

## ENROLLED

CS/HB 727, Engrossed 1

2008 Legislature

1 A bill to be entitled

2 An act relating to firesafety; providing a short title;  
3 amending s. 633.022, F.S.; including application of  
4 uniform firesafety standards to tunnels; revising  
5 application of automatic sprinkler systems requirements to  
6 nursing homes; requiring a nursing home licensee to submit  
7 complete sprinkler construction documents to the Agency  
8 for Health Care Administration by a specified date;  
9 requiring such licensee to gain final approval from the  
10 agency to start construction by a specified date;  
11 authorizing the agency to extend the deadline under  
12 certain circumstances; amending s. 633.0245, F.S.;  
13 providing a new application deadline for participation in  
14 the State Fire Marshal Nursing Home Fire Protection Loan  
15 Guarantee Program; amending s. 663.0215, F.S., requiring  
16 the State Fire Marshal to conduct a study on the use of  
17 voice-over-Internet-protocol telephone service for  
18 monitoring fire alarm systems; requiring rulemaking under  
19 certain conditions; creating s. 633.027, F.S.; requiring  
20 owners of certain structures to post certain signs or  
21 symbols on the structures; requiring the State Fire  
22 Marshal to adopt rules governing such signs or symbols;  
23 providing for enforcement; providing penalties; providing  
24 an effective date.

25  
26 Be It Enacted by the Legislature of the State of Florida:  
27

## ENROLLED

CS/HB 727, Engrossed 1

2008 Legislature

28           Section 1. This act may be cited as the "Aldridge/Benge  
29 Firefighter Safety Act."

30           Section 2. Paragraph (b) of subsection (1) and paragraph  
31 (a) of subsection (4) and of section 633.022, Florida Statutes,  
32 are amended to read:

33           633.022 Uniform firesafety standards.--The Legislature  
34 hereby determines that to protect the public health, safety, and  
35 welfare it is necessary to provide for firesafety standards  
36 governing the construction and utilization of certain buildings  
37 and structures. The Legislature further determines that certain  
38 buildings or structures, due to their specialized use or to the  
39 special characteristics of the person utilizing or occupying  
40 these buildings or structures, should be subject to firesafety  
41 standards reflecting these special needs as may be appropriate.

42           (1) The department shall establish uniform firesafety  
43 standards that apply to:

44           (b) All new, existing, and proposed hospitals, nursing  
45 homes, assisted living facilities, adult family-care homes,  
46 correctional facilities, public schools, transient public  
47 lodging establishments, public food service establishments,  
48 elevators, migrant labor camps, mobile home parks, lodging  
49 parks, recreational vehicle parks, recreational camps,  
50 residential and nonresidential child care facilities, facilities  
51 for the developmentally disabled, motion picture and television  
52 special effects productions, tunnels, and self-service gasoline  
53 stations, of which standards the State Fire Marshal is the final  
54 administrative interpreting authority.

55

## ENROLLED

CS/HB 727, Engrossed 1

2008 Legislature

56 In the event there is a dispute between the owners of the  
57 buildings specified in paragraph (b) and a local authority  
58 requiring a more stringent uniform firesafety standard for  
59 sprinkler systems, the State Fire Marshal shall be the final  
60 administrative interpreting authority and the State Fire  
61 Marshal's interpretation regarding the uniform firesafety  
62 standards shall be considered final agency action.

63 (4) (a) Notwithstanding any provision of law to the  
64 contrary, each nursing home licensed under part II of chapter  
65 400 shall be protected throughout by an approved, supervised  
66 automatic sprinkler system in accordance with s. 9 of National  
67 Fire Protection Association, Inc., Life Safety Code, ~~in~~  
68 ~~accordance with the following schedule:~~

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

72 ~~2. Each entire nursing home shall be protected by an~~  
73 ~~approved, supervised automatic sprinkler system by no later than~~  
74 ~~December 31, 2010. A nursing home licensee shall submit complete~~  
75 ~~sprinkler construction documents to the Agency for Health Care~~  
76 ~~Administration for review by December 31, 2008, and the licensee~~  
77 ~~must gain final approval to start construction from the agency~~  
78 ~~by June 30, 2009. The agency shall grant a 6-month extension to~~  
79 ~~a nursing home licensee if the completion and submission of the~~  
80 ~~sprinkler construction documents are contingent upon the~~  
81 ~~approval of the application for the loan guarantee program~~  
82 ~~authorized under s. 633.0245. In such case, the agency may~~  
83 ~~extend the deadline for final approval to begin construction~~

ENROLLED

CS/HB 727, Engrossed 1

2008 Legislature

84 beyond June 30, 2009, but the deadline may not be extended  
 85 beyond December 31, 2009.

86 Section 3. Subsection (9) of section 633.0245, Florida  
 87 Statutes, is amended to read:

88 633.0245 State Fire Marshal Nursing Home Fire Protection  
 89 Loan Guarantee Program.--

90 (9) No application for participation in the State Fire  
 91 Marshal Nursing Home Fire Protection Loan Guarantee Program may  
 92 be accepted by the State Fire Marshal after July 1, 2009 ~~June~~  
 93 ~~30, 2006.~~

94 Section 4. Subsection (12) is added to section 633.0215,  
 95 Florida Statutes, to read:

96 633.0215 Florida Fire Prevention Code.--

97 (12) Notwithstanding other provisions of this section, the  
 98 State Fire Marshal shall study the use of managed, facilities-  
 99 based, voice-over-Internet-protocol telephone service for  
 100 monitoring fire alarm signals. If the study determines that  
 101 voice-over-Internet-protocol telephone service technology  
 102 provides a level of protection equivalent to that required by  
 103 NFPA 72: National Fire Alarm Code, the State Fire Marshal shall  
 104 initiate rulemaking pursuant to ss. 120.536(1) and 120.54 by  
 105 December 1, 2008, to allow the use of this technology as an  
 106 additional method of monitoring fire alarm systems.

107 Section 5. Section 633.027, Florida Statutes, is created  
 108 to read:

109 633.027 Buildings with light-frame truss-type  
 110 construction; notice requirements; enforcement.--

ENROLLED

CS/HB 727, Engrossed 1

2008 Legislature

111       (1) The owner of any commercial or industrial structure,  
 112 or any multiunit residential structure of three units or more,  
 113 that uses light-frame truss-type construction shall mark the  
 114 structure with a sign or symbol approved by the State Fire  
 115 Marshal in a manner sufficient to warn persons conducting fire  
 116 control and other emergency operations of the existence of  
 117 light-frame truss-type construction in the structure.

118       (2) The State Fire Marshal shall adopt rules necessary to  
 119 implement the provisions of this section, including, but not  
 120 limited to:

121           (a) The dimensions and color of such sign or symbol.

122           (b) The time within which commercial, industrial, and  
 123 multiunit residential structures that use light-frame truss-type  
 124 construction shall be marked as required by this section.

125           (c) The location on each commercial, industrial, and  
 126 multiunit residential structure that uses light-frame truss-type  
 127 construction where such sign or symbol must be posted.

128       (3) The State Fire Marshal, and local fire officials in  
 129 accordance with s. 633.121, shall enforce the provisions of this  
 130 section. Any owner who fails to comply with the requirements of  
 131 this section is subject to penalties as provided in s. 633.161.

132       Section 6. This act shall take effect July 1, 2008.