

By the Committee on Community Affairs; and Senator Hays

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1 A bill to be entitled
2 An act relating to firesafety devices; amending s.
3 633.025, F.S.; requiring certain battery-operated
4 smoke alarms to meet specified standards; providing
5 for applicability; conforming cross-references;
6 providing an effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

9
10 Section 1. Subsections (9), (10), and (11) of section
11 633.025, Florida Statutes, are amended to read:

12 633.025 Minimum firesafety standards.—

13 (9) Effective January 1, 2014, any battery-operated smoke
14 alarm that is newly installed or replaces an existing smoke
15 alarm must be powered by a nonreplaceable, nonremovable battery
16 capable of powering the smoke alarm for at least 10 years. This
17 subsection does not apply to an electrically operated smoke
18 alarm, a fire alarm system with a smoke detector, a fire alarm
19 device that connects to a panel, or any similar device that uses
20 a low-power radio frequency wireless communication signal.

21 (10)~~(9)~~ The provisions of the Life Safety Code do ~~shall~~ not
22 apply to newly constructed one-family and two-family dwellings.
23 However, fire sprinkler protection may be permitted by local
24 government in lieu of other fire protection-related development
25 requirements for such structures. While local governments may
26 adopt fire sprinkler requirements for one- and two-family
27 dwellings under this subsection, it is the intent of the
28 Legislature that the economic consequences of the fire sprinkler
29 mandate on home owners be studied before the enactment of such a

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30 requirement. After the effective date of this act, any local
31 government that desires to adopt a fire sprinkler requirement on
32 one- or two-family dwellings must prepare an economic cost and
33 benefit report that analyzes the application of fire sprinklers
34 to one- or two-family dwellings or any proposed residential
35 subdivision. The report must consider the tradeoffs and specific
36 cost savings and benefits of fire sprinklers for future owners
37 of property. The report must include an assessment of the cost
38 savings from any reduced or eliminated impact fees if
39 applicable, the reduction in special fire district tax,
40 insurance fees, and other taxes or fees imposed, and the waiver
41 of certain infrastructure requirements including the reduction
42 of roadway widths, the reduction of water line sizes, increased
43 fire hydrant spacing, increased dead-end roadway length and a
44 reduction in cul-de-sac sizes relative to the costs from fire
45 sprinkling. A failure to prepare an economic report shall result
46 in the invalidation of the fire sprinkler requirement to any
47 one- or two-family dwelling or any proposed subdivision. In
48 addition, a local jurisdiction or utility may not charge any
49 additional fee, above what is charged to a non-fire sprinklered
50 dwelling, on the basis that a one- or two-family dwelling unit
51 is protected by a fire sprinkler system.

52 (11)~~(10)~~ Before imposing a fire sprinkler requirement on
53 any one- or two-family dwelling, a local government must provide
54 the owner of any one- or two-family dwelling a letter
55 documenting specific infrastructure or other tax or fee
56 allowances and waivers that are listed in but not limited to
57 those described in subsection (10) ~~(9)~~ for the dwelling. The
58 documentation must show that the cost savings reasonably

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59 approximate the cost of the purchase and installation of a fire
60 protection system.

61 (12)~~(11)~~ Notwithstanding ~~the provisions of~~ subsection (10)
62 ~~(9)~~, a property owner is ~~shall~~ not ~~be~~ required to install fire
63 sprinklers in any residential property based upon the use of
64 such property as a rental property or any change in or
65 reclassification of the property's primary use to a rental
66 property.

67 Section 2. This act shall take effect July 1, 2013.