

1 A bill to be entitled
 2 An act relating to the Florida Building Code; amending s.
 3 553.73, F.S.; limiting authority of the Florida Building
 4 Commission to modify certain proposals; prohibiting the
 5 commission from rejecting Technical Advisory Committee
 6 recommendations under certain circumstances; providing
 7 requirements; expanding required codes to be included in
 8 Florida Building Code updates; amending s. 553.74, F.S.;
 9 revising requirements for selecting members of the
 10 commission; expanding membership of the commission;
 11 repealing s. 553.731, F.S., relating to wind-borne-debris
 12 protection requirement; providing an effective date.

13

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

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16 Section 1. Paragraph (d) of subsection (3) and paragraph
 17 (a) of subsection (6) of section 553.73, Florida Statutes, are
 18 amended to read:

19 553.73 Florida Building Code.--

20 (3) The commission shall select from available national or
 21 international model building codes, or other available building
 22 codes and standards currently recognized by the laws of this
 23 state, to form the foundation for the Florida Building Code. The
 24 commission may modify the selected model codes and standards as
 25 needed to accommodate the specific needs of this state.

26 Standards or criteria referenced by the selected model codes
 27 shall be similarly incorporated by reference. If a referenced
 28 standard or criterion requires amplification or modification to

29 | be appropriate for use in this state, only the amplification or
 30 | modification shall be specifically set forth in the Florida
 31 | Building Code. The Florida Building Commission may approve
 32 | technical amendments to the code, subject to the requirements of
 33 | subsections (7) and (8), after the amendments have been subject
 34 | to the following conditions:

35 | (d) Any proposal may be modified by the commission to
 36 | correct scrivener's errors. However, the commission may not
 37 | reject a Technical Advisory Committee recommendation without
 38 | specificity and further review by the Technical Advisory
 39 | Committee and additional ~~based on public testimony and evidence~~
 40 | ~~from a public hearing held in accordance with chapter 120.~~

41 |
 42 | The commission shall incorporate within sections of the Florida
 43 | Building Code provisions which address regional and local
 44 | concerns and variations. The commission shall make every effort
 45 | to minimize conflicts between the Florida Building Code, the
 46 | Florida Fire Prevention Code, and the Life Safety Code.

47 | (6) (a) The commission, by rule adopted pursuant to ss.
 48 | 120.536(1) and 120.54, shall update the Florida Building Code
 49 | every 3 years. When updating the Florida Building Code, the
 50 | commission shall select the most current version of the
 51 | International Building Code, the International Fuel Gas Code,
 52 | the International Mechanical Code, the International Plumbing
 53 | Code, the International Energy Conservation Code, and the
 54 | International Residential Code, all of which are adopted by the
 55 | International Code Council, and the National Electrical Code,
 56 | which is adopted by the National Fire Protection Association, to

57 | form the foundation codes of the updated Florida Building Code,
 58 | if the version has been adopted by the applicable model code
 59 | entity and made available to the public at least 6 months prior
 60 | to its selection by the commission.

61 | Section 2. Subsection (1) of section 553.74, Florida
 62 | Statutes, is amended to read:

63 | 553.74 Florida Building Commission.--

64 | (1) The Florida Building Commission is created and shall
 65 | be located within the Department of Community Affairs for
 66 | administrative purposes. Members shall be appointed by the
 67 | Governor subject to confirmation by the Senate. The commission
 68 | shall be composed of 24 ~~23~~ members, consisting of the following:

69 | (a) One architect registered to practice in this state and
 70 | actively engaged in the profession, selected from a list of
 71 | three candidates provided by the American Institute of
 72 | Architects, Florida Section.

73 | (b) One structural engineer registered to practice in this
 74 | state and actively engaged in the profession, selected from a
 75 | list of three candidates provided by the Florida Engineering
 76 | Society.

77 | (c) One air-conditioning or mechanical contractor
 78 | certified to do business in this state and actively engaged in
 79 | the profession, selected from a list of three candidates
 80 | provided by the Florida Air Conditioning Contractors Association
 81 | and the Florida Refrigeration and Air Conditioning Contractors
 82 | Association.

83 | (d) One electrical contractor certified to do business in
 84 | this state and actively engaged in the profession, selected from

85 a list of three candidates provided by the Florida Electrical
86 Contractors Association.

87 (e) One member from fire protection engineering or
88 technology who is actively engaged in the profession, selected
89 from a list of three candidates provided by the Florida Chapter
90 of the Society of Fire Protection Engineers and the Florida Fire
91 Marshals and Inspectors Association.

92 (f) One general contractor certified to do business in
93 this state and actively engaged in the profession, selected from
94 a list of three candidates provided by the Associated Builders
95 and Contractors of Florida and the Florida Associated General
96 Contractors Council.

97 (g) One plumbing contractor licensed to do business in
98 this state and actively engaged in the profession, selected from
99 a list of three candidates provided by the Florida Association
100 of Plumbing, Heating, and Cooling Contractors.

101 (h) One roofing or sheet metal contractor certified to do
102 business in this state and actively engaged in the profession,
103 selected from a list of three candidates provided by the Florida
104 Roofing, Sheet Metal and Air Conditioning Contractors
105 Association.

106 (i) One residential contractor licensed to do business in
107 this state and actively engaged in the profession, selected from
108 a list of three candidates provided by the Florida Home Builders
109 Association.

110 (j) Three members who are municipal or district codes
111 enforcement officials, two of whom shall be selected from a list
112 of four candidates provided by the Building Officials

113 Association of Florida and one of whom is also a fire official,
114 selected from a list of three candidates provided by the Florida
115 Fire Marshals and Inspectors Association.

116 (k) One member who represents the Department of Financial
117 Services.

118 (l) One member who is a county codes enforcement official,
119 selected from a list of three candidates provided by the
120 Building Officials Association of Florida.

121 (m) One member of a Florida-based organization of persons
122 with disabilities or a nationally chartered organization of
123 persons with disabilities with chapters in this state.

124 (n) One member of the manufactured buildings industry who
125 is licensed to do business in this state and is actively engaged
126 in the industry, selected from a list of three candidates
127 provided by the Florida Manufactured Housing Association.

128 (o) One mechanical or electrical engineer registered to
129 practice in this state and actively engaged in the profession,
130 selected from a list of three candidates provided by the Florida
131 Engineering Society.

132 (p) One member who is a representative of a municipality
133 or a charter county, selected from a list of three candidates
134 provided by the Florida League of Cities and Florida Association
135 of Counties.

136 (q) One member of the building products manufacturing
137 industry who is authorized to do business in this state and is
138 actively engaged in the industry, selected from a list of three
139 candidates provided by the Florida Building Material

140 Association, Florida Concrete and Products Association, and
 141 Fenestration Manufacturers Association.

142 (r) One member who is a representative of the building
 143 owners and managers industry who is actively engaged in
 144 commercial building ownership or management, selected from a
 145 list of three candidates provided by the Building Owners and
 146 Managers Association.

147 (s) One member who is a representative of the insurance
 148 industry, selected from a list of three candidates provided by
 149 the Florida Insurance Council.

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

152 (u) One member who is a swimming pool contractor licensed
 153 to do business in this state and actively engaged in the
 154 profession, selected from a list of three candidates provided by
 155 the Florida Swimming Pool Association.

156 (v) ~~(u)~~ One member who shall be the chair.
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158 Any person serving on the commission under paragraph (c) or
 159 paragraph (h) on October 1, 2003, and who has served less than
 160 two full terms is eligible for reappointment to the commission
 161 regardless of whether he or she meets the new qualification.

162 Section 3. Section 553.731, Florida Statutes, is repealed.

163 Section 4. This act shall take effect July 1, 2008.