

1 A bill to be entitled
 2 An act relating to duties of the Division of Hotels and
 3 Restaurants relating to the Florida Building Code and the
 4 Florida Fire Prevention Code; amending s. 509.032, F.S.;
 5 eliminating the requirement for the Division of Hotels and
 6 Restaurants to provide technical support to assist the
 7 Florida Building Commission in updating the construction
 8 standards of the Florida Building Code and the State Fire
 9 Marshal in updating the Florida Fire Prevention Code;
 10 eliminating the requirement for the division to enforce
 11 the Florida Building Code and the Florida Fire Prevention
 12 Code in conducting its inspections; providing an effective
 13 date.

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

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 17 Section 1. Paragraph (d) of subsection (2) of section
 18 509.032, Florida Statutes, is amended to read:

19 509.032 Duties.--

20 (2) INSPECTION OF PREMISES.--

21 (d) The division shall adopt and enforce sanitation rules
 22 consistent with law to ensure the protection of the public from
 23 food-borne illness in those establishments licensed under this
 24 chapter. These rules shall provide the standards and
 25 requirements for obtaining, storing, preparing, processing,
 26 serving, or displaying food in public food service
 27 establishments, approving public food service establishment
 28 facility plans, conducting necessary public food service

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29 establishment inspections for compliance with sanitation
30 regulations, cooperating and coordinating with the Department of
31 Health in epidemiological investigations, and initiating
32 enforcement actions, and for other such responsibilities deemed
33 necessary by the division. The division may not establish by
34 rule any regulation governing the design, construction,
35 erection, alteration, modification, repair, or demolition of any
36 public lodging or public food service establishment. It is the
37 intent of the Legislature to preempt that function to the
38 Florida Building Commission and the State Fire Marshal through
39 adoption and maintenance of the Florida Building Code and the
40 Florida Fire Prevention Code. ~~The division shall provide~~
41 ~~technical assistance to the commission and the State Fire~~
42 ~~Marshal in updating the construction standards of the Florida~~
43 ~~Building Code and the Florida Fire Prevention Code which govern~~
44 ~~public lodging and public food service establishments. Further,~~
45 ~~the division shall enforce the provisions of the Florida~~
46 ~~Building Code and the Florida Fire Prevention Code which apply~~
47 ~~to public lodging and public food service establishments in~~
48 ~~conducting any inspections authorized by this part.~~

49 Section 2. This act shall take effect July 1, 2008.