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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: WD	.	
4/22/2008	.	
	.	
	.	

1 The Committee on General Government Appropriations (Jones)
2 recommended the following **amendment**:

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

5 Between line(s) 469 and 470,
6 insert:

7
8 Section 3. Paragraph (e) of subsection (1) of section
9 218.23, Florida Statutes, is amended to read:

10 218.23 Revenue sharing with units of local government.--

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

14 (e) Certified that persons in its employ as firefighters,
15 as defined in s. 633.30 ~~s. 633.30(1)~~, meet the qualification for
16 employment as established by the Division of State Fire Marshal



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17 | pursuant to the provisions of ss. 633.34 and 633.35 and that the
18 | provisions of s. 633.382 have been met.

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

32 | Section 4. Paragraph (b) of subsection (4) of section
33 | 447.203, Florida Statutes, is amended to read:

34 | 447.203 Definitions.--As used in this part:

35 | (4) "Managerial employees" are those employees who:

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

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46 | However, in determining whether an individual is a managerial
47 | employee pursuant to either paragraph (a) or paragraph (b),
48 | above, the commission may consider historic relationships of the
49 | employee to the public employer and to coemployees.

50 | Section 5. Subsection (1) of section 553.895, Florida
51 | Statutes, is amended to read:

52 | 553.895 Firesafety.--

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



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76 September 30, 1983. Single-station smoke detectors shall not be
77 required when guest rooms or timeshare units contain smoke
78 detectors connected to a central alarm system which also alarms
79 locally.

80 Section 6. Section 633.02, Florida Statutes, is amended to
81 read:

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

91 Section 7. Subsection (1) and paragraph (a) of subsection
92 (4) of section 633.022, Florida Statutes, are 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 (a) All new, existing, and proposed state-owned and state-
105 leased buildings.



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106 (b) All new, existing, and proposed hospitals, nursing
107 homes, assisted living facilities, adult family-care homes,
108 correctional facilities, public schools, transient public lodging
109 establishments, public food service establishments, elevators,
110 migrant labor camps, mobile home parks, lodging parks,
111 recreational vehicle parks, recreational camps, residential and
112 nonresidential child care facilities, facilities for the
113 developmentally disabled, motion picture and television special
114 effects productions, tunnels, and self-service gasoline stations,
115 of which standards the State Fire Marshal is the final
116 administrative interpreting authority.

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

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

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

134 ~~2. Each entire nursing home shall be protected by an~~
135 ~~approved, supervised automatic sprinkler system by no later than~~



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136 December 31, 2010. A nursing home licensee shall submit complete
137 sprinkler construction documents to the Agency for Health Care
138 Administration for review by December 31, 2008, and the licensee
139 must gain final approval to start construction from the agency by
140 June 30, 2009. The agency shall grant a 6-month extension to a
141 nursing home licensee if the completion and submission of the
142 sprinkler construction documents are contingent upon the approval
143 of the application for the loan guarantee program authorized
144 under s. 633.0245. In such case, the agency may extend the
145 deadline for final approval to begin construction beyond June 30,
146 2009, but the deadline may not be extended beyond December 31,
147 2009.

148 Section 8. Subsection (9) of section 633.0245, Florida
149 Statutes, is amended to read:

150 633.0245 State Fire Marshal Nursing Home Fire Protection
151 Loan Guarantee Program.--

152 (9) An ~~Ne~~ application for participation in the State Fire
153 Marshal Nursing Home Fire Protection Loan Guarantee Program may
154 not be accepted by the State Fire Marshal after July 1, 2009 ~~June~~
155 ~~30, 2006.~~

156 Section 9. Subsection (11) is added to section 633.025,
157 Florida Statutes, to read:

158 633.025 Minimum firesafety standards.--

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

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



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

168 (b) The local fire official shall recognize and approve
169 such manufactured building, subject to local fire code
170 amendments, acceptable performance testing of life safety
171 systems, and site conditions. The cost of any additional work
172 necessary to meet these requirements, if any, shall be born by
173 the manufacturer. The department may adopt rules to administer
174 this subsection.

175 Section 10. Subsections (1) and (2) and paragraph (a) of
176 subsection (3) of section 633.061, Florida Statutes, are amended
177 to read:

178 633.061 Fire suppression equipment; license to install or
179 maintain.--

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



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195 | undertaken by such business organization. Each licensee shall
196 | maintain a specific business location. A further requirement, in
197 | the case of multiple locations where such servicing or recharging
198 | is taking place, is that each licensee who maintains more than
199 | one place of business where actual work is carried on must
200 | possess an additional license, as set forth in this section, for
201 | each location, except that a licensed individual may not qualify
202 | for more than five locations. A licensee is limited to a specific
203 | type of work performed depending upon the class of license held.
204 | Licenses and license fees are required for the following:

205 | (a) Class A....\$250

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

209 | (b) Class B....\$150

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

214 | (c) Class C....\$150

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

219 | (d) Class D....\$200

220 | To service, repair, recharge, hydrotest, install, or inspect all
221 | types of preengineered fire extinguishing systems.

222 | (e) Licenses issued as duplicates or to reflect a change of
223 | address....\$10

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225 Any fire equipment dealer licensed pursuant to this subsection
226 who does not want to engage in the business of servicing,
227 inspecting, recharging, repairing, hydrotesting, or installing
228 clean agent halon ~~halon~~ equipment must file an affidavit on a form
229 provided by the division so stating. Licenses will be issued by
230 the division to reflect the work authorized thereunder. It is
231 unlawful, unlicensed activity for any person or firm to falsely
232 hold himself or herself or a business organization out to perform
233 any service, inspection, recharge, repair, hydrotest, or
234 installation except as specifically described in the license.

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

244 (a) Portable permit....\$90
245 "Portable permittee" means a person who is limited to performing
246 work no more extensive than the employing licensee in the
247 servicing, recharging, repairing, installing, or inspecting all
248 types of portable fire extinguishers.

249 (b) Preengineered permit....\$120
250 "Preengineered permittee" means a person who is limited to the
251 servicing, recharging, repairing, installing, or inspecting of
252 all types of preengineered fire extinguishing systems.

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



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255
256 Any fire equipment permittee licensed pursuant to this subsection
257 who does not want to engage in servicing, inspecting, recharging,
258 repairing, hydrotesting, or installing clean agent ~~halon~~
259 equipment must file an affidavit on a form provided by the
260 division so stating. Permits will be issued by the division to
261 reflect the work authorized thereunder. It is unlawful,
262 unlicensed activity for any person or firm to falsely hold
263 himself or herself out to perform any service, inspection,
264 recharge, repair, hydrotest, or installation except as
265 specifically described in the permit.

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



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285 a biennial license or permit. Following the initial licensure,
286 each licensee or permittee shall successfully complete a course
287 or courses of continuing education for fire equipment technicians
288 of at least 16 ~~32~~ hours. A license or permit may not be renewed
289 unless the licensee or permittee produces documentation of the
290 completion of at least 16 hours of continuing education for fire
291 equipment technicians during the biennial licensure period ~~within~~
292 4 years of initial issuance of a license or permit and within
293 each 4-year period thereafter or no such license or permit shall
294 be renewed. A person who is both a licensee and a permittee shall
295 be required to complete a total of 16 ~~32~~ hours of continuing
296 education during each renewal ~~per 4-year~~ period. Each licensee
297 shall ensure that all permittees in his or her employment meet
298 their continuing education requirements. The State Fire Marshal
299 shall adopt rules describing the continuing education
300 requirements and shall have the authority upon reasonable belief,
301 to audit a fire equipment dealer to determine compliance with
302 continuing education requirements.

303 Section 11. Section 633.081, Florida Statutes, is amended
304 to read:

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



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315 inspect shall extend to all equipment, vehicles, and chemicals
316 which are located on or within the premises of any such building
317 or structure.

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

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

333 (a) Be a high school graduate or the equivalent as
334 determined by the department;

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

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

343 (d) Have good moral character as determined by the
344 department;



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

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

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

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

358 (3)(a)1. Effective July 1, 2011, the classification of
359 special state firesafety inspector is abolished and all special
360 state firesafety inspector certifications expire at midnight June
361 30, 2011.

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

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

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



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375 2. Upon passing the examination, the person shall be
376 certified as a firesafety inspector as provided in subsection
377 (2).

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

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

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

386 b. Has 5 years of experience as a special state firesafety
387 inspector but has failed the examination taken pursuant to
388 paragraph (b),

389
390 must take an additional 80 hours of the courses described in
391 paragraph (2) (g).

392 2. After successfully completing the courses described in
393 this paragraph, such person is permitted to take the firesafety
394 inspection examination described in paragraph (2) (f), if such
395 examination is taken before July 1, 2011.

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

398 4. A person who fails the course of study or the
399 examination described in this paragraph may not perform any
400 firesafety inspection required by law on or after July 1, 2011
401 ~~Each special state firesafety inspection which is required by law~~
402 ~~and is conducted by or on behalf of an agency of the state must~~
403 ~~be performed by an individual who has met the provision of~~
404 ~~subsection (2), except that the duration of the training program~~



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405 ~~shall not exceed 120 hours of specific training for the type of~~
406 ~~property that such special state firesafety inspectors are~~
407 ~~assigned to inspect.~~

408 (4) A firefighter certified pursuant to s. 633.35 may
409 conduct firesafety inspections, under the supervision of a
410 certified firesafety inspector, while on duty as a member of a
411 fire department company conducting inservice firesafety
412 inspections without being certified as a firesafety inspector, if
413 such firefighter has satisfactorily completed an inservice fire
414 department company inspector training program of at least 24
415 hours' duration as provided by rule of the department.

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

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

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

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



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

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

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

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

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

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

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

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



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465 (8) The State Fire Marshal may develop by rule an advanced
466 training and certification program for firesafety inspectors with
467 fire code management responsibility. This program shall be
468 consistent with national standards. The program shall establish
469 minimum training, education, and experience levels for fire
470 safety inspectors with fire code management responsibilities.

471 (9) The Division of State Fire Marshal may enter into a
472 reciprocity agreement with the Florida Building Code
473 Administrators and Inspectors Board, established pursuant to s.
474 468.605, to facilitate joint recognition of continuing education
475 recertification hours for certificateholders licensed in
476 accordance with s. 468.609 and firesafety inspectors certified in
477 accordance with subsection (2).

478 Section 12. Paragraph (a) of subsection (1) and subsections
479 (2), (3), and (4) of section 633.085, Florida Statutes, are
480 amended to read:

481 633.085 Inspections of state buildings and premises; tests
482 of firesafety equipment; building plans to be approved.--

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



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495 pursuant hereto. The State Fire Marshal shall, within 7 days
496 following an inspection, submit a report of such inspection to
497 the head of the department of state government responsible for
498 the building.

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

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

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

519 (b) The plans for all construction of any new, or
520 renovation or alteration of any existing, state-owned building
521 are subject to the review and approval of the Division of State
522 Fire Marshal for compliance with the uniform firesafety standards
523 prior to commencement of construction or change of occupancy,



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524 | which review shall be completed within 30 calendar days of
525 | receipt of the plans by the Division of State Fire Marshal.

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

539 | Section 13. Section 633.30, Florida Statutes, is amended to
540 | read:

541 | 633.30 Standards for firefighting; definitions.--As used in
542 | this chapter, the term:

543 | (1) "Career firefighter" means a person who is compensated
544 | at an hourly or salaried rate and whose work hours are scheduled
545 | in advance to maintain a schedule of coverage at a station,
546 | facility, or area to function as described in subsection (8)
547 | ~~"Firefighter" means any person initially employed as a full-time~~
548 | ~~professional firefighter by any employing agency, as defined~~
549 | ~~herein, whose primary responsibility is the prevention and~~
550 | ~~extinguishment of fires, the protection and saving of life and~~
551 | ~~property, and the enforcement of municipal, county, and state~~
552 | ~~fire prevention codes, as well as of any law pertaining to the~~
553 | ~~prevention and control of fires.~~



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554 (2) "Council" means the Firefighters Employment, Standards,
555 and Training Council ~~"Employing agency" means any municipality or~~
556 ~~county, the state, or any political subdivision of the state,~~
557 ~~including authorities and special districts, employing~~
558 ~~firefighters as defined in subsection (1).~~

559 (3) "Department" means the Department of Financial
560 Services.

561 (4) "Division" means the Division of State Fire Marshal of
562 the Department of Financial Services ~~"Council" means the~~
563 ~~Firefighters Employment, Standards, and Training Council.~~

564 (5) "Employing agency" means any municipality or county,
565 the state, or any political subdivision of the state, including
566 authorities, special districts, or any private entity under
567 contract with such entities ~~"Division" means the Division of~~
568 ~~State Fire Marshal of the Department of Financial Services.~~

569 (6) "Fire department" means an organization designated by a
570 state political subdivision, such as a county, municipality, or
571 special fire control district, to provide emergency response for
572 the protection of life and property within a specified
573 geographical area.

574 (7) "Fire service apprentice" means any high school student
575 who completes a high school course of instruction and examination
576 approved by the department that includes specified components of
577 firefighter I and II certification in accordance with the
578 division's rules. Before the age of 18, a fire service apprentice
579 may function as a fireground resource technician with a
580 recognized fire department. Upon age of 18 and graduation from
581 high school, the fire service apprentice may complete the
582 outstanding components of firefighter I and II certification



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583 training and become certified at level II in accordance with the
584 division's rules.

585 (8) "Firefighter" means any person whose responsibility is
586 the emergency response to fires and other emergencies, the
587 prevention and extinguishment of fires, the protection and saving
588 of life and property, and the enforcement of municipal, county,
589 and state fire prevention codes, as well as of any law pertaining
590 to the prevention and control of fires.

591 (9) "Firefighter I" means a person who has successfully
592 completed the firefighter I training program and is certified at
593 level I in accordance with the division's rules. Firefighter I is
594 the minimum level of certification to function as a volunteer
595 firefighter.

596 (10) "Firefighter II" means a person who has successfully
597 completed the firefighter II training program and is certified at
598 level II in accordance with the division's rules. Firefighter II
599 is the minimum level of certification to function as a career
600 firefighter as set forth in subsection (2). For purposes of this
601 chapter, a certificate of compliance at level II replaces the
602 previous certificate of compliance required to be a career
603 firefighter. Firefighters currently certified with a certificate
604 of compliance are deemed to be in compliance with the
605 requirements of this chapter and need not become certified as a
606 firefighter II.

607 (11) "Fireground resource technician" means a volunteer
608 exterior firefighter or support person who is not qualified by
609 certification to be an interior firefighter but who has completed
610 a course of instruction in accordance with the division's rules.
611 Fireground resource technician is the minimum level of



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612 certification to function on the fireground in accordance with
613 division rules.

614 Section 14. Section 633.34, Florida Statutes, is amended to
615 read:

616 633.34 Firefighters; qualifications for employment.--

617 (1) Any person applying for employment as a firefighter
618 must:

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

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

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

627 2. Misdemeanor involving moral turpitude, or misleading or
628 false statements relating to certification or employment as a
629 firefighter.

630
631 If an applicant has been sentenced for any conviction of a felony
632 or a misdemeanor, the applicant is not eligible for certification
633 until 4 years after the expiration of any sentence. If a sentence
634 is suspended or adjudication is withheld and a period of
635 probation is imposed, the applicant must have been released from
636 probation ~~Neither have been convicted of a felony or of a~~
637 ~~misdemeanor directly related to the position of employment~~
638 ~~sought, nor have pled nolo contendere to any charge of a felony.~~
639 ~~If an applicant has been convicted of a felony, such applicant~~
640 ~~must be in compliance with s. 112.011(2) (b). If an applicant has~~
641 ~~been convicted of a misdemeanor directly related to the position~~



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642 ~~of employment sought, such applicant shall be excluded from~~
643 ~~employment for a period of 4 years after expiration of sentence.~~
644 ~~If the sentence is suspended or adjudication is withheld in a~~
645 ~~felony charge or in a misdemeanor directly related to the~~
646 ~~position or employment sought and a period of probation is~~
647 ~~imposed, the applicant must have been released from probation.~~

648 (c)(3) Pay for and submit fingerprints as directed by the
649 division ~~Submit a fingerprint card to the division with a current~~
650 ~~processing fee. The fingerprints shall fingerprint card will be~~
651 ~~forwarded to the Department of Law Enforcement or and/or the~~
652 ~~Federal Bureau of Investigation, or both, as directed by division~~
653 ~~rule.~~

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

656 (d)(5) Be in good physical condition as determined by a
657 medical examination given by a physician, surgeon, or physician
658 assistant licensed to practice in the state pursuant to chapter
659 458; an osteopathic physician, surgeon, or physician assistant
660 licensed to practice in the state pursuant to chapter 459; or an
661 advanced registered nurse practitioner licensed to practice in
662 the state pursuant to chapter 464, who are aware of and familiar
663 with the medical requirements for training and certification as
664 stated in department rule. Such examination may include, but need
665 not be limited to, provisions of the National Fire Protection
666 Association Standard 1582. Results of this A medical examination
667 evidencing good physical condition shall be submitted to the
668 division, on a form as provided by rule, before an individual is
669 eligible for admission into a firefighter training program as
670 defined in s. 633.35.



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

674 (2) A person who does not hold a fire service apprentice,
675 fireground resource technician, firefighter I, or firefighter II
676 certificate may not respond or engage in hazardous operations,
677 including, but not limited to, interior structural firefighting,
678 hazardous-materials-incident mitigation, and incident command,
679 requiring the knowledge and skills taught in the training
680 programs established in s. 633.35, regardless of volunteer or
681 employment status.

682 Section 15. Section 633.35, Florida Statutes, is amended to
683 read:

684 633.35 Firefighter training and certification.--

685 (1) The division shall establish by rule a firefighter
686 training programs for certification as a fireground resource
687 technician, a fire service apprentice, a firefighter I, and a
688 firefighter II, to be ~~program of not less than 360 hours,~~
689 administered by such agencies and institutions as approved by the
690 division in accordance with division rules ~~it approves~~ for the
691 purpose of providing ~~basic employment~~ training for firefighters.
692 Nothing herein shall require a public employer to pay the cost of
693 such training.

694 (2) The division shall issue certificates ~~a certificate~~ of
695 compliance for certification as a fireground resource technician,
696 a fire service apprentice, a firefighter I, and a firefighter II
697 to any person who has satisfactorily completed ~~complying with~~ the
698 training programs ~~program~~ established in subsection (1), who has
699 successfully passed an examination as prescribed by the division,
700 and who possesses the qualifications specified ~~for employment~~ in



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701 s. 633.34, ~~except s. 633.34(5)~~. A No person may not be employed
702 as a career regular or permanent firefighter by an employing
703 agency, or by a private entity under contract with the state or
704 any political subdivision of the state, including authorities and
705 special districts, unless certified as a firefighter II, except
706 for an individual hired to be trained and become certified as a
707 firefighter II. An individual hired to be trained and become
708 certified as a firefighter II has a maximum of for a period of
709 time in excess of 1 year from the date of initial employment to
710 obtain the firefighter II until he or she has obtained such
711 certificate of compliance. A person who does not hold a
712 firefighter II certificate of compliance and is employed under
713 this section may not directly engage in hazardous operations,
714 such as interior structural firefighting and hazardous-materials-
715 incident mitigation, requiring the knowledge and skills taught in
716 a training program established in subsection (1), including
717 incident command. However, a person who is certified and has been
718 employed by served as a volunteer firefighter with the state or
719 any political subdivision of the state, including authorities and
720 special districts, who is then employed as a career regular or
721 permanent firefighter may function, during this period, in the
722 same capacity in which he or she acted prior to being employed as
723 a career firefighter as a volunteer firefighter, provided that he
724 or she has completed all training required by the volunteer
725 organization.

726 (3) The division may issue a certificate of compliance at
727 the firefighter I or firefighter II level to any person who has
728 received basic employment training for firefighters in another
729 state when the division has determined that such training was at
730 least equivalent to that required by the division for approved



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731 firefighter education and training programs in this state and
732 when such person has satisfactorily complied with all other
733 requirements of this section. The division may also issue a
734 special certificate to a person who is otherwise qualified under
735 this section and who is employed as the administrative and
736 command head of a fire/rescue/emergency services organization,
737 based on the acknowledgment that such person is less likely to
738 need physical dexterity and more likely to need advanced
739 knowledge of firefighting and supervisory skills. The certificate
740 is valid only while the person is serving in a position as an
741 administrative and command head of a fire/rescue/emergency
742 services organization and must be obtained prior to employment in
743 such capacity.

744 (4) A person who fails an examination given under this
745 section may retake the examination once within 6 months after the
746 original examination date. An applicant who does not pass ~~retake~~
747 the examination within such time must repeat or take the
748 applicable training program ~~Minimum Standards Course~~, pursuant to
749 subsection (1), before being reexamined. The division may
750 establish reasonable preregistration deadlines for such
751 reexaminations.

752 (5) Pursuant to s. 590.02(1)(e), the division shall
753 establish a structural fire training program of not less than 40
754 hours. The division shall issue to any person satisfactorily
755 complying with this training program and who has successfully
756 passed an examination as prescribed by the division and who has
757 met the requirements of s. 590.02(1)(e) a Certificate of Forestry
758 Firefighter.

759 (6) A certified forestry firefighter is entitled to the
760 same rights, privileges, and benefits provided for by law as a



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761 career certified firefighter. For the purposes of this statute,
762 forestry compliance certification is equivalent to firefighter
763 II.

764 Section 16. Section 633.351, Florida Statutes, is amended
765 to read:

766 633.351 Disciplinary action; firefighters; standards for
767 revocation of certification.--

768 (1) The certification of a firefighter shall be revoked if
769 evidence is found that the certification was improperly issued by
770 the division or if evidence is found that the certification was
771 issued on the basis of false, incorrect, incomplete, or
772 misleading information.

773 (2) The certification of a firefighter who has been
774 adjudicated guilty of, or pled guilty or nolo contendere to, any
775 felony, or any misdemeanor involving moral turpitude, or
776 misleading or false statements relating to the certification or
777 employment as a firefighter, shall be revoked. In the case of a
778 felony, the certification may not be reinstated ~~is convicted of a~~
779 ~~felony, or who is convicted of a misdemeanor relating to~~
780 ~~misleading or false statements, or who pleads nolo contendere to~~
781 ~~any charge of a felony shall be revoked~~ until the firefighter
782 complies with s. 112.011(2)(b). However, if sentence upon such
783 felony or such misdemeanor charge is suspended or adjudication is
784 withheld, the firefighter's revocation of certification shall
785 continue for a period of 4 years after expiration of completion
786 of any probation before the applicant is eligible for
787 recertification ~~be revoked until she or he completes any~~
788 ~~probation.~~

789 (3) It is a violation of certification for any career
790 firefighter as defined in this chapter, whose initial employment



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791 date is on or after July 1, 2008, to use tobacco products. An
792 investigation by the local firefighter employer which determines
793 such use, confirmed by legal means such as nicotine or cotinine
794 testing, shall result in the suspension of the firefighter's
795 state certification, requiring suspension or termination of
796 employment. The division shall adopt rules setting forth the
797 criteria for testing, investigation, and notification of the
798 division by the local firefighter employer of violations, actions
799 to be taken by the division, reinstatement of certification with
800 appropriate medical approval and surveillance, and the number of
801 violations allowed before permanent revocation of firefighter
802 certification.

803 Section 17. Section 633.352, Florida Statutes, is amended
804 to read:

805 633.352 Retention of firefighter certification.--

806 (1) Any certified firefighter who has not been active as a
807 firefighter, or as a volunteer firefighter with an organized fire
808 department, for a period of 3 years shall be required to retake
809 and pass the written and practical portions ~~portion~~ of the
810 ~~minimum standards state~~ examination specified in division rules
811 ~~rule 4A-37.056(6)(b), Florida Administrative Code,~~ in order to
812 maintain her or his certification as a firefighter. ~~; however,~~

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

818 (3) The 3-year period begins on the date the firefighter I
819 or firefighter II certificate of compliance is issued, ~~or~~ upon



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820 termination of service with an organized fire department, or upon
821 expiration of instructor certification.

822 Section 18. Paragraph (b) of subsection (1) and paragraph
823 (a) of subsection (2) of section 633.382, Florida Statutes, are
824 amended to read:

825 633.382 Firefighters; supplemental compensation.--

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

827 (b) "Firefighter" means any person who meets the definition
828 ~~of the term "firefighter" in s. 633.30(2) and (10) s. 633.30(1)~~
829 ~~who is certified in compliance with s. 633.35 and who is employed~~
830 solely within the fire department of the employing agency or is
831 employed by the division.

832 (2) QUALIFICATIONS FOR SUPPLEMENTAL COMPENSATION.--

833 (a) In addition to the compensation now paid by an
834 employing agency to a any firefighter II, every career
835 firefighter shall be paid supplemental compensation by the
836 employing agency when such firefighter has complied with one of
837 the following criteria:

838 1. Any firefighter II who receives an associate degree from
839 an accredited ~~a~~ college, which degree is applicable to fire
840 department duties, as outlined in policy guidelines of the
841 division, shall be additionally compensated as outlined in
842 paragraph (3) (a).

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



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849 Section 19. Subsection (3) is added to section 633.524,
850 Florida Statutes, to read:

851 633.524 Certificate and permit fees; use and deposit of
852 collected funds.--

853 (3) The State Fire Marshal may enter into a contract with
854 any qualified public entity or private company in accordance with
855 chapter 287 to provide examinations for any applicant for any
856 examination administered under the jurisdiction of the State Fire
857 Marshal under this chapter or any other chapter under the
858 jurisdiction of the State Fire Marshal. The State Fire Marshal
859 may have payments from each applicant for each examination made
860 directly to such public entity or private company.

861 Section 20. Subsections (1) and (4) of section 633.541,
862 Florida Statutes, are amended to read:

863 633.541 Contracting without certificate prohibited;
864 violations; penalty.--

865 (1) It is unlawful for any organization or individual to
866 engage in the business of, the layout, fabrication, installation,
867 inspection, alteration, repair, or service of a fire protection
868 system, other than a preengineered system, act in the capacity of
869 a fire protection contractor, or advertise itself as being a fire
870 protection contractor without having been duly certified and
871 holding a valid and existing certificate, except as hereinafter
872 provided. The holder of a certificate used to qualify an
873 organization must be a full-time employee of the qualified
874 organization or business. A certificateholder who is employed by
875 more than one fire protection contractor during the same period
876 of time is deemed not to be a full-time employee of either
877 contractor. The State Fire Marshal shall revoke, for a period of
878 time determined by the State Fire Marshal, the certificate of a



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879 certificateholder who allows the use of the certificate to
880 qualify a company of which the certificateholder is not a full-
881 time employee. A contractor who maintains more than one place of
882 business must employ a certificateholder at each location.
883 ~~Nothing in~~ This subsection does not prohibit ~~prohibits~~ an
884 employee acting on behalf of governmental entities from
885 inspecting and enforcing firesafety codes, provided such employee
886 is certified under s. 633.081, or an owner of a one or two family
887 dwelling from inspecting or maintaining the fire protection
888 system for his or her own house.

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

895 Section 21. Subsection (4) of section 633.72, Florida
896 Statutes, is amended to read:

897 633.72 Florida Fire Code Advisory Council.--

898 (4) Each appointee shall serve a 4-year term. No member
899 shall serve more than two consecutive terms ~~one term~~. No member
900 of the council shall be paid a salary as such member, but each
901 shall receive travel and expense reimbursement as provided in s.
902 112.061.

903 Section 22. Section 633.811, Florida Statutes, is amended
904 to read:

905 633.811 Firefighter employer penalties.--If any firefighter
906 employer violates or fails or refuses to comply with ss. 633.801-
907 633.821, or with any rule adopted by the division under such
908 sections in accordance with chapter 120 for the prevention of



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909 injuries, accidents, or occupational diseases or with any lawful
910 order of the division in connection with ss. 633.801-633.821, or
911 fails or refuses to furnish or adopt any safety device,
912 safeguard, or other means of protection prescribed by division
913 rule under ss. 633.801-633.821 for the prevention of accidents or
914 occupational diseases, the division may issue an administrative
915 cease and desist order, enforceable in the circuit court in the
916 jurisdiction where the violation is occurring or has occurred,
917 and assess an administrative fine against a firefighter employer
918 of not less than \$100 nor more than \$1,000 for each violation and
919 each day of each violation. The administrative penalty assessment
920 shall be subject to the provisions of chapter 120. The division
921 may also assess against the firefighter employer a civil penalty
922 of not less than \$100 nor more than \$5,000 for each day the
923 violation, omission, failure, or refusal continues after the
924 firefighter employer has been given written notice of such
925 violation, omission, failure, or refusal. The total penalty for
926 each violation shall not exceed \$50,000. The division shall adopt
927 rules requiring penalties commensurate with the frequency or
928 severity of safety violations. A hearing shall be held in the
929 county in which the violation, omission, failure, or refusal is
930 alleged to have occurred, unless otherwise agreed to by the
931 firefighter employer and authorized by the division. All
932 penalties assessed and collected under this section shall be
933 deposited in the Insurance Regulatory Trust Fund.

934 Section 23. Subsection (3) of section 633.821, Florida
935 Statutes, is amended to read:

936 633.821 Workplace safety.--

937 (3) With respect to 29 C.F.R. s. 1910.134(g)(4), the two
938 individuals located outside the immediately dangerous to life and



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939 health atmosphere may be assigned to an additional role, such as
940 incident commander, pumper operator, engineer, or driver, so long
941 as such individual is able to immediately perform assistance or
942 rescue activities without jeopardizing the safety or health of
943 any firefighter working at an incident. ~~Also with respect to 29~~

944 ~~C.F.R. s. 1910.134(g)(4):~~

945 ~~(a) Each county, municipality, and special district shall~~
946 ~~implement such provision by April 1, 2002, except as provided in~~
947 ~~paragraphs (b) and (c).~~

948 ~~(b) If any county, municipality, or special district is~~
949 ~~unable to implement such provision by April 1, 2002, without~~
950 ~~adding additional personnel to its firefighting staff or~~
951 ~~expending significant additional funds, such county,~~
952 ~~municipality, or special district shall have an additional 6~~
953 ~~months within which to implement such provision. Such county,~~
954 ~~municipality, or special district shall notify the division that~~
955 ~~the 6-month extension to implement such provision is in effect in~~
956 ~~such county, municipality, or special district within 30 days~~
957 ~~after its decision to extend the time for the additional 6~~
958 ~~months. The decision to extend the time for implementation shall~~
959 ~~be made prior to April 1, 2002.~~

960 ~~(c) If, after the extension granted in paragraph (b), the~~
961 ~~county, municipality, or special district, after having worked~~
962 ~~with and cooperated fully with the division and the Firefighters~~
963 ~~Employment, Standards, and Training Council, is still unable to~~
964 ~~implement such provisions without adding additional personnel to~~
965 ~~its firefighting staff or expending significant additional funds,~~
966 ~~such municipality, county, or special district shall be exempt~~
967 ~~from the requirements of 29 C.F.R. s. 1910.134(g)(4). However,~~
968 ~~each year thereafter the division shall review each such county,~~



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969 ~~municipality, or special district to determine if such county,~~
970 ~~municipality, or special district has the ability to implement~~
971 ~~such provision without adding additional personnel to its~~
972 ~~firefighting staff or expending significant additional funds. If~~
973 ~~the division determines that any county, municipality, or special~~
974 ~~district has the ability to implement such provision without~~
975 ~~adding additional personnel to its firefighting staff or~~
976 ~~expending significant additional funds, the division shall~~
977 ~~require such county, municipality, or special district to~~
978 ~~implement such provision. Such requirement by the division under~~
979 ~~this paragraph constitutes final agency action subject to chapter~~
980 ~~120.~~

981 Section 24. Subsection (8) of section 1013.12, Florida
982 Statutes, is repealed.

983
984 ===== T I T L E A M E N D M E N T =====

985 And the title is amended as follows:

986 Delete line(s) 2-40
987 and insert:

988
989 An act relating to fire prevention and control; creating
990 s. 633.042, F.S.; providing a short title; providing
991 legislative findings and intent; providing definitions;
992 providing cigarette testing methods and performance
993 standards; providing specific testing criteria; requiring
994 manufacturers to provide certain written certification;
995 requiring cigarettes to be marked in specific manners;
996 providing for alternative testing methods under certain
997 circumstances; providing reporting requirements; providing
998 the Division of Alcoholic Beverages and Tobacco with



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999 | certain powers and responsibilities; providing
1000 | certification requirements for manufacturers; providing
1001 | fee; providing for the deposit of certification fees into
1002 | the Reduced Cigarette Ignition Propensity and Firefighter
1003 | Protection Enforcement Trust Fund; providing requirements
1004 | for the marking of certain cigarette packaging; providing
1005 | reporting requirements; providing approval requirements
1006 | for markings submitted to the division by a manufacturer;
1007 | providing notification requirements; providing fines and
1008 | penalties; providing for the deposit of penalties into the
1009 | Fire Prevention and Public Safety Trust Fund; providing
1010 | the division with rulemaking authority; authorizing
1011 | certain government entities with inspection powers to
1012 | examine specified documents of any person in possession,
1013 | control, or occupancy of any premises where cigarettes are
1014 | placed, stored, sold, or offered for sale, as well as the
1015 | stock of cigarettes on the premises; providing that
1016 | nothing in the act shall be construed to prohibit any
1017 | person or entity from manufacturing or selling cigarettes
1018 | that do not meet the specified requirements if such
1019 | cigarettes are or will be stamped for sale in another
1020 | state or are packaged for sale outside the United States;
1021 | providing for repeal upon the enactment of a preemptive
1022 | federal standard; prohibiting local government units from
1023 | enacting and enforcing any ordinance or other local law or
1024 | regulation that conflicts with, or is preempted by, any
1025 | provision of the act; amending ss. 218.23 and 447.203,
1026 | F.S.; revising cross-references; amending s. 553.895,
1027 | F.S.; revising outdated publication references; amending
1028 | s. 633.02, F.S.; providing the correct name for the State



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1029 | Fire Marshal; amending s. 633.022, F.S.; revising
1030 | provisions relating to uniform firesafety standards to
1031 | include application to tunnels; revising requirements
1032 | pertaining to supervised automatic sprinkler systems
1033 | within nursing homes; requiring a nursing home licensee to
1034 | submit complete sprinkler construction documents to the
1035 | Agency for Health Care Administration by a specified date;
1036 | requiring such licensee to gain final approval from the
1037 | agency to start construction by a specified date;
1038 | authorizing the agency to extend the deadline under
1039 | certain circumstances; amending s. 633.0245, F.S.;
1040 | changing the application deadline for participation in the
1041 | State Fire Marshal Nursing Home Loan Guarantee Program;
1042 | amending s. 633.025, F.S.; providing requirements for
1043 | firesafety plans and inspections for manufactured
1044 | buildings; amending s. 633.061, F.S.; revising the type of
1045 | fire suppression equipment in which a person must be
1046 | licensed in order to engage in the business of servicing,
1047 | inspecting, recharging, hydrotesting, or installing;
1048 | revising the requirements for the renewal of a license to
1049 | engage in the business of servicing, inspecting,
1050 | recharging, hydrotesting, or installing fire suppression
1051 | equipment; amending s. 633.081, F.S.; authorizing the
1052 | State Fire Marshal to inspect buildings or structures for
1053 | certain violations; abolishing special state firesafety
1054 | inspector classifications; providing for certification as
1055 | a firesafety inspector; providing application and
1056 | examination requirements; authorizing the State Fire
1057 | Marshal to develop a certain advanced training and
1058 | certification program for firesafety inspectors;



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1059 | authorizing the Division of State Fire Marshal to enter
1060 | into a reciprocity agreement with the Florida Building
1061 | Code Administrators and Inspectors Board for certain
1062 | continuing education recertification purposes; amending s.
1063 | 633.085, F.S.; revising requirements for the State Fire
1064 | Marshal to inspect state buildings; amending s. 633.30,
1065 | F.S.; revising and providing definitions; amending s.
1066 | 633.34, F.S.; revising requirements for qualification for
1067 | employment as a firefighter; amending s. 633.35, F.S.;
1068 | revising requirements for firefighter training and
1069 | certification; amending s. 633.351, F.S.; revising
1070 | provisions for disciplinary actions for firefighters;
1071 | revising standards for revocation of firefighter
1072 | certifications; amending s. 633.352, F.S.; revising
1073 | requirements for retention of firefighter certification;
1074 | amending s. 633.382, F.S.; revising provisions regarding
1075 | required supplemental compensation for firefighters;
1076 | amending s. 633.524, F.S.; authorizing the State Fire
1077 | Marshal to contract to provide certain examinations;
1078 | amending s. 633.541, F.S.; expanding an exclusion from
1079 | application of a prohibition against contracting without
1080 | certification for certain homeowners; amending s. 633.72,
1081 | F.S.; revising the membership terms of the Fire Code
1082 | Advisory Council; amending s. 633.811, F.S.; expanding
1083 | authority of the division to enforce provisions of law and
1084 | rules applicable to employers; authorizing assessment of
1085 | administrative fines; amending s. 633.821, F.S.; deleting
1086 | certain obsolete provisions requiring counties,
1087 | municipalities, and special districts to implement certain
1088 | provisions of federal law; repealing s. 1013.12(8), F.S.,



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relating to annual reports; providing an contingent
effective date.