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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/15/2008	.	
	.	
	.	

1 The Committee on Transportation and Economic Development
 2 Appropriations (Diaz de la Portilla) recommended the following
 3 **amendment:**

Senate Amendment (with title amendment)

6 Delete everything after the enacting clause
7 and insert:

8 Section 1. Subsection (2) of section 163.04, Florida
9 Statutes, is amended to read:

10 163.04 Energy devices based on renewable resources.--

11 (2) A deed restriction, covenant, declaration, or similar
 12 binding agreement may not ~~No deed restrictions, covenants, or~~
 13 ~~similar binding agreements running with the land shall prohibit~~
 14 or have the effect of prohibiting solar collectors, clotheslines,
 15 or other energy devices based on renewable resources from being
 16 installed on buildings erected on the lots or parcels covered by
 17 the deed restriction, covenant, declaration, or binding agreement

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18 ~~restrictions, covenants, or binding agreements.~~ A property owner
19 may not be denied permission to install solar collectors or other
20 energy devices ~~based on renewable resources~~ by any entity granted
21 the power or right in any deed restriction, covenant,
22 declaration, or similar binding agreement to approve, forbid,
23 control, or direct alteration of property with respect to
24 residential dwellings and within the boundaries of a condominium
25 unit not exceeding three stories in height. ~~For purposes of this~~
26 ~~subsection,~~ Such entity may determine the specific location where
27 solar collectors may be installed on the roof within an
28 orientation to the south or within 45° east or west of due south
29 ~~if provided that~~ such determination does not impair the effective
30 operation of the solar collectors.

31 Section 2. Paragraphs (a), (b), (d), (f), and (j) of
32 subsection (6) of section 163.3177, Florida Statutes, are amended
33 to read:

34 163.3177 Required and optional elements of comprehensive
35 plan; studies and surveys.--

36 (6) In addition to the requirements of subsections (1)-(5)
37 and (12), the comprehensive plan shall include the following
38 elements:

39 (a) A future land use plan element designating proposed
40 future general distribution, location, and extent of the uses of
41 land for residential uses, commercial uses, industry,
42 agriculture, recreation, conservation, education, public
43 buildings and grounds, other public facilities, and other
44 categories of the public and private uses of land. Counties are
45 encouraged to designate rural land stewardship areas, pursuant to
46 the provisions of paragraph (11)(d), as overlays on the future
47 land use map. Each future land use category must be defined in

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48 terms of uses included, and must include standards to be followed
49 in the control and distribution of population densities and
50 building and structure intensities. The proposed distribution,
51 location, and extent of the various categories of land use shall
52 be shown on a land use map or map series which shall be
53 supplemented by goals, policies, and measurable objectives. The
54 future land use plan shall be based upon surveys, studies, and
55 data regarding the area, including the amount of land required to
56 accommodate anticipated growth; the projected population of the
57 area; the character of undeveloped land; the availability of
58 water supplies, public facilities, and services; the need for
59 redevelopment, including the renewal of blighted areas and the
60 elimination of nonconforming uses which are inconsistent with the
61 character of the community; the compatibility of uses on lands
62 adjacent to or closely proximate to military installations; the
63 discouragement of urban sprawl; energy-efficient land use
64 patterns accounting for existing and future electric power
65 generation and transmission systems; greenhouse gas reduction
66 strategies; and, in rural communities, the need for job creation,
67 capital investment, and economic development that will strengthen
68 and diversify the community's economy. The future land use plan
69 may designate areas for future planned development use involving
70 combinations of types of uses for which special regulations may
71 be necessary to ensure development in accord with the principles
72 and standards of the comprehensive plan and this act. The future
73 land use plan element shall include criteria to be used to
74 achieve the compatibility of adjacent or closely proximate lands
75 with military installations. In addition, for rural communities,
76 the amount of land designated for future planned industrial use
77 shall be based upon surveys and studies that reflect the need for

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78 | job creation, capital investment, and the necessity to strengthen
79 | and diversify the local economies, and shall not be limited
80 | solely by the projected population of the rural community. The
81 | future land use plan of a county may also designate areas for
82 | possible future municipal incorporation. The land use maps or map
83 | series shall generally identify and depict historic district
84 | boundaries and shall designate historically significant
85 | properties meriting protection. For coastal counties, the future
86 | land use element must include, without limitation, regulatory
87 | incentives and criteria that encourage the preservation of
88 | recreational and commercial working waterfronts as defined in s.
89 | 342.07. The future land use element must clearly identify the
90 | land use categories in which public schools are an allowable use.
91 | When delineating the land use categories in which public schools
92 | are an allowable use, a local government shall include in the
93 | categories sufficient land proximate to residential development
94 | to meet the projected needs for schools in coordination with
95 | public school boards and may establish differing criteria for
96 | schools of different type or size. Each local government shall
97 | include lands contiguous to existing school sites, to the maximum
98 | extent possible, within the land use categories in which public
99 | schools are an allowable use. The failure by a local government
100 | to comply with these school siting requirements will result in
101 | the prohibition of the local government's ability to amend the
102 | local comprehensive plan, except for plan amendments described in
103 | s. 163.3187(1)(b), until the school siting requirements are met.
104 | Amendments proposed by a local government for purposes of
105 | identifying the land use categories in which public schools are
106 | an allowable use are exempt from the limitation on the frequency
107 | of plan amendments contained in s. 163.3187. The future land use



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108 element shall include criteria that encourage the location of
109 schools proximate to urban residential areas to the extent
110 possible and shall require that the local government seek to
111 collocate public facilities, such as parks, libraries, and
112 community centers, with schools to the extent possible and to
113 encourage the use of elementary schools as focal points for
114 neighborhoods. For schools serving predominantly rural counties,
115 defined as a county with a population of 100,000 or fewer, an
116 agricultural land use category shall be eligible for the location
117 of public school facilities if the local comprehensive plan
118 contains school siting criteria and the location is consistent
119 with such criteria. Local governments required to update or amend
120 their comprehensive plan to include criteria and address
121 compatibility of adjacent or closely proximate lands with
122 existing military installations in their future land use plan
123 element shall transmit the update or amendment to the department
124 by June 30, 2006.

125 (b) A traffic circulation element consisting of the types,
126 locations, and extent of existing and proposed major
127 thoroughfares and transportation routes, including bicycle and
128 pedestrian ways. Transportation corridors, as defined in s.
129 334.03, may be designated in the traffic circulation element
130 pursuant to s. 337.273. If the transportation corridors are
131 designated, the local government may adopt a transportation
132 corridor management ordinance. The traffic circulation element
133 shall incorporate transportation strategies to address reduction
134 in greenhouse gas emissions from the transportation sector.

135 (d) A conservation element for the conservation, use, and
136 protection of natural resources in the area, including air,
137 water, water recharge areas, wetlands, waterwells, estuarine

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138 marshes, soils, beaches, shores, flood plains, rivers, bays,
139 lakes, harbors, forests, fisheries and wildlife, marine habitat,
140 minerals, and other natural and environmental resources,
141 including factors that affect energy conservation. Local
142 governments shall assess their current, as well as projected,
143 water needs and sources for at least a 10-year period,
144 considering the appropriate regional water supply plan approved
145 pursuant to s. 373.0361, or, in the absence of an approved
146 regional water supply plan, the district water management plan
147 approved pursuant to s. 373.036(2). This information shall be
148 submitted to the appropriate agencies. The land use map or map
149 series contained in the future land use element shall generally
150 identify and depict the following:

- 151 1. Existing and planned waterwells and cones of influence
152 where applicable.
- 153 2. Beaches and shores, including estuarine systems.
- 154 3. Rivers, bays, lakes, flood plains, and harbors.
- 155 4. Wetlands.
- 156 5. Minerals and soils.
- 157 6. Energy conservation.

158
159 The land uses identified on such maps shall be consistent with
160 applicable state law and rules.

161 (f)1. A housing element consisting of standards, plans, and
162 principles to be followed in:

- 163 a. The provision of housing for all current and anticipated
164 future residents of the jurisdiction.
- 165 b. The elimination of substandard dwelling conditions.
- 166 c. The structural and aesthetic improvement of existing
167 housing.

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168 d. The provision of adequate sites for future housing,
169 including affordable workforce housing as defined in s.
170 380.0651(3)(j), housing for low-income, very low-income, and
171 moderate-income families, mobile homes, and group home facilities
172 and foster care facilities, with supporting infrastructure and
173 public facilities.

174 e. Provision for relocation housing and identification of
175 historically significant and other housing for purposes of
176 conservation, rehabilitation, or replacement.

177 f. The formulation of housing implementation programs.

178 g. The creation or preservation of affordable housing to
179 minimize the need for additional local services and avoid the
180 concentration of affordable housing units only in specific areas
181 of the jurisdiction.

182 h. Energy efficiency in the design and construction of new
183 housing.

184 i. Use of renewable energy resources.

185 j. ~~h. By July 1, 2008,~~ Each county in which the gap between
186 the buying power of a family of four and the median county home
187 sale price exceeds \$170,000, as determined by the Florida Housing
188 Finance Corporation, and which is not designated as an area of
189 critical state concern shall adopt a plan for ensuring affordable
190 workforce housing. At a minimum, the plan shall identify adequate
191 sites for such housing. For purposes of this sub-subparagraph,
192 the term "workforce housing" means housing that is affordable to
193 natural persons or families whose total household income does not
194 exceed 140 percent of the area median income, adjusted for
195 household size.

196 k. As a precondition to receiving any state affordable
197 housing funding or allocation for any project or program within



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198 the jurisdiction of a county that is subject to sub-subparagraph
199 j., a county must, by July 1 of each year, provide certification
200 that the county has complied with the requirements of sub-
201 subparagraph j.

202 ~~i. Failure by a local government to comply with the~~
203 ~~requirement in sub-subparagraph h. will result in the local~~
204 ~~government being ineligible to receive any state housing~~
205 ~~assistance grants until the requirement of sub-subparagraph h. is~~
206 ~~met.~~

207
208 The goals, objectives, and policies of the housing element must
209 be based on the data and analysis prepared on housing needs,
210 including the affordable housing needs assessment. State and
211 federal housing plans prepared on behalf of the local government
212 must be consistent with the goals, objectives, and policies of
213 the housing element. Local governments are encouraged to use
214 ~~utilize~~ job training, job creation, and economic solutions to
215 address a portion of their affordable housing concerns.

216 2. To assist local governments in housing data collection
217 and analysis and assure uniform and consistent information
218 regarding the state's housing needs, the state land planning
219 agency shall conduct an affordable housing needs assessment for
220 all local jurisdictions on a schedule that coordinates the
221 implementation of the needs assessment with the evaluation and
222 appraisal reports required by s. 163.3191. Each local government
223 shall utilize the data and analysis from the needs assessment as
224 one basis for the housing element of its local comprehensive
225 plan. The agency shall allow a local government the option to
226 perform its own needs assessment, if it uses the methodology
227 established by the agency by rule.



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228 (j) For each unit of local government within an urbanized
229 area designated for purposes of s. 339.175, a transportation
230 element, which shall be prepared and adopted in lieu of the
231 requirements of paragraph (b) and paragraphs (7)(a), (b), (c),
232 and (d) and which shall address the following issues:

233 1. Traffic circulation, including major thoroughfares and
234 other routes, including bicycle and pedestrian ways.

235 2. All alternative modes of travel, such as public
236 transportation, pedestrian, and bicycle travel.

237 3. Parking facilities.

238 4. Aviation, rail, seaport facilities, access to those
239 facilities, and intermodal terminals.

240 5. The availability of facilities and services to serve
241 existing land uses and the compatibility between future land use
242 and transportation elements.

243 6. The capability to evacuate the coastal population prior
244 to an impending natural disaster.

245 7. Airports, projected airport and aviation development,
246 and land use compatibility around airports.

247 8. An identification of land use densities, building
248 intensities, and transportation management programs to promote
249 public transportation systems in designated public transportation
250 corridors so as to encourage population densities sufficient to
251 support such systems.

252 9. May include transportation corridors, as defined in s.
253 334.03, intended for future transportation facilities designated
254 pursuant to s. 337.273. If transportation corridors are
255 designated, the local government may adopt a transportation
256 corridor management ordinance.



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257 10. The incorporation of transportation strategies to
258 address reduction in greenhouse gas emissions from the
259 transportation sector.

260 Section 3. Paragraph (e) of subsection (3) of section
261 489.105, Florida Statutes, is amended to read:

262 489.105 Definitions.--As used in this part:

263 (3) "Contractor" means the person who is qualified for, and
264 shall only be responsible for, the project contracted for and
265 means, except as exempted in this part, the person who, for
266 compensation, undertakes to, submits a bid to, or does himself or
267 herself or by others construct, repair, alter, remodel, add to,
268 demolish, subtract from, or improve any building or structure,
269 including related improvements to real estate, for others or for
270 resale to others; and whose job scope is substantially similar to
271 the job scope described in one of the subsequent paragraphs of
272 this subsection. For the purposes of regulation under this part,
273 "demolish" applies only to demolition of steel tanks over 50 feet
274 in height; towers over 50 feet in height; other structures over
275 50 feet in height, other than buildings or residences over three
276 stories tall; and buildings or residences over three stories
277 tall. Contractors are subdivided into two divisions, Division I,
278 consisting of those contractors defined in paragraphs (a)-(c),
279 and Division II, consisting of those contractors defined in
280 paragraphs (d)-(q):

281 (e) "Roofing contractor" means a contractor whose services
282 are unlimited in the roofing trade and who has the experience,
283 knowledge, and skill to install, maintain, repair, alter, extend,
284 or design, when not prohibited by law, and use materials and
285 items used in the installation, maintenance, extension, and
286 alteration of all kinds of roofing, waterproofing, and coating,

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287 | except when coating is not represented to protect, repair,
288 | waterproof, stop leaks, or extend the life of the roof. The scope
289 | of work of a roofing contractor also includes required roof-deck
290 | attachments and any repair or replacement of wood roof sheathing
291 | or fascia as needed during roof repair or replacement.

292 | Section 4. Subsection (13) of section 553.36, Florida
293 | Statutes, is amended to read:

294 | 553.36 Definitions.--The definitions contained in this
295 | section govern the construction of this part unless the context
296 | otherwise requires.

297 | (13) "Manufactured building", "modular building", or
298 | "factory-built building" means a closed structure, building
299 | assembly, or system of subassemblies, which may include
300 | structural, electrical, plumbing, heating, ventilating, or other
301 | service systems manufactured in manufacturing facilities for
302 | installation or erection as a finished building or as part of a
303 | finished building, which shall include, but not be limited to,
304 | residential, commercial, institutional, storage, and industrial
305 | structures. The term includes buildings not intended for human
306 | habitation such as lawn storage buildings and storage sheds
307 | manufactured and assembled offsite by a manufacturer certified in
308 | conformance with this part. This part does not apply to mobile
309 | homes.

310 | Section 5. Section 553.37, Florida Statutes, is amended to
311 | read:

312 | 553.37 Rules; inspections; and insignia.--

313 | (1) The Florida Building Commission shall adopt within the
314 | Florida Building Code requirements for construction or
315 | modification of manufactured buildings and building modules, to
316 | address:



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317 (a) Submittal to and approval by the department of
318 manufacturers' drawings and specifications, including any
319 amendments.

320 (b) Submittal to and approval by the department of
321 manufacturers' internal quality control procedures and manuals,
322 including any amendments.

323 (c) Minimum inspection criteria. ~~Procedures and~~
324 ~~qualifications for approval of third-party plan review and~~
325 ~~inspection entities and of those who perform inspections and plan~~
326 ~~reviews.~~

327 (2) The department shall adopt rules to address:

328 (a) Procedures and qualifications for approval of third-
329 party plan review and inspection agencies and of those who
330 perform inspections and plan reviews.

331 (b) ~~(d)~~ Investigation of consumer complaints of
332 noncompliance of manufactured buildings with the Florida Building
333 Code and the Florida Fire Prevention Code.

334 (c) ~~(e)~~ Issuance, cancellation, and revocation of any
335 insignia issued by the department and procedures for auditing and
336 accounting for disposition of them.

337 (d) ~~(f)~~ Monitoring the manufacturers', inspection agencies'
338 ~~entities'~~, and plan review agencies' ~~entities'~~ compliance with
339 this part and the Florida Building Code. Monitoring may include,
340 but is not limited to, performing audits of plans, inspections of
341 manufacturing facilities and observation of the manufacturing and
342 inspection process, and onsite inspections of buildings.

343 (e) ~~(g)~~ The performance by the department of any other
344 functions required by this part.

345 (3) ~~(2)~~ After the effective date of the Florida Building
346 Code, no manufactured building, except as provided in subsection



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347 | (12) ~~(11)~~, may be installed in this state unless it is approved
348 | and bears the insignia of approval of the department and a
349 | manufacturer's data plate. Approvals issued by the department
350 | under the provisions of the prior part shall be deemed to comply
351 | with the requirements of this part.

352 | (4) ~~(3)~~ All manufactured buildings issued and bearing
353 | insignia of approval pursuant to subsection (3) ~~(2)~~ shall be
354 | deemed to comply with the Florida Building Code and are exempt
355 | from local amendments enacted by any local government.

356 | (5) ~~(4)~~ No manufactured building bearing department insignia
357 | of approval pursuant to subsection (3) ~~(2)~~ shall be in any way
358 | modified prior to installation, except in conformance with the
359 | Florida Building Code.

360 | (6) ~~(5)~~ Manufactured buildings which have been issued and
361 | bear the insignia of approval pursuant to this part upon
362 | manufacture or first sale shall not require an additional
363 | approval or insignia by a local government in which they are
364 | subsequently sold or installed. Buildings or structures that meet
365 | the definition of "open construction" are subject to permitting
366 | by the local jurisdiction and are not required to bear insignia.

367 | (7) ~~(6)~~ If the department ~~Florida Building Commission~~
368 | determines that the standards for construction and inspection of
369 | manufactured buildings prescribed by statute or rule of another
370 | state are at least equal to the Florida Building Code and that
371 | such standards are actually enforced by such other state, it may
372 | provide by rule that the manufactured building which has been
373 | inspected and approved by such other state shall be deemed to
374 | have been approved by the department and shall authorize the
375 | affixing of the appropriate insignia of approval.

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376 ~~(8)(7)~~ The department ~~Florida Building Commission~~, by rule,
377 shall establish a schedule of fees to pay the cost of ~~incurred by~~
378 ~~the department for the work related to~~ administration and
379 enforcement of this part.

380 ~~(9)(8)~~ The department may delegate its enforcement
381 authority to a state department having building construction
382 responsibilities or a local government. The department may
383 delegate its plan review and inspection authority to one or more
384 of the following in any combination:

385 (a) A state department having building construction
386 responsibilities;;

387 (b) A local government;;

388 (c) An approved inspection agency;;

389 (d) An approved plan review agency;; or

390 (e) An agency of another state.

391 ~~(9)~~ ~~If the commission delegates its inspection authority to~~
392 ~~third-party approved inspection agencies, manufacturers must have~~
393 ~~one, and only one, inspection agency responsible for inspection~~
394 ~~of a manufactured building, module, or component at all times.~~

395 (10) The department shall develop an insignia to be affixed
396 to all newly constructed buildings by the manufacturer or the
397 inspection agency prior to the building leaving the plant. The
398 department may charge a fee for issuing such insignias. Such
399 insignias shall bear the department's name, the state seal, an
400 identification number unique to that insignia, and such other
401 information as the department may require by rule. ~~If the~~
402 ~~commission delegates its inspection authority to third party~~
403 ~~approved plan review agencies, manufacturers must have one, and~~
404 ~~only one, plan review agency responsible for review of plans of a~~
405 ~~manufactured building, module, or component at all times.~~

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406 (11) The department shall by rule develop minimum criteria
407 for manufacturer's data that must be affixed to all newly
408 constructed buildings by the manufacturer prior to the building
409 leaving the plant. ~~Custom or one-of-a-kind prototype manufactured~~
410 ~~buildings shall not be required to have state approval but must~~
411 ~~comply with all local requirements of the governmental agency~~
412 ~~having jurisdiction at the installation site.~~

413 Section 6. Subsections (1) and (3) of section 553.381,
414 Florida Statutes, are amended to read:

415 553.381 Manufacturer certification.--

416 (1) Before manufacturing buildings to be located within
417 this state or selling manufactured buildings within this state,
418 whichever occurs later, a manufacturer must be certified by the
419 department. The department shall certify a manufacturer upon
420 receipt from the manufacturer and approval and verification by
421 the department of the following:

422 (a) The manufacturer's internal quality control procedures
423 and manuals, including any amendments;

424 (b) Evidence that the manufacturer has product liability
425 insurance for the safety and welfare of the public in amounts
426 determined by rule of the department ~~commission~~; and

427 (c) The fee established by the department ~~commission~~ under
428 s. 553.37(8) ~~s. 553.37(7)~~.

429 (3) Certification of manufacturers under this section shall
430 be for a period of 3 years, subject to renewal by the
431 manufacturer. Upon application for renewal, the manufacturer must
432 submit the information described in subsection (1) or a sworn
433 statement that there has been no change in the status or content
434 of that information since the manufacturer's last submittal. Fees



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435 for renewal of manufacturers' certification shall be established
436 by the department ~~commission~~ by rule.

437 Section 7. Subsections (11) and (12) of section 553.415,
438 Florida Statutes, are amended to read:

439 553.415 Factory-built school buildings.--

440 (11) The department shall require that an insignia bearing
441 the department's name and state seal and a manufacturer's data
442 plate ~~develop a unique identification label to~~ be affixed to all
443 newly constructed factory-built school buildings and existing
444 factory-built school buildings which have been brought into
445 compliance with the standards for existing "satisfactory"
446 buildings pursuant to chapter 5 of the Uniform Code for Public
447 Educational Facilities, and after March 1, 2002, the Florida
448 Building Code. The department may charge a fee for issuing such
449 insignias labels. The manufacturer's data plate ~~Such labels,~~
450 ~~bearing the department's name and state seal,~~ shall, at a
451 minimum, contain:

452 (a) The name of the manufacturer.

453 (b) The standard plan approval number or alteration number.

454 (c) The date of manufacture or alteration.

455 (d) The serial or other identification number.

456 (e) The following designed-for loads: lbs. per square foot
457 live load; lbs. per square foot floor live load; lbs. per square
458 foot horizontal wind load; and lbs. per square foot wind uplift
459 load.

460 (f) The designed-for flood zone usage.

461 (g) The designed-for wind zone usage.

462 (h) The designed-for enhanced hurricane protection zone
463 usage: yes or no.

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464 (12) Such insignia and data plate identification label
465 shall be permanently affixed by the manufacturer in the case of
466 newly constructed factory-built school buildings, or by the
467 department or its designee in the case of an existing factory-
468 built building altered to comply with provisions of s. 1013.20.

469 Section 8. Subsection (11) is added to section 553.71,
470 Florida Statutes, to read:

471 553.71 Definitions.--As used in this part, the term:

472 (11) "Temporary" includes, but is not limited to, buildings
473 identified by, but not designated as permanent structures on, an
474 approved development order.

475 Section 9. Paragraph (a) of subsection (6) and subsection
476 (7) of section 553.73, Florida Statutes, are amended, and
477 subsection (13) is added to that section, to read:

478 553.73 Florida Building Code.--

479 (6) (a) The commission, by rule adopted pursuant to ss.
480 120.536(1) and 120.54, shall update the Florida Building Code
481 every 3 years. When updating the Florida Building Code, the
482 commission shall select the most current version of the
483 International Building Code, the International Fuel Gas Code, the
484 International Mechanical Code, the International Plumbing Code,
485 and the International Residential Code, all of which are adopted
486 by the International Code Council, and the National Electrical
487 Code, which is adopted by the National Fire Protection
488 Association, to form the foundation codes of the updated Florida
489 Building Code, if the version has been adopted by the applicable
490 model code entity and made available to the public at least 6
491 months prior to its selection by the commission. The commission
492 shall select the most current version of the International Energy
493 Conservation Code as a foundation code if the code is modified by

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494 the commission to maintain the compliance methods and policies,
495 without diminishing the building component efficiencies, of the
496 Florida Energy Efficiency Code for Building Construction adopted
497 and amended pursuant to s. 553.901.

498 (7) Notwithstanding the provisions of subsection (3) or
499 subsection (6), the commission may address issues identified in
500 this subsection by amending the code pursuant only to the rule
501 adoption procedures contained in chapter 120. Provisions of the
502 Florida Building Code, including those contained in referenced
503 standards and criteria, relating to wind resistance or the
504 prevention of water intrusion may not be amended pursuant to this
505 subsection to diminish those construction requirements; however,
506 the commission may, subject to conditions in this subsection,
507 amend the provisions to enhance those construction requirements.
508 Following the approval of any amendments to the Florida Building
509 Code by the commission and publication of the amendments on the
510 commission's website, authorities having jurisdiction to enforce
511 the Florida Building Code may enforce the amendments. The
512 commission may approve amendments that are needed to address:

513 (a) Conflicts within the updated code;

514 (b) Conflicts between the updated code and the Florida Fire
515 Prevention Code adopted pursuant to chapter 633;

516 (c) The omission of previously adopted Florida-specific
517 amendments to the updated code if such omission is not supported
518 by a specific recommendation of a technical advisory committee or
519 particular action by the commission;

520 (d) Unintended results from the integration of previously
521 adopted Florida-specific amendments with the model code; ~~or~~

522 (e) Changes to federal or state law; or.

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523 (f) Adoption of an updated edition of the National
524 Electrical Code if the commission finds that delay of
525 implementing the updated edition causes undue hardship to
526 stakeholders or otherwise threatens the public health, safety,
527 and welfare.

528 (13) The general provisions of the Florida Building Code
529 for buildings and other structures shall not apply to commercial
530 wireless communication towers which shall be subject to the
531 provisions of the code controlling radio and television towers.
532 This subsection is intended to be remedial in nature and to
533 clarify existing law.

534 Section 10. Subsections (1) and (2) of section 553.74,
535 Florida Statutes, are amended to read:

536 553.74 Florida Building Commission.--

537 (1) The Florida Building Commission is created and shall be
538 located within the Department of Community Affairs for
539 administrative purposes. Members shall be appointed by the
540 Governor subject to confirmation by the Senate. The commission
541 shall be composed of 25 ~~23~~ members, consisting of the following:

542 (a) One architect registered to practice in this state and
543 actively engaged in the profession. The American Institute of
544 Architects, Florida Section, is encouraged to recommend a list of
545 candidates for consideration.

546 (b) One structural engineer registered to practice in this
547 state and actively engaged in the profession. The Florida
548 Engineering Society is encouraged to recommend a list of
549 candidates for consideration.

550 (c) One air-conditioning or mechanical contractor certified
551 to do business in this state and actively engaged in the
552 profession. The Florida Air Conditioning Contractors Association,



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553 the Florida Refrigeration and Air Conditioning Contractors
554 Association, and the Mechanical Contractors Association of
555 Florida are encouraged to recommend a list of candidates for
556 consideration.

557 (d) One electrical contractor certified to do business in
558 this state and actively engaged in the profession. The Florida
559 Electrical Contractors Association and the National Electrical
560 Contractors Association, Florida Chapter, are encouraged to
561 recommend a list of candidates for consideration.

562 (e) One member from fire protection engineering or
563 technology who is actively engaged in the profession. The Florida
564 Chapter of the Society of Fire Protection Engineers and the
565 Florida Fire Marshals and Inspectors Association are encouraged
566 to recommend a list of candidates for consideration.

567 (f) One general contractor certified to do business in this
568 state and actively engaged in the profession. The Associated
569 Builders and Contractors of Florida, the Florida Associated
570 General Contractors Council, and the Union Contractors
571 Association are encouraged to recommend a list of candidates for
572 consideration.

573 (g) One plumbing contractor licensed to do business in this
574 state and actively engaged in the profession. The Florida
575 Association of Plumbing, Heating, and Cooling Contractors is
576 encouraged to recommend a list of candidates for consideration.

577 (h) One roofing or sheet metal contractor certified to do
578 business in this state and actively engaged in the profession.
579 The Florida Roofing, Sheet Metal, and Air Conditioning
580 Contractors Association and the Sheet Metal and Air Conditioning
581 Contractors National Association are encouraged to recommend a
582 list of candidates for consideration.



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583 (i) One residential contractor licensed to do business in
584 this state and actively engaged in the profession. The Florida
585 Home Builders Association is encouraged to recommend a list of
586 candidates for consideration.

587 (j) Three members who are municipal or district codes
588 enforcement officials, one of whom is also a fire official. The
589 Building Officials Association of Florida and the Florida Fire
590 Marshals and Inspectors Association are encouraged to recommend a
591 list of candidates for consideration.

592 (k) One member who represents the Department of Financial
593 Services.

594 (l) One member who is a county codes enforcement official.
595 The Building Officials Association of Florida is encouraged to
596 recommend a list of candidates for consideration.

597 (m) One member of a Florida-based organization of persons
598 with disabilities or a nationally chartered organization of
599 persons with disabilities with chapters in this state.

600 (n) One member of the manufactured buildings industry who
601 is licensed to do business in this state and is actively engaged
602 in the industry. The Florida Manufactured Housing Association is
603 encouraged to recommend a list of candidates for consideration.

604 (o) One mechanical or electrical engineer registered to
605 practice in this state and actively engaged in the profession.
606 The Florida Engineering Society is encouraged to recommend a list
607 of candidates for consideration.

608 (p) One member who is a representative of a municipality or
609 a charter county. The Florida League of Cities and the Florida
610 Association of Counties are encouraged to recommend a list of
611 candidates for consideration.

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612 (q) One member of the building products manufacturing
613 industry who is authorized to do business in this state and is
614 actively engaged in the industry. The Florida Building Material
615 Association, the Florida Concrete and Products Association, and
616 the Fenestration Manufacturers Association are encouraged to
617 recommend a list of candidates for consideration.

618 (r) One member who is a representative of the building
619 owners and managers industry who is actively engaged in
620 commercial building ownership or management. The Building Owners
621 and Managers Association is encouraged to recommend a list of
622 candidates for consideration.

623 (s) One member who is a representative of the insurance
624 industry. The Florida Insurance Council is encouraged to
625 recommend a list of candidates for consideration.

626 (t) One member who is a representative of public education.

627 (u) One member who is a swimming pool contractor licensed
628 to do business in this state and actively engaged in the
629 profession. The Florida Swimming Pool Association and the United
630 Pool and Spa Association are encouraged to recommend a list of
631 candidates for consideration ~~shall be the chair.~~

632 (v) One member who is a representative of the green
633 building industry and who is a third-party commission agent, a
634 Florida board member of the United States Green Building Council
635 or Green Building Initiative, or a LEED-accredited professional.

636 (w) One member who shall be the chair.

637
638 Any person serving on the commission under paragraph (c) or
639 paragraph (h) on October 1, 2003, and who has served less than
640 two full terms is eligible for reappointment to the commission
641 regardless of whether he or she meets the new qualification.



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642 (2) All appointments shall be for terms of 4 years, ~~except~~
643 ~~that of the chair who shall serve at the pleasure of the~~
644 ~~Governor.~~ Each person who is a member of the Board of Building
645 Codes and Standards on the effective date of this act shall serve
646 the remainder of their term as a member of the Florida Building
647 Commission. ~~Except for the chair, newly created positions on the~~
648 ~~Florida Building Commission shall be appointed after February 1,~~
649 ~~1999. A vacancy shall be filled for the remainder of the~~
650 ~~unexpired term.~~ Any member who shall, during his or her term,
651 cease to meet the qualifications for original appointment,
652 through ceasing to be a practicing member of the profession
653 indicated or otherwise, shall thereby forfeit membership on the
654 commission.

655 Section 11. Section 553.75, Florida Statutes, is amended to
656 read:

657 553.75 Organization of commission; rules and regulations;
658 meetings; staff; fiscal affairs; public comment.--

659 (1) The commission shall meet on call of the secretary. The
660 commission shall annually elect from its appointive members such
661 officers as it may choose.

662 (2) The commission shall meet at the call of its chair, at
663 the request of a majority of its membership, at the request of
664 the department, or at such times as may be prescribed by its
665 rules. The members shall be notified in writing of the time and
666 place of a regular or special meeting at least 7 days in advance
667 of the meeting. A majority of members of the commission shall
668 constitute a quorum.

669 (3) The department shall be responsible for the provision
670 of administrative and staff support services relating to the
671 functions of the commission. With respect to matters within the

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672 jurisdiction of the commission, the department shall be
673 responsible for the implementation and faithful discharge of all
674 decisions of the commission made pursuant to its authority under
675 the provisions of this part. The department is specifically
676 authorized to use communications media technology in conducting
677 meetings of the commission or any meetings held in conjunction
678 with meetings of the commission.

679 (4) Meetings of the commission shall be conducted so as to
680 encourage participation by interested persons in attendance. At a
681 minimum, the commission shall provide one opportunity for
682 interested members of the public in attendance at a meeting to
683 comment on each proposed action of the commission before a final
684 vote is taken on any motion.

685 Section 12. Present subsection (5) of section 553.77,
686 Florida Statutes, is renumbered as subsection (6), and a new
687 subsection (5) is added to that section, to read:

688 553.77 Specific powers of the commission.--

689 (5) The commission may implement its recommendations
690 delivered pursuant to subsection (2) of section 48 of chapter
691 2007-73, Laws of Florida, by amending the Florida Energy
692 Efficiency Code for Building Construction as provided in s.
693 553.901.

694 Section 13. Subsection (5) of section 553.775, Florida
695 Statutes, is amended to read:

696 553.775 Interpretations.--

697 (5) The commission may render declaratory statements in
698 accordance with s. 120.565 relating to the provisions of the
699 Florida Accessibility Code for Building Construction not
700 attributable to the Americans with Disabilities Act Accessibility
701 Guidelines. Notwithstanding the other provisions of this section,

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702 the Florida Accessibility Code for Building Construction and
703 chapter 11 of the Florida Building Code may not be interpreted
704 by, and are not subject to review under, any of the procedures
705 specified in this section. This subsection has no effect upon the
706 commission's authority to waive the Florida Accessibility Code
707 for Building Construction as provided by s. 553.512.

708 Section 14. Paragraph (a) of subsection (1) of section
709 553.80, Florida Statutes, is amended to read:

710 553.80 Enforcement.--

711 (1) Except as provided in paragraphs (a)-(f), each local
712 government and each legally constituted enforcement district with
713 statutory authority shall regulate building construction and,
714 where authorized in the state agency's enabling legislation, each
715 state agency shall enforce the Florida Building Code required by
716 this part on all public or private buildings, structures, and
717 facilities, unless such responsibility has been delegated to
718 another unit of government pursuant to s. 553.79(9).

719 (a) Construction regulations relating to correctional
720 facilities under the jurisdiction of the Department of
721 Corrections or and the Department of Juvenile Justice and secure
722 mental health treatment facilities under the jurisdiction of the
723 Department of Children and Family Services shall are to be
724 enforced exclusively by those departments.

725
726 The governing bodies of local governments may provide a schedule
727 of fees, as authorized by s. 125.56(2) or s. 166.222 and this
728 section, for the enforcement of the provisions of this part. Such
729 fees shall be used solely for carrying out the local government's
730 responsibilities in enforcing the Florida Building Code. The
731 authority of state enforcing agencies to set fees for enforcement

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732 shall be derived from authority existing on July 1, 1998.
733 However, nothing contained in this subsection shall operate to
734 limit such agencies from adjusting their fee schedule in
735 conformance with existing authority.

736 Section 15. Subsection (17) is added to section 553.842,
737 Florida Statutes, to read:

738 553.842 Product evaluation and approval.--

739 (17) (a) The Florida Building Commission shall review the
740 list of evaluation entities in subsection (8) and in the annual
741 report required under s. 553.77, shall either recommend
742 amendments to the list to add evaluation entities the commission
743 determines should be authorized to perform product evaluations,
744 or report on the criteria adopted by rule or to be adopted by
745 rule allowing the commission to approve evaluation entities that
746 use the commission's product evaluation process. If the
747 commission adopts criteria by rule, the rulemaking process must
748 be completed by July 1, 2009.

749 (b) Notwithstanding paragraph (a) of subsection (8), the
750 International Association of Plumbing and Mechanical Officials
751 Evaluation Services is approved as an evaluation entity until
752 October 1, 2009. If the association does not obtain permanent
753 approval by the commission as an evaluation entity by October 1,
754 2009, products approved on the basis of an association evaluation
755 must be substituted by an alternative, approved entity by
756 December 31, 2009, and on January 1, 2010, any product approval
757 issued by the commission based on an association evaluation is
758 void.

759 Section 16. Paragraph (b) of subsection (2) of section
760 553.844, Florida Statutes, is amended to read:

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761 553.844 Windstorm loss mitigation; requirements for roofs
762 and opening protection.--

763 (2) The Florida Building Commission shall:

764 (b) Develop and adopt within the Florida Building Code a
765 means to incorporate recognized mitigation techniques for site-
766 built, single-family residential structures constructed before
767 ~~prior to~~ the implementation of the Florida Building Code,
768 including, but not limited to:

769 1. Prescriptive techniques for the installation of gable-
770 end bracing;

771 2. Secondary water barriers for roofs and standards
772 relating to secondary water barriers. The criteria may include,
773 but need not be limited to, roof shape, slope, and composition of
774 all elements of the roof system. The criteria may not be limited
775 to one method or material for a secondary water barrier;

776 3. Prescriptive techniques for improvement of roof-to-wall
777 connections. The Legislature recognizes that the cost of
778 retrofitting existing buildings to meet the code requirements for
779 new construction in this regard may exceed the practical benefit
780 to be attained. The Legislature intends for the commission to
781 provide for the integration of alternate, lower-cost means that
782 may be employed to retrofit existing buildings that are not
783 otherwise required to comply with the requirements of the Florida
784 Building Code for new construction so that the cost of such
785 improvements does not exceed approximately 15 percent of the cost
786 of reroofing. Roof-to-wall connections shall not be required
787 unless evaluation and installation of connections at gable ends
788 or all corners can be completed for 15 percent of the cost of
789 roof replacement. For houses that have both hip and gable roof
790 ends, the priority shall be to retrofit the gable end roof-to-

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791 wall connections unless the width of the hip is more than 1.5
792 times greater than the width of the gable end. Priority shall be
793 given to connecting the corners of roofs to walls below the
794 locations at which the spans of the roofing members are greatest;

795 4. Strengthening or correcting roof-decking attachments and
796 fasteners during reroofing; and

797 5. Adding or strengthening opening protections.

798 Section 17. Subsection (1) of section 553.885, Florida
799 Statutes, is amended to read:

800 553.885 Carbon monoxide alarm required.--

801 (1) Every building, other than a hospital, a hospice
802 facility, or a nursing home facility licensed by the Agency for
803 Health Care Administration, for which a building permit is issued
804 for new construction on or after July 1, 2008, and having a
805 fossil-fuel-burning heater or appliance, a fireplace, or an
806 attached garage shall have an approved operational carbon
807 monoxide alarm installed within 10 feet of each room used for
808 sleeping purposes. For a new hospital, a hospice facility, or a
809 nursing home facility licensed by the Agency for Health Care
810 Administration, an approved operational carbon monoxide detector
811 shall be installed inside or directly outside of each room or
812 area within the hospital or facility where a fossil-fuel burning
813 heater, engine, or appliance is located. This detector shall be
814 connected to the fire-alarm system of the hospital or facility as
815 a supervisory signal.

816 Section 18. Section 553.886, Florida Statutes, is created
817 to read:

818 553.886 Energy-efficiency technologies.--The provisions of
819 the Florida Building Code must facilitate and promote the use of

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820 cost-effective energy conservation, energy-demand management, and
821 renewable energy technologies in buildings.

822 Section 19. Section 553.901, Florida Statutes, is amended
823 to read:

824 553.901 Purpose of thermal efficiency code.--The Department
825 of Community Affairs shall prepare a thermal efficiency code to
826 provide for a statewide uniform standard for energy efficiency in
827 the thermal design and operation of all buildings statewide,
828 consistent with energy conservation goals, and to best provide
829 for public safety, health, and general welfare. The Florida
830 Building Commission shall adopt the Florida Energy Efficiency
831 Code for Building Construction within the Florida Building Code,
832 and shall modify, revise, update, and maintain the code to
833 implement the provisions of this thermal efficiency code and
834 amendments thereto, in accordance with the procedures of chapter
835 120. The department shall, at least triennially, determine the
836 most cost-effective energy-saving equipment and techniques
837 available and report its determinations to the commission, which
838 shall update the code to incorporate such equipment and
839 techniques. The proposed changes shall be made available for
840 public review and comment no later than 6 months prior to code
841 implementation. Before adoption of any additional amendments to
842 the Florida Energy Efficiency Code for Building Construction, the
843 commission shall adopt by rule a definition of the term "cost-
844 effective," for the purposes of this part, which shall include
845 the criteria and measures to be used by the commission to
846 evaluate proposed amendments shall be construed to mean cost-
847 effective to the consumer.

848 Section 20. Section 553.9061, Florida Statutes, is created
849 to read:

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850 553.9061 Scheduled increases in thermal efficiency
851 standards.--

852 (1) This section establishes a schedule of required
853 increases in the energy-efficiency performance of buildings that
854 are subject to the requirements for energy efficiency as
855 contained in the current edition of the Florida Building Code.
856 The Florida Building Commission shall implement the following
857 energy-efficiency goals using the triennial code-adoption process
858 established for updates to the Florida Building Code in s.
859 553.73:

860 (a) Include requirements in the 2010 edition of the Florida
861 Building Code to increase the energy-efficiency performance of
862 new buildings by at least 20 percent as compared to the
863 performance achieved as a result of the implementation of the
864 energy-efficiency provisions contained in the 2004 edition of the
865 Florida Building Code, as adopted on May 22, 2007;

866 (b) Include requirements in the 2013 edition of the Florida
867 Building Code to increase the energy-efficiency performance of
868 new buildings by at least 30 percent as compared to the
869 performance achieved as a result of the implementation of the
870 energy-efficiency provisions contained in the 2004 edition of the
871 Florida Building Code, as adopted on May 22, 2007;

872 (c) Include requirements in the 2016 edition of the Florida
873 Building Code to increase the energy-efficiency performance of
874 new buildings by at least 40 percent as compared to the
875 performance achieved as a result of the implementation of the
876 energy-efficiency provisions contained in the 2004 edition of the
877 Florida Building Code, as adopted on May 22, 2007; and

878 (d) Include requirements in the 2019 edition of the Florida
879 Building Code to increase the energy-efficiency performance of



880 new buildings by at least 50 percent as compared to the
881 performance achieved as a result of the implementation of the
882 energy-efficiency provisions contained in the 2004 edition of the
883 Florida Building Code, as adopted on May 22, 2007.

884 (2) The commission shall identify in any code-support and
885 compliance documentation the specific building options and
886 elements available to meet the energy-efficiency performance
887 requirements under subsection (1). Energy-efficiency performance
888 options and elements include, but are not limited to:

889 (a) Solar water heating;

890 (b) Energy-efficient appliances;

891 (c) Energy-efficient windows, doors, and skylights;

892 (d) Low solar-absorption roofs, also known as "cool roofs";

893 (e) Enhanced ceiling and wall insulation;

894 (f) Reduced-leak duct systems;

895 (g) Programmable thermostats; and

896 (h) Energy-efficient lighting systems.

897 (3) The Florida Energy Commission shall review the energy-
898 efficiency goals established in subsection (1) at least once
899 every 3 years, and such review must be completed before the
900 triennial code-adoption process established in s. 553.73.

901 Section 21. (1) The Florida Building Commission shall
902 conduct a study to evaluate the energy-efficiency rating of new
903 buildings and appliances. The study must include a review of the
904 current energy-efficiency ratings and consumer labeling
905 requirements specified in chapter 553, Florida Statutes. The
906 commission shall submit a written report of its study to the
907 President of the Senate and the Speaker of the House of
908 Representatives on or before February 1, 2009. The report must
909 contain the commission's recommendations regarding the



910 strengthening and integration of energy-efficiency ratings and
911 labeling requirements.

912 (2) The provisions of this section expire July 1, 2009.

913 Section 22. (1) The Florida Building Commission shall
914 conduct a study to evaluate opportunities to restructure the
915 Florida Energy Efficiency Code for Building Construction to
916 achieve long-range improvements to building energy performance.
917 During such study, the commission shall address the integration
918 of the Thermal Efficiency Code established in part V of chapter
919 553, Florida Statutes, the Energy Conservation Standards Act
920 established in part VI of chapter 553, Florida Statutes, and the
921 Florida Building Energy-Efficiency Rating Act established in part
922 VIII of chapter 553, Florida Statutes.

923 (2) The commission shall submit a report containing
924 specific recommendations on the integration of the code and acts
925 identified in subsection (1) to the President of the Senate and
926 the Speaker of the House of Representatives on or before February
927 1, 2009.

928 (3) The provisions of this section expire July 1, 2009.

929 Section 23. (1) The Department of Community Affairs, in
930 conjunction with the Florida Energy Affordability Coalition,
931 shall identify and review issues relating to the Low-Income Home
932 Energy Assistance Program and the Weatherization Assistance
933 Program, and identify recommendations that:

934 (a) Support customer health, safety, and well-being;

935 (b) Maximize available financial and energy-conservation
936 assistance;

937 (c) Improve the quality of service to customers seeking
938 assistance; and



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939 (d) Educate customers to make informed decisions regarding
940 energy use and conservation.

941 (2) On or before January 1, 2009, the department shall
942 report its findings and any recommended statutory changes
943 required to implement such findings to the President of the
944 Senate and the Speaker of the House of Representatives.

945 (3) The provisions of this section expire July 1, 2009.
946 Section 24. Section 553.731, Florida Statutes, is repealed.

947 Section 25. Subsection (6) is added to section 718.113,
948 Florida Statutes, to read:

949 718.113 Maintenance; limitation upon improvement; display
950 of flag; hurricane shutters.--

951 (6) Notwithstanding the provisions of this section or the
952 governing documents of a condominium or a multicondominium
953 association, the board of administration may, without any
954 requirement for approval of the unit owners, install upon or
955 within the common elements or association property solar
956 collectors, clotheslines, or other energy-efficient devices based
957 on renewable resources for the benefit of the unit owners.

958 Section 26. The Florida Building Commission shall submit
959 the text of the rule required by section 18 of this act to the
960 Legislature in its report to the 2009-2010 Legislature, and shall
961 provide an effective date for the rule by July 1, 2009.

962 Section 27. This act shall take effect July 1, 2008.

963
964 ===== T I T L E A M E N D M E N T =====

965 And the title is amended as follows:

966 Delete everything before the enacting clause
967 and insert:

968 A bill to be entitled

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969 | An act relating to energy efficiency and conservation;
970 | amending s. 163.04, F.S.; revising provisions authorizing
971 | the use of solar collectors and other energy devices;
972 | amending s. 163.3177, F.S.; revising requirements for the
973 | future land use element of a local comprehensive plan to
974 | include energy-efficient land use patterns and greenhouse
975 | gas reduction strategies; requiring that the traffic-
976 | circulation element of a local comprehensive plan
977 | incorporate transportation strategies to reduce greenhouse
978 | gas emissions; requiring that the land use map or map
979 | series contained in the future land use element of a local
980 | comprehensive plan identify and depict energy
981 | conservation; requiring that the home element of a local
982 | comprehensive plan include energy efficiency in the design
983 | and construction of new housing and use of renewable
984 | energy resources; providing that certain counties may not
985 | receive state affordable housing funds under certain
986 | circumstances; requiring each unit of local government
987 | within an urbanized area to amend the transportation
988 | element of a local comprehensive plan to incorporate
989 | transportation strategies addressing reduction in
990 | greenhouse gas emissions; amending s. 489.105, F.S.;
991 | expanding the scope of the definition of "roofing
992 | contractor" to include contractors performing required
993 | roof-deck attachments and any repair or replacement of
994 | wood roof sheathing or fascia as needed during roof repair
995 | or replacement; amending s. 553.36, F.S.; revising the
996 | term "manufactured building" for purposes of the Florida
997 | Manufactured Building Act to include modular and factory-
998 | built buildings; amending s. 553.37, F.S.; requiring the

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999 Department of Community Affairs to adopt rules related to
1000 the inspection, construction, and modification of
1001 manufactured buildings; requiring the department to
1002 develop an insignia to be affixed to newly constructed
1003 manufactured buildings; authorizing the department to
1004 charge a fee for the insignia; providing requirements for
1005 the insignia; requiring the department to develop minimum
1006 criteria for a manufacturer's data plate; amending s.
1007 553.381, F.S.; conforming provisions; amending s. 553.415,
1008 F.S.; requiring the department to require that an insignia
1009 be affixed to all newly constructed factory-built school
1010 buildings; providing requirements for the manufacturer's
1011 data plate; amending s. 553.71, F.S.; providing a
1012 definition; amending s. 553.73, F.S.; expanding required
1013 codes to be included in Florida Building Code updates;
1014 expanding the list of reasons the commission may amend the
1015 Florida Building Code; providing requirements for the
1016 retroactive application of parts of the Florida Building
1017 Code to commercial wireless communications towers;
1018 amending s. 553.74, F.S.; revising requirements for
1019 selecting members of the Florida Building Commission;
1020 revising membership of the commission; deleting obsolete
1021 provisions; amending s. 553.75, F.S.; authorizing the
1022 Florida Building Commission to use communications media
1023 technology in conducting its meetings or meetings held in
1024 conjunction with commission meetings; providing for public
1025 comment at meetings of the commission; amending s. 553.77,
1026 F.S.; authorizing the commission to implement
1027 recommendations relating to energy efficiency in
1028 residential and commercial buildings; amending s. 553.775,

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1029 F.S.; authorizing the commission to render declaratory
1030 statements; amending s. 553.80, F.S.; providing that the
1031 enforcement of construction regulations relating to
1032 facilities for mental health treatment are under the
1033 jurisdiction of the Department of Children and Family
1034 Services; amending s. 553.842, F.S.; requiring the
1035 commission to review the list of product evaluation
1036 entities; providing reporting requirements; providing for
1037 rulemaking; designating an entity as an approved
1038 production evaluation entity until October, 1, 2009;
1039 providing criteria for substitution of approved products
1040 under certain conditions; providing for the expiration of
1041 certain product approvals; amending s. 553.844, F.S.;
1042 revising provisions requiring the adoption of certain
1043 mitigation techniques by the Florida Building Commission
1044 within the Florida Building Code for certain structures;
1045 amending s. 553.885, F.S.; requiring the installation of
1046 carbon monoxide detectors in certain new hospitals,
1047 hospice and nursing homes facilities; creating s. 553.886,
1048 F.S.; requiring that the Florida Building Code facilitate
1049 and promote the use of certain renewable energy
1050 technologies in buildings; amending s. 553.901, F.S.;
1051 requiring the commission to adopt by rule a definition of
1052 the term "cost-effective"; creating s. 553.9061, F.S.;
1053 establishing a schedule of required increases in the
1054 energy performance of buildings subject to the Florida
1055 Building Code; providing a process for implementing goals
1056 to increase energy-efficiency performance in new
1057 buildings; providing a schedule for the implementation of
1058 such goals; identifying energy-efficiency performance

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1059 | options and elements available to meet energy-efficiency
1060 | performance requirements; providing a schedule for the
1061 | review and adoption of renewable energy-efficiency goals
1062 | by the commission; requiring the commission to conduct a
1063 | study to evaluate the energy-efficiency rating of new
1064 | buildings and appliances; requiring the commission to
1065 | submit a report to the President of the Senate and the
1066 | Speaker of the House of Representatives on or before a
1067 | specified date; requiring the commission to conduct a
1068 | study to evaluate opportunities to restructure the Florida
1069 | Energy Code for Building Construction, including the
1070 | integration of the Thermal Efficiency Code, the Energy
1071 | Conservation Standards Act, and the Florida Building
1072 | Energy-Efficiency Rating Act; requiring the commission to
1073 | submit a report to the President of the Senate and the
1074 | Speaker of the House of Representatives on or before a
1075 | specified date; directing the Department of Community
1076 | Affairs, in conjunction with the Florida Energy
1077 | Affordability Council, to identify and review issues
1078 | relating to the Low-Income Home Energy Assistance Program
1079 | and the Weatherization Assistance Program; requiring the
1080 | submission of a report to the President of the Senate and
1081 | the Speaker of the House of Representatives on or before a
1082 | specified date; providing for the expiration of certain
1083 | study requirements; repealing s. 553.731 F.S., relating to
1084 | wind-borne debris protection requirements; amending s.
1085 | 718.113, F.S.; authorizing the board of a condominium or a
1086 | multicondominium to install solar collectors,
1087 | clotheslines, or other energy-efficient devices on
1088 | association property; requiring the Florida Building

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Commission to include certain information in its report to

1090

the Legislature; providing an effective date.