

By the Committees on Transportation and Economic Development
Appropriations; Environmental Preservation and Conservation;
Regulated Industries; Community Affairs; and Senator Constantine

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1 A bill to be entitled

2 An act relating to energy efficiency and conservation;
3 amending s. 163.04, F.S.; revising provisions authorizing
4 the use of solar collectors and other energy devices;
5 amending s. 163.3177, F.S.; revising requirements for the
6 future land use element of a local comprehensive plan to
7 include energy-efficient land use patterns and greenhouse
8 gas reduction strategies; requiring that the traffic-
9 circulation element of a local comprehensive plan
10 incorporate transportation strategies to reduce greenhouse
11 gas emissions; requiring that the land use map or map
12 series contained in the future land use element of a local
13 comprehensive plan identify and depict energy
14 conservation; requiring that the home element of a local
15 comprehensive plan include energy efficiency in the design
16 and construction of new housing and use of renewable
17 energy resources; providing that certain counties may not
18 receive state affordable housing funds under certain
19 circumstances; requiring each unit of local government
20 within an urbanized area to amend the transportation
21 element of a local comprehensive plan to incorporate
22 transportation strategies addressing reduction in
23 greenhouse gas emissions; amending s. 489.105, F.S.;
24 expanding the scope of the definition of "roofing
25 contractor" to include contractors performing required
26 roof-deck attachments and any repair or replacement of
27 wood roof sheathing or fascia as needed during roof repair
28 or replacement; amending s. 553.36, F.S.; redefining the
29 term "manufactured building" for purposes of the Florida

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30 Manufactured Building Act to include modular and factory-
31 built buildings; amending s. 553.37, F.S.; requiring the
32 Department of Community Affairs to adopt rules related to
33 the inspection, construction, and modification of
34 manufactured buildings; requiring the department to
35 develop an insignia to be affixed to newly constructed
36 manufactured buildings; authorizing the department to
37 charge a fee for the insignia; providing requirements for
38 the insignia; requiring the department to develop minimum
39 criteria for a manufacturer's data plate; amending s.
40 553.381, F.S.; conforming provisions; amending s. 553.415,
41 F.S.; requiring the department to require that an insignia
42 be affixed to all newly constructed factory-built school
43 buildings; providing requirements for the manufacturer's
44 data plate; amending s. 553.71, F.S.; providing a
45 definition; amending s. 553.73, F.S.; expanding required
46 codes to be included in Florida Building Code updates;
47 expanding the list of reasons the commission may amend the
48 Florida Building Code; providing requirements for the
49 retroactive application of parts of the Florida Building
50 Code to commercial wireless communications towers;
51 amending s. 553.74, F.S.; revising requirements for
52 selecting members of the Florida Building Commission;
53 revising membership of the commission; deleting obsolete
54 provisions; amending s. 553.75, F.S.; authorizing the
55 Florida Building Commission to use communications media
56 technology in conducting its meetings or meetings held in
57 conjunction with commission meetings; providing for public
58 comment at meetings of the commission; amending s. 553.77,

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59 F.S.; authorizing the commission to implement
60 recommendations relating to energy efficiency in
61 residential and commercial buildings; amending s. 553.775,
62 F.S.; authorizing the commission to render declaratory
63 statements; amending s. 553.80, F.S.; providing that the
64 enforcement of construction regulations relating to
65 facilities for mental health treatment are under the
66 jurisdiction of the Department of Children and Family
67 Services; amending s. 553.842, F.S.; requiring the
68 commission to review the list of product evaluation
69 entities; providing reporting requirements; providing for
70 rulemaking; designating an entity as an approved
71 production evaluation entity until October, 1, 2009;
72 providing criteria for substitution of approved products
73 under certain conditions; providing for the expiration of
74 certain product approvals; amending s. 553.844, F.S.;
75 revising provisions requiring the adoption of certain
76 mitigation techniques by the Florida Building Commission
77 within the Florida Building Code for certain structures;
78 amending s. 553.885, F.S.; requiring the installation of
79 carbon monoxide detectors in certain new hospitals,
80 hospice and nursing homes facilities; creating s. 553.886,
81 F.S.; requiring that the Florida Building Code facilitate
82 and promote the use of certain renewable energy
83 technologies in buildings; amending s. 553.901, F.S.;
84 requiring the commission to adopt by rule a definition of
85 the term "cost-effective"; creating s. 553.9061, F.S.;
86 establishing a schedule of required increases in the
87 energy performance of buildings subject to the Florida

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88 Building Code; providing a process for implementing goals
89 to increase energy-efficiency performance in new
90 buildings; providing a schedule for the implementation of
91 such goals; identifying energy-efficiency performance
92 options and elements available to meet energy-efficiency
93 performance requirements; providing a schedule for the
94 review and adoption of renewable energy-efficiency goals
95 by the commission; requiring the commission to conduct a
96 study to evaluate the energy-efficiency rating of new
97 buildings and appliances; requiring the commission to
98 submit a report to the President of the Senate and the
99 Speaker of the House of Representatives on or before a
100 specified date; requiring the commission to conduct a
101 study to evaluate opportunities to restructure the Florida
102 Energy Code for Building Construction, including the
103 integration of the Thermal Efficiency Code, the Energy
104 Conservation Standards Act, and the Florida Building
105 Energy-Efficiency Rating Act; requiring the commission to
106 submit a report to the President of the Senate and the
107 Speaker of the House of Representatives on or before a
108 specified date; directing the Department of Community
109 Affairs, in conjunction with the Florida Energy
110 Affordability Council, to identify and review issues
111 relating to the Low-Income Home Energy Assistance Program
112 and the Weatherization Assistance Program; requiring the
113 submission of a report to the President of the Senate and
114 the Speaker of the House of Representatives on or before a
115 specified date; providing for the expiration of certain
116 study requirements; repealing s. 553.731 F.S., relating to

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117 wind-borne debris protection requirements; amending s.
118 718.113, F.S.; authorizing the board of a condominium or a
119 multicondominium to install solar collectors,
120 clotheslines, or other energy-efficient devices on
121 association property; requiring the Florida Building
122 Commission to include certain information in its report to
123 the Legislature; providing an effective date.
124

125 Be It Enacted by the Legislature of the State of Florida:
126

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

129 163.04 Energy devices based on renewable resources.--

130 (2) A deed restriction, covenant, declaration, or similar
131 binding agreement may not ~~No deed restrictions, covenants, or~~
132 ~~similar binding agreements running with the land shall~~ prohibit
133 or have the effect of prohibiting solar collectors, clotheslines,
134 or other energy devices based on renewable resources from being
135 installed on buildings erected on the lots or parcels covered by
136 the deed restriction, covenant, declaration, or binding agreement
137 ~~restrictions, covenants, or binding agreements~~. A property owner
138 may not be denied permission to install solar collectors or other
139 energy devices ~~based on renewable resources~~ by any entity granted
140 the power or right in any deed restriction, covenant,
141 declaration, or similar binding agreement to approve, forbid,
142 control, or direct alteration of property with respect to
143 residential dwellings and within the boundaries of a condominium
144 unit not exceeding three stories in height. ~~For purposes of this~~
145 ~~subsection,~~ Such entity may determine the specific location where

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146 solar collectors may be installed on the roof within an
147 orientation to the south or within 45° east or west of due south
148 if provided that such determination does not impair the effective
149 operation of the solar collectors.

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

153 163.3177 Required and optional elements of comprehensive
154 plan; studies and surveys.--

155 (6) In addition to the requirements of subsections (1)-(5)
156 and (12), the comprehensive plan shall include the following
157 elements:

158 (a) A future land use plan element designating proposed
159 future general distribution, location, and extent of the uses of
160 land for residential uses, commercial uses, industry,
161 agriculture, recreation, conservation, education, public
162 buildings and grounds, other public facilities, and other
163 categories of the public and private uses of land. Counties are
164 encouraged to designate rural land stewardship areas, pursuant to
165 the provisions of paragraph (11)(d), as overlays on the future
166 land use map. Each future land use category must be defined in
167 terms of uses included, and must include standards to be followed
168 in the control and distribution of population densities and
169 building and structure intensities. The proposed distribution,
170 location, and extent of the various categories of land use shall
171 be shown on a land use map or map series which shall be
172 supplemented by goals, policies, and measurable objectives. The
173 future land use plan shall be based upon surveys, studies, and
174 data regarding the area, including the amount of land required to

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175 accommodate anticipated growth; the projected population of the
176 area; the character of undeveloped land; the availability of
177 water supplies, public facilities, and services; the need for
178 redevelopment, including the renewal of blighted areas and the
179 elimination of nonconforming uses which are inconsistent with the
180 character of the community; the compatibility of uses on lands
181 adjacent to or closely proximate to military installations; the
182 discouragement of urban sprawl; energy-efficient land use
183 patterns accounting for existing and future electric power
184 generation and transmission systems; greenhouse gas reduction
185 strategies; and, in rural communities, the need for job creation,
186 capital investment, and economic development that will strengthen
187 and diversify the community's economy. The future land use plan
188 may designate areas for future planned development use involving
189 combinations of types of uses for which special regulations may
190 be necessary to ensure development in accord with the principles
191 and standards of the comprehensive plan and this act. The future
192 land use plan element shall include criteria to be used to
193 achieve the compatibility of adjacent or closely proximate lands
194 with military installations. In addition, for rural communities,
195 the amount of land designated for future planned industrial use
196 shall be based upon surveys and studies that reflect the need for
197 job creation, capital investment, and the necessity to strengthen
198 and diversify the local economies, and shall not be limited
199 solely by the projected population of the rural community. The
200 future land use plan of a county may also designate areas for
201 possible future municipal incorporation. The land use maps or map
202 series shall generally identify and depict historic district
203 boundaries and shall designate historically significant

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204 | properties meriting protection. For coastal counties, the future
205 | land use element must include, without limitation, regulatory
206 | incentives and criteria that encourage the preservation of
207 | recreational and commercial working waterfronts as defined in s.
208 | 342.07. The future land use element must clearly identify the
209 | land use categories in which public schools are an allowable use.
210 | When delineating the land use categories in which public schools
211 | are an allowable use, a local government shall include in the
212 | categories sufficient land proximate to residential development
213 | to meet the projected needs for schools in coordination with
214 | public school boards and may establish differing criteria for
215 | schools of different type or size. Each local government shall
216 | include lands contiguous to existing school sites, to the maximum
217 | extent possible, within the land use categories in which public
218 | schools are an allowable use. The failure by a local government
219 | to comply with these school siting requirements will result in
220 | the prohibition of the local government's ability to amend the
221 | local comprehensive plan, except for plan amendments described in
222 | s. 163.3187(1)(b), until the school siting requirements are met.
223 | Amendments proposed by a local government for purposes of
224 | identifying the land use categories in which public schools are
225 | an allowable use are exempt from the limitation on the frequency
226 | of plan amendments contained in s. 163.3187. The future land use
227 | element shall include criteria that encourage the location of
228 | schools proximate to urban residential areas to the extent
229 | possible and shall require that the local government seek to
230 | collocate public facilities, such as parks, libraries, and
231 | community centers, with schools to the extent possible and to
232 | encourage the use of elementary schools as focal points for

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233 neighborhoods. For schools serving predominantly rural counties,
234 defined as a county with a population of 100,000 or fewer, an
235 agricultural land use category shall be eligible for the location
236 of public school facilities if the local comprehensive plan
237 contains school siting criteria and the location is consistent
238 with such criteria. Local governments required to update or amend
239 their comprehensive plan to include criteria and address
240 compatibility of adjacent or closely proximate lands with
241 existing military installations in their future land use plan
242 element shall transmit the update or amendment to the department
243 by June 30, 2006.

244 (b) A traffic circulation element consisting of the types,
245 locations, and extent of existing and proposed major
246 thoroughfares and transportation routes, including bicycle and
247 pedestrian ways. Transportation corridors, as defined in s.
248 334.03, may be designated in the traffic circulation element
249 pursuant to s. 337.273. If the transportation corridors are
250 designated, the local government may adopt a transportation
251 corridor management ordinance. The traffic circulation element
252 shall incorporate transportation strategies to address reduction
253 in greenhouse gas emissions from the transportation sector.

254 (d) A conservation element for the conservation, use, and
255 protection of natural resources in the area, including air,
256 water, water recharge areas, wetlands, waterwells, estuarine
257 marshes, soils, beaches, shores, flood plains, rivers, bays,
258 lakes, harbors, forests, fisheries and wildlife, marine habitat,
259 minerals, and other natural and environmental resources,
260 including factors that affect energy conservation. Local
261 governments shall assess their current, as well as projected,

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262 | water needs and sources for at least a 10-year period,
263 | considering the appropriate regional water supply plan approved
264 | pursuant to s. 373.0361, or, in the absence of an approved
265 | regional water supply plan, the district water management plan
266 | approved pursuant to s. 373.036(2). This information shall be
267 | submitted to the appropriate agencies. The land use map or map
268 | series contained in the future land use element shall generally
269 | identify and depict the following:

- 270 | 1. Existing and planned waterwells and cones of influence
- 271 | where applicable.
- 272 | 2. Beaches and shores, including estuarine systems.
- 273 | 3. Rivers, bays, lakes, flood plains, and harbors.
- 274 | 4. Wetlands.
- 275 | 5. Minerals and soils.
- 276 | 6. Energy conservation.
- 277 |

278 | The land uses identified on such maps shall be consistent with
279 | applicable state law and rules.

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

- 282 | a. The provision of housing for all current and anticipated
283 | future residents of the jurisdiction.
- 284 | b. The elimination of substandard dwelling conditions.
- 285 | c. The structural and aesthetic improvement of existing
286 | housing.
- 287 | d. The provision of adequate sites for future housing,
288 | including affordable workforce housing as defined in s.
289 | 380.0651(3)(j), housing for low-income, very low-income, and
290 | moderate-income families, mobile homes, and group home facilities

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291 and foster care facilities, with supporting infrastructure and
292 public facilities.

293 e. Provision for relocation housing and identification of
294 historically significant and other housing for purposes of
295 conservation, rehabilitation, or replacement.

296 f. The formulation of housing implementation programs.

297 g. The creation or preservation of affordable housing to
298 minimize the need for additional local services and avoid the
299 concentration of affordable housing units only in specific areas
300 of the jurisdiction.

301 h. Energy efficiency in the design and construction of new
302 housing.

303 i. Use of renewable energy resources.

304 j. ~~h. By July 1, 2008,~~ Each county in which the gap between
305 the buying power of a family of four and the median county home
306 sale price exceeds \$170,000, as determined by the Florida Housing
307 Finance Corporation, and which is not designated as an area of
308 critical state concern shall adopt a plan for ensuring affordable
309 workforce housing. At a minimum, the plan shall identify adequate
310 sites for such housing. For purposes of this sub-subparagraph,
311 the term "workforce housing" means housing that is affordable to
312 natural persons or families whose total household income does not
313 exceed 140 percent of the area median income, adjusted for
314 household size.

315 k. As a precondition to receiving any state affordable
316 housing funding or allocation for any project or program within
317 the jurisdiction of a county that is subject to sub-subparagraph
318 j., a county must, by July 1 of each year, provide certification
319 that the county has complied with the requirements of sub-

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320 subparagraph j.

321 ~~i. Failure by a local government to comply with the~~
322 ~~requirement in sub-subparagraph h. will result in the local~~
323 ~~government being ineligible to receive any state housing~~
324 ~~assistance grants until the requirement of sub-subparagraph h. is~~
325 ~~met.~~

326
327 The goals, objectives, and policies of the housing element must
328 be based on the data and analysis prepared on housing needs,
329 including the affordable housing needs assessment. State and
330 federal housing plans prepared on behalf of the local government
331 must be consistent with the goals, objectives, and policies of
332 the housing element. Local governments are encouraged to use
333 ~~utilize~~ job training, job creation, and economic solutions to
334 address a portion of their affordable housing concerns.

335 2. To assist local governments in housing data collection
336 and analysis and assure uniform and consistent information
337 regarding the state's housing needs, the state land planning
338 agency shall conduct an affordable housing needs assessment for
339 all local jurisdictions on a schedule that coordinates the
340 implementation of the needs assessment with the evaluation and
341 appraisal reports required by s. 163.3191. Each local government
342 shall utilize the data and analysis from the needs assessment as
343 one basis for the housing element of its local comprehensive
344 plan. The agency shall allow a local government the option to
345 perform its own needs assessment, if it uses the methodology
346 established by the agency by rule.

347 (j) For each unit of local government within an urbanized
348 area designated for purposes of s. 339.175, a transportation

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349 element, which shall be prepared and adopted in lieu of the
350 requirements of paragraph (b) and paragraphs (7) (a), (b), (c),
351 and (d) and which shall address the following issues:

352 1. Traffic circulation, including major thoroughfares and
353 other routes, including bicycle and pedestrian ways.

354 2. All alternative modes of travel, such as public
355 transportation, pedestrian, and bicycle travel.

356 3. Parking facilities.

357 4. Aviation, rail, seaport facilities, access to those
358 facilities, and intermodal terminals.

359 5. The availability of facilities and services to serve
360 existing land uses and the compatibility between future land use
361 and transportation elements.

362 6. The capability to evacuate the coastal population prior
363 to an impending natural disaster.

364 7. Airports, projected airport and aviation development,
365 and land use compatibility around airports.

366 8. An identification of land use densities, building
367 intensities, and transportation management programs to promote
368 public transportation systems in designated public transportation
369 corridors so as to encourage population densities sufficient to
370 support such systems.

371 9. May include transportation corridors, as defined in s.
372 334.03, intended for future transportation facilities designated
373 pursuant to s. 337.273. If transportation corridors are
374 designated, the local government may adopt a transportation
375 corridor management ordinance.

376 10. The incorporation of transportation strategies to
377 address reduction in greenhouse gas emissions from the

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378 transportation sector.

379 Section 3. Paragraph (e) of subsection (3) of section
380 489.105, Florida Statutes, is amended to read:

381 489.105 Definitions.--As used in this part:

382 (3) "Contractor" means the person who is qualified for, and
383 shall only be responsible for, the project contracted for and
384 means, except as exempted in this part, the person who, for
385 compensation, undertakes to, submits a bid to, or does himself or
386 herself or by others construct, repair, alter, remodel, add to,
387 demolish, subtract from, or improve any building or structure,
388 including related improvements to real estate, for others or for
389 resale to others; and whose job scope is substantially similar to
390 the job scope described in one of the subsequent paragraphs of
391 this subsection. For the purposes of regulation under this part,
392 "demolish" applies only to demolition of steel tanks over 50 feet
393 in height; towers over 50 feet in height; other structures over
394 50 feet in height, other than buildings or residences over three
395 stories tall; and buildings or residences over three stories
396 tall. Contractors are subdivided into two divisions, Division I,
397 consisting of those contractors defined in paragraphs (a)-(c),
398 and Division II, consisting of those contractors defined in
399 paragraphs (d)-(q):

400 (e) "Roofing contractor" means a contractor whose services
401 are unlimited in the roofing trade and who has the experience,
402 knowledge, and skill to install, maintain, repair, alter, extend,
403 or design, when not prohibited by law, and use materials and
404 items used in the installation, maintenance, extension, and
405 alteration of all kinds of roofing, waterproofing, and coating,
406 except when coating is not represented to protect, repair,

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407 | waterproof, stop leaks, or extend the life of the roof. The scope
408 | of work of a roofing contractor also includes required roof-deck
409 | attachments and any repair or replacement of wood roof sheathing
410 | or fascia as needed during roof repair or replacement.

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

413 | 553.36 Definitions.--The definitions contained in this
414 | section govern the construction of this part unless the context
415 | otherwise requires.

416 | (13) "Manufactured building", "modular building," or
417 | "factory-built building" means a closed structure, building
418 | assembly, or system of subassemblies, which may include
419 | structural, electrical, plumbing, heating, ventilating, or other
420 | service systems manufactured in manufacturing facilities for
421 | installation or erection as a finished building or as part of a
422 | finished building, which shall include, but not be limited to,
423 | residential, commercial, institutional, storage, and industrial
424 | structures. The term includes buildings not intended for human
425 | habitation such as lawn storage buildings and storage sheds
426 | manufactured and assembled offsite by a manufacturer certified in
427 | conformance with this part. This part does not apply to mobile
428 | homes.

429 | Section 5. Section 553.37, Florida Statutes, is amended to
430 | read:

431 | 553.37 Rules; inspections; and insignia.--

432 | (1) The Florida Building Commission shall adopt within the
433 | Florida Building Code requirements for construction or
434 | modification of manufactured buildings and building modules, to
435 | address:

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436 (a) Submittal to and approval by the department of
437 manufacturers' drawings and specifications, including any
438 amendments.

439 (b) Submittal to and approval by the department of
440 manufacturers' internal quality control procedures and manuals,
441 including any amendments.

442 (c) Minimum inspection criteria. ~~Procedures and~~
443 ~~qualifications for approval of third-party plan review and~~
444 ~~inspection entities and of those who perform inspections and plan~~
445 ~~reviews.~~

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

447 (a) Procedures and qualifications for approval of third-
448 party plan review and inspection agencies and of those who
449 perform inspections and plan reviews.

450 (b) ~~(d)~~ Investigation of consumer complaints of
451 noncompliance of manufactured buildings with the Florida Building
452 Code and the Florida Fire Prevention Code.

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

456 (d) ~~(f)~~ Monitoring the manufacturers', inspection agencies'
457 ~~entities'~~, and plan review agencies' ~~entities'~~ compliance with
458 this part and the Florida Building Code. Monitoring may include,
459 but is not limited to, performing audits of plans, inspections of
460 manufacturing facilities and observation of the manufacturing and
461 inspection process, and onsite inspections of buildings.

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

464 (3) ~~(2)~~ After the effective date of the Florida Building

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465 Code, no manufactured building, except as provided in subsection
466 (12) ~~(11)~~, may be installed in this state unless it is approved
467 and bears the insignia of approval of the department and a
468 manufacturer's data plate. Approvals issued by the department
469 under the provisions of the prior part shall be deemed to comply
470 with the requirements of this part.

471 (4) ~~(3)~~ All manufactured buildings issued and bearing
472 insignia of approval pursuant to subsection (3) ~~(2)~~ shall be
473 deemed to comply with the Florida Building Code and are exempt
474 from local amendments enacted by any local government.

475 (5) ~~(4)~~ No manufactured building bearing department insignia
476 of approval pursuant to subsection (3) ~~(2)~~ shall be in any way
477 modified prior to installation, except in conformance with the
478 Florida Building Code.

479 (6) ~~(5)~~ Manufactured buildings which have been issued and
480 bear the insignia of approval pursuant to this part upon
481 manufacture or first sale shall not require an additional
482 approval or insignia by a local government in which they are
483 subsequently sold or installed. Buildings or structures that meet
484 the definition of "open construction" are subject to permitting
485 by the local jurisdiction and are not required to bear insignia.

486 (7) ~~(6)~~ If the department ~~Florida Building Commission~~
487 determines that the standards for construction and inspection of
488 manufactured buildings prescribed by statute or rule of another
489 state are at least equal to the Florida Building Code and that
490 such standards are actually enforced by such other state, it may
491 provide by rule that the manufactured building which has been
492 inspected and approved by such other state shall be deemed to
493 have been approved by the department and shall authorize the

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494 affixing of the appropriate insignia of approval.

495 ~~(8)(7)~~ The department ~~Florida Building Commission~~, by rule,
496 shall establish a schedule of fees to pay the cost of incurred by
497 ~~the department for the work related to~~ administration and
498 enforcement of this part.

499 ~~(9)(8)~~ The department may delegate its enforcement
500 authority to a state department having building construction
501 responsibilities or a local government. The department may
502 delegate its plan review and inspection authority to one or more
503 of the following in any combination:

504 (a) A state department having building construction
505 responsibilities;;

506 (b) A local government;;

507 (c) An approved inspection agency;;

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

509 (e) An agency of another state.

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

514 (10) The department shall develop an insignia to be affixed
515 to all newly constructed buildings by the manufacturer or the
516 inspection agency prior to the building leaving the plant. The
517 department may charge a fee for issuing such insignias. Such
518 insignias shall bear the department's name, the state seal, an
519 identification number unique to that insignia, and such other
520 information as the department may require by rule. ~~If the~~
521 ~~commission delegates its inspection authority to third party~~
522 ~~approved plan review agencies, manufacturers must have one, and~~

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523 ~~only one, plan review agency responsible for review of plans of a~~
524 ~~manufactured building, module, or component at all times.~~

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

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

534 553.381 Manufacturer certification.--

535 (1) Before manufacturing buildings to be located within
536 this state or selling manufactured buildings within this state,
537 whichever occurs later, a manufacturer must be certified by the
538 department. The department shall certify a manufacturer upon
539 receipt from the manufacturer and approval and verification by
540 the department of the following:

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

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

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

548 (3) Certification of manufacturers under this section shall
549 be for a period of 3 years, subject to renewal by the
550 manufacturer. Upon application for renewal, the manufacturer must
551 submit the information described in subsection (1) or a sworn

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552 statement that there has been no change in the status or content
553 of that information since the manufacturer's last submittal. Fees
554 for renewal of manufacturers' certification shall be established
555 by the department ~~commission~~ by rule.

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

558 553.415 Factory-built school buildings.--

559 (11) The department shall require that an insignia bearing
560 the department's name and state seal and a manufacturer's data
561 plate ~~develop a unique identification label to~~ be affixed to all
562 newly constructed factory-built school buildings and existing
563 factory-built school buildings which have been brought into
564 compliance with the standards for existing "satisfactory"
565 buildings pursuant to chapter 5 of the Uniform Code for Public
566 Educational Facilities, and after March 1, 2002, the Florida
567 Building Code. The department may charge a fee for issuing such
568 insignias ~~labels. The manufacturer's data plate~~ Such labels,
569 ~~bearing the department's name and state seal,~~ shall, at a
570 minimum, contain:

- 571 (a) The name of the manufacturer.
- 572 (b) The standard plan approval number or alteration number.
- 573 (c) The date of manufacture or alteration.
- 574 (d) The serial or other identification number.
- 575 (e) The following designed-for loads: lbs. per square foot
576 live load; lbs. per square foot floor live load; lbs. per square
577 foot horizontal wind load; and lbs. per square foot wind uplift
578 load.
- 579 (f) The designed-for flood zone usage.
- 580 (g) The designed-for wind zone usage.

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

583 (12) Such insignia and data plate ~~identification label~~
584 shall be permanently affixed by the manufacturer in the case of
585 newly constructed factory-built school buildings, or by the
586 department or its designee in the case of an existing factory-
587 built building altered to comply with provisions of s. 1013.20.

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

590 553.71 Definitions.--As used in this part, the term:

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

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

597 553.73 Florida Building Code.--

598 (6) (a) The commission, by rule adopted pursuant to ss.
599 120.536(1) and 120.54, shall update the Florida Building Code
600 every 3 years. When updating the Florida Building Code, the
601 commission shall select the most current version of the
602 International Building Code, the International Fuel Gas Code, the
603 International Mechanical Code, the International Plumbing Code,
604 and the International Residential Code, all of which are adopted
605 by the International Code Council, and the National Electrical
606 Code, which is adopted by the National Fire Protection
607 Association, to form the foundation codes of the updated Florida
608 Building Code, if the version has been adopted by the applicable
609 model code entity and made available to the public at least 6

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610 months prior to its selection by the commission. The commission
611 shall select the most current version of the International Energy
612 Conservation Code as a foundation code if the code is modified by
613 the commission to maintain the compliance methods and policies,
614 without diminishing the building component efficiencies, of the
615 Florida Energy Efficiency Code for Building Construction adopted
616 and amended pursuant to s. 553.901.

617 (7) Notwithstanding the provisions of subsection (3) or
618 subsection (6), the commission may address issues identified in
619 this subsection by amending the code pursuant only to the rule
620 adoption procedures contained in chapter 120. Provisions of the
621 Florida Building Code, including those contained in referenced
622 standards and criteria, relating to wind resistance or the
623 prevention of water intrusion may not be amended pursuant to this
624 subsection to diminish those construction requirements; however,
625 the commission may, subject to conditions in this subsection,
626 amend the provisions to enhance those construction requirements.
627 Following the approval of any amendments to the Florida Building
628 Code by the commission and publication of the amendments on the
629 commission's website, authorities having jurisdiction to enforce
630 the Florida Building Code may enforce the amendments. The
631 commission may approve amendments that are needed to address:

632 (a) Conflicts within the updated code;

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

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

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

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

642 (f) Adoption of an updated edition of the National
643 Electrical Code if the commission finds that delay of
644 implementing the updated edition causes undue hardship to
645 stakeholders or otherwise threatens the public health, safety,
646 and welfare.

647 (13) The general provisions of the Florida Building Code
648 for buildings and other structures shall not apply to commercial
649 wireless communication towers which shall be subject to the
650 provisions of the code controlling radio and television towers.
651 This subsection is intended to be remedial in nature and to
652 clarify existing law.

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

655 553.74 Florida Building Commission.--

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

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

665 (b) One structural engineer registered to practice in this
666 state and actively engaged in the profession. The Florida
667 Engineering Society is encouraged to recommend a list of

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668 candidates for consideration.

669 (c) One air-conditioning or mechanical contractor certified
670 to do business in this state and actively engaged in the
671 profession. The Florida Air Conditioning Contractors Association,
672 the Florida Refrigeration and Air Conditioning Contractors
673 Association, and the Mechanical Contractors Association of
674 Florida are encouraged to recommend a list of candidates for
675 consideration.

676 (d) One electrical contractor certified to do business in
677 this state and actively engaged in the profession. The Florida
678 Electrical Contractors Association and the National Electrical
679 Contractors Association, Florida Chapter, are encouraged to
680 recommend a list of candidates for consideration.

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

686 (f) One general contractor certified to do business in this
687 state and actively engaged in the profession. The Associated
688 Builders and Contractors of Florida, the Florida Associated
689 General Contractors Council, and the Union Contractors
690 Association are encouraged to recommend a list of candidates for
691 consideration.

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

696 (h) One roofing or sheet metal contractor certified to do

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697 business in this state and actively engaged in the profession.
698 The Florida Roofing, Sheet Metal, and Air Conditioning
699 Contractors Association and the Sheet Metal and Air Conditioning
700 Contractors National Association are encouraged to recommend a
701 list of candidates for consideration.

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

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

711 (k) One member who represents the Department of Financial
712 Services.

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

716 (m) One member of a Florida-based organization of persons
717 with disabilities or a nationally chartered organization of
718 persons with disabilities with chapters in this state.

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

723 (o) One mechanical or electrical engineer registered to
724 practice in this state and actively engaged in the profession.
725 The Florida Engineering Society is encouraged to recommend a list

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726 of candidates for consideration.

727 (p) One member who is a representative of a municipality or
728 a charter county. The Florida League of Cities and the Florida
729 Association of Counties are encouraged to recommend a list of
730 candidates for consideration.

731 (q) One member of the building products manufacturing
732 industry who is authorized to do business in this state and is
733 actively engaged in the industry. The Florida Building Material
734 Association, the Florida Concrete and Products Association, and
735 the Fenestration Manufacturers Association are encouraged to
736 recommend a list of candidates for consideration.

737 (r) One member who is a representative of the building
738 owners and managers industry who is actively engaged in
739 commercial building ownership or management. The Building Owners
740 and Managers Association is encouraged to recommend a list of
741 candidates for consideration.

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

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

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

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

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

756
757 Any person serving on the commission under paragraph (c) or
758 paragraph (h) on October 1, 2003, and who has served less than
759 two full terms is eligible for reappointment to the commission
760 regardless of whether he or she meets the new qualification.

761 (2) All appointments shall be for terms of 4 years, ~~except~~
762 ~~that of the chair who shall serve at the pleasure of the~~
763 ~~Governor.~~ Each person who is a member of the Board of Building
764 Codes and Standards on the effective date of this act shall serve
765 the remainder of their term as a member of the Florida Building
766 Commission. ~~Except for the chair, newly created positions on the~~
767 ~~Florida Building Commission shall be appointed after February 1,~~
768 ~~1999. A vacancy shall be filled for the remainder of the~~
769 ~~unexpired term.~~ Any member who shall, during his or her term,
770 cease to meet the qualifications for original appointment,
771 through ceasing to be a practicing member of the profession
772 indicated or otherwise, shall thereby forfeit membership on the
773 commission.

774 Section 11. Section 553.75, Florida Statutes, is amended to
775 read:

776 553.75 Organization of commission; rules and regulations;
777 meetings; staff; fiscal affairs; public comment.--

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

781 (2) The commission shall meet at the call of its chair, at
782 the request of a majority of its membership, at the request of
783 the department, or at such times as may be prescribed by its

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784 rules. The members shall be notified in writing of the time and
785 place of a regular or special meeting at least 7 days in advance
786 of the meeting. A majority of members of the commission shall
787 constitute a quorum.

788 (3) The department shall be responsible for the provision
789 of administrative and staff support services relating to the
790 functions of the commission. With respect to matters within the
791 jurisdiction of the commission, the department shall be
792 responsible for the implementation and faithful discharge of all
793 decisions of the commission made pursuant to its authority under
794 the provisions of this part. The department is specifically
795 authorized to use communications media technology in conducting
796 meetings of the commission or any meetings held in conjunction
797 with meetings of the commission.

798 (4) Meetings of the commission shall be conducted so as to
799 encourage participation by interested persons in attendance. At a
800 minimum, the commission shall provide one opportunity for
801 interested members of the public in attendance at a meeting to
802 comment on each proposed action of the commission before a final
803 vote is taken on any motion.

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

807 553.77 Specific powers of the commission.--

808 (5) The commission may implement its recommendations
809 delivered pursuant to subsection (2) of section 48 of chapter
810 2007-73, Laws of Florida, by amending the Florida Energy
811 Efficiency Code for Building Construction as provided in s.
812 553.901.

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

815 553.775 Interpretations.--

816 (5) The commission may render declaratory statements in
817 accordance with s. 120.565 relating to the provisions of the
818 Florida Accessibility Code for Building Construction not
819 attributable to the Americans with Disabilities Act Accessibility
820 Guidelines. Notwithstanding the other provisions of this section,
821 the Florida Accessibility Code for Building Construction and
822 chapter 11 of the Florida Building Code may not be interpreted
823 by, and are not subject to review under, any of the procedures
824 specified in this section. This subsection has no effect upon the
825 commission's authority to waive the Florida Accessibility Code
826 for Building Construction as provided by s. 553.512.

827 Section 14. Paragraph (a) of subsection (1) of section
828 553.80, Florida Statutes, is amended to read:

829 553.80 Enforcement.--

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

838 (a) Construction regulations relating to correctional
839 facilities under the jurisdiction of the Department of
840 Corrections or ~~and~~ the Department of Juvenile Justice and secure
841 mental health treatment facilities under the jurisdiction of the

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842 Department of Children and Family Services shall ~~are to~~ be
843 enforced exclusively by those departments.

844

845 The governing bodies of local governments may provide a schedule
846 of fees, as authorized by s. 125.56(2) or s. 166.222 and this
847 section, for the enforcement of the provisions of this part. Such
848 fees shall be used solely for carrying out the local government's
849 responsibilities in enforcing the Florida Building Code. The
850 authority of state enforcing agencies to set fees for enforcement
851 shall be derived from authority existing on July 1, 1998.

852 However, nothing contained in this subsection shall operate to
853 limit such agencies from adjusting their fee schedule in
854 conformance with existing authority.

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

857 553.842 Product evaluation and approval.--

858 (17) (a) The Florida Building Commission shall review the
859 list of evaluation entities in subsection (8) and, in the annual
860 report required under s. 553.77, shall either recommend
861 amendments to the list to add evaluation entities the commission
862 determines should be authorized to perform product evaluations or
863 shall report on the criteria adopted by rule or to be adopted by
864 rule allowing the commission to approve evaluation entities that
865 use the commission's product evaluation process. If the
866 commission adopts criteria by rule, the rulemaking process must
867 be completed by July 1, 2009.

868 (b) Notwithstanding paragraph (8) (a), the International
869 Association of Plumbing and Mechanical Officials Evaluation
870 Services is approved as an evaluation entity until October 1,

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871 2009. If the association does not obtain permanent approval by
872 the commission as an evaluation entity by October 1, 2009,
873 products approved on the basis of an association evaluation must
874 be substituted by an alternative, approved entity by December 31,
875 2009, and on January 1, 2010, any product approval issued by the
876 commission based on an association evaluation is void.

877 Section 16. Paragraph (b) of subsection (2) of section
878 553.844, Florida Statutes, is amended to read:

879 553.844 Windstorm loss mitigation; requirements for roofs
880 and opening protection.--

881 (2) The Florida Building Commission shall:

882 (b) Develop and adopt within the Florida Building Code a
883 means to incorporate recognized mitigation techniques for site-
884 built, single-family residential structures constructed before
885 ~~prior to~~ the implementation of the Florida Building Code,
886 including, but not limited to:

887 1. Prescriptive techniques for the installation of gable-
888 end bracing;

889 2. Secondary water barriers for roofs and standards
890 relating to secondary water barriers. The criteria may include,
891 but need not be limited to, roof shape, slope, and composition of
892 all elements of the roof system. The criteria may not be limited
893 to one method or material for a secondary water barrier;

894 3. Prescriptive techniques for improvement of roof-to-wall
895 connections. The Legislature recognizes that the cost of
896 retrofitting existing buildings to meet the code requirements for
897 new construction in this regard may exceed the practical benefit
898 to be attained. The Legislature intends for the commission to
899 provide for the integration of alternate, lower-cost means that

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900 may be employed to retrofit existing buildings that are not
901 otherwise required to comply with the requirements of the Florida
902 Building Code for new construction so that the cost of such
903 improvements does not exceed approximately 15 percent of the cost
904 of reroofing. Roof-to-wall connections shall not be required
905 unless evaluation and installation of connections at gable ends
906 or all corners can be completed for 15 percent of the cost of
907 roof replacement. For houses that have both hip and gable roof
908 ends, the priority shall be to retrofit the gable end roof-to-
909 wall connections unless the width of the hip is more than 1.5
910 times greater than the width of the gable end. Priority shall be
911 given to connecting the corners of roofs to walls below the
912 locations at which the spans of the roofing members are greatest;

913 4. Strengthening or correcting roof-decking attachments and
914 fasteners during reroofing; and

915 5. Adding or strengthening opening protections.

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

918 553.885 Carbon monoxide alarm required.--

919 (1) Every building, other than a hospital, a hospice
920 facility, or a nursing home facility licensed by the Agency for
921 Health Care Administration, for which a building permit is issued
922 for new construction on or after July 1, 2008, and having a
923 fossil-fuel-burning heater or appliance, a fireplace, or an
924 attached garage shall have an approved operational carbon
925 monoxide alarm installed within 10 feet of each room used for
926 sleeping purposes. For a new hospital, a hospice facility, or a
927 nursing home facility licensed by the Agency for Health Care
928 Administration, an approved operational carbon monoxide detector

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929 shall be installed inside or directly outside of each room or
930 area within the hospital or facility where a fossil-fuel burning
931 heater, engine, or appliance is located. This detector shall be
932 connected to the fire-alarm system of the hospital or facility as
933 a supervisory signal.

934 Section 18. Section 553.886, Florida Statutes, is created
935 to read:

936 553.886 Energy-efficiency technologies.--The provisions of
937 the Florida Building Code must facilitate and promote the use of
938 cost-effective energy conservation, energy-demand management, and
939 renewable energy technologies in buildings.

940 Section 19. Section 553.901, Florida Statutes, is amended
941 to read:

942 553.901 Purpose of thermal efficiency code.--The Department
943 of Community Affairs shall prepare a thermal efficiency code to
944 provide for a statewide uniform standard for energy efficiency in
945 the thermal design and operation of all buildings statewide,
946 consistent with energy conservation goals, and to best provide
947 for public safety, health, and general welfare. The Florida
948 Building Commission shall adopt the Florida Energy Efficiency
949 Code for Building Construction within the Florida Building Code,
950 and shall modify, revise, update, and maintain the code to
951 implement the provisions of this thermal efficiency code and
952 amendments thereto, in accordance with the procedures of chapter
953 120. The department shall, at least triennially, determine the
954 most cost-effective energy-saving equipment and techniques
955 available and report its determinations to the commission, which
956 shall update the code to incorporate such equipment and
957 techniques. The proposed changes shall be made available for

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958 public review and comment no later than 6 months prior to code
959 implementation. Before adoption of any additional amendments to
960 the Florida Energy Efficiency Code for Building Construction, the
961 commission shall adopt by rule a definition of the term "cost-
962 effective," for the purposes of this part, which shall include
963 the criteria and measures to be used by the commission to
964 evaluate proposed amendments ~~shall be construed to mean cost-~~
965 ~~effective to the consumer.~~

966 Section 20. Section 553.9061, Florida Statutes, is created
967 to read:

968 553.9061 Scheduled increases in thermal efficiency
969 standards.--

970 (1) This section establishes a schedule of required
971 increases in the energy-efficiency performance of buildings that
972 are subject to the requirements for energy efficiency as
973 contained in the current edition of the Florida Building Code.
974 The Florida Building Commission shall implement the following
975 energy-efficiency goals using the triennial code-adoption process
976 established for updates to the Florida Building Code in s.
977 553.73:

978 (a) Include requirements in the 2010 edition of the Florida
979 Building Code to increase the energy-efficiency performance of
980 new buildings by at least 20 percent as compared to the
981 performance achieved as a result of the implementation of the
982 energy-efficiency provisions contained in the 2004 edition of the
983 Florida Building Code, as adopted on May 22, 2007;

984 (b) Include requirements in the 2013 edition of the Florida
985 Building Code to increase the energy-efficiency performance of
986 new buildings by at least 30 percent as compared to the

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987 performance achieved as a result of the implementation of the
988 energy-efficiency provisions contained in the 2004 edition of the
989 Florida Building Code, as adopted on May 22, 2007;

990 (c) Include requirements in the 2016 edition of the Florida
991 Building Code to increase the energy-efficiency performance of
992 new buildings by at least 40 percent as compared to the
993 performance achieved as a result of the implementation of the
994 energy-efficiency provisions contained in the 2004 edition of the
995 Florida Building Code, as adopted on May 22, 2007; and

996 (d) Include requirements in the 2019 edition of the Florida
997 Building Code to increase the energy-efficiency performance of
998 new buildings by at least 50 percent as compared to the
999 performance achieved as a result of the implementation of the
1000 energy-efficiency provisions contained in the 2004 edition of the
1001 Florida Building Code, as adopted on May 22, 2007.

1002 (2) The commission shall identify in any code-support and
1003 compliance documentation the specific building options and
1004 elements available to meet the energy-efficiency performance
1005 requirements under subsection (1). Energy-efficiency performance
1006 options and elements include, but are not limited to:

1007 (a) Solar water heating;

1008 (b) Energy-efficient appliances;

1009 (c) Energy-efficient windows, doors, and skylights;

1010 (d) Low solar-absorption roofs, also known as "cool roofs";

1011 (e) Enhanced ceiling and wall insulation;

1012 (f) Reduced-leak duct systems;

1013 (g) Programmable thermostats; and

1014 (h) Energy-efficient lighting systems.

1015 (3) The Florida Energy Commission shall review the energy-

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1016 efficiency goals established in subsection (1) at least once
1017 every 3 years, and such review must be completed before the
1018 triennial code-adoption process established in s. 553.73.

1019 Section 21. (1) The Florida Building Commission shall
1020 conduct a study to evaluate the energy-efficiency rating of new
1021 buildings and appliances. The study must include a review of the
1022 current energy-efficiency ratings and consumer labeling
1023 requirements specified in chapter 553, Florida Statutes. The
1024 commission shall submit a written report of its study to the
1025 President of the Senate and the Speaker of the House of
1026 Representatives on or before February 1, 2009. The report must
1027 contain the commission's recommendations regarding the
1028 strengthening and integration of energy-efficiency ratings and
1029 labeling requirements.

1030 (2) The provisions of this section expire July 1, 2009.

1031 Section 22. (1) The Florida Building Commission shall
1032 conduct a study to evaluate opportunities to restructure the
1033 Florida Energy Efficiency Code for Building Construction to
1034 achieve long-range improvements to building energy performance.
1035 During such study, the commission shall address the integration
1036 of the Thermal Efficiency Code established in part V of chapter
1037 553, Florida Statutes, the Energy Conservation Standards Act
1038 established in part VI of chapter 553, Florida Statutes, and the
1039 Florida Building Energy-Efficiency Rating Act established in part
1040 VIII of chapter 553, Florida Statutes.

1041 (2) The commission shall submit a report containing
1042 specific recommendations on the integration of the code and acts
1043 identified in subsection (1) to the President of the Senate and
1044 the Speaker of the House of Representatives on or before February

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1045 | 1, 2009.

1046 | (3) The provisions of this section expire July 1, 2009.

1047 | Section 23. (1) The Department of Community Affairs, in

1048 | conjunction with the Florida Energy Affordability Coalition,

1049 | shall identify and review issues relating to the Low-Income Home

1050 | Energy Assistance Program and the Weatherization Assistance

1051 | Program, and identify recommendations that:

1052 | (a) Support customer health, safety, and well-being;

1053 | (b) Maximize available financial and energy-conservation

1054 | assistance;

1055 | (c) Improve the quality of service to customers seeking

1056 | assistance; and

1057 | (d) Educate customers to make informed decisions regarding

1058 | energy use and conservation.

1059 | (2) On or before January 1, 2009, the department shall

1060 | report its findings and any recommended statutory changes

1061 | required to implement such findings to the President of the

1062 | Senate and the Speaker of the House of Representatives.

1063 | (3) The provisions of this section expire July 1, 2009.

1064 | Section 24. Section 553.731, Florida Statutes, is repealed.

1065 | Section 25. Subsection (6) is added to section 718.113,

1066 | Florida Statutes, to read:

1067 | 718.113 Maintenance; limitation upon improvement; display

1068 | of flag; hurricane shutters.--

1069 | (6) Notwithstanding the provisions of this section or the

1070 | governing documents of a condominium or a multicondominium

1071 | association, the board of administration may, without any

1072 | requirement for approval of the unit owners, install upon or

1073 | within the common elements or association property solar

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1074 collectors, clotheslines, or other energy-efficient devices based
1075 on renewable resources for the benefit of the unit owners.

1076 Section 26. The Florida Building Commission shall submit
1077 the text of the rule required by section 19 of this act to the
1078 Legislature in its report to the 2009-2010 Legislature, and shall
1079 provide an effective date for the rule by July 1, 2009.

1080 Section 27. This act shall take effect July 1, 2008.