities, and special districts to
1524 | implement certain provisions of federal law; amending s.
1525 | 1013.12, F.S.; revising provisions regarding casualty,
1526 | safety, sanitation, and firesafety standards and
1527 | inspections of educational facilities and ancillary plants
1528 | and reporting requirements; providing an effective date.