



LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/3R	.	Floor: SEN1/C
04/30/2013 04:48 PM	.	05/02/2013 11:36 AM
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Senators Detert and Simpson moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 125.022, Florida Statutes, is amended to  
read:

125.022 Development permits.—When a county denies an  
application for a development permit, the county shall give  
written notice to the applicant. The notice must include a  
citation to the applicable portions of an ordinance, rule,  
statute, or other legal authority for the denial of the permit.  
As used in this section, the term “development permit” has the  
same meaning as in s. 163.3164. For any development permit



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14 application filed with the county after July 1, 2012, a county  
15 may not require as a condition of processing or issuing a  
16 development permit that an applicant obtain a permit or approval  
17 from any state or federal agency unless the agency has issued a  
18 final agency action that denies the federal or state permit  
19 before the county action on the local development permit.  
20 Issuance of a development permit by a county does not in any way  
21 create any rights on the part of the applicant to obtain a  
22 permit from a state or federal agency and does not create any  
23 liability on the part of the county for issuance of the permit  
24 if the applicant fails to obtain requisite approvals or fulfill  
25 the obligations imposed by a state or federal agency or  
26 undertakes actions that result in a violation of state or  
27 federal law. A county shall ~~may~~ attach such a disclaimer to the  
28 issuance of a development permit and shall ~~may~~ include a permit  
29 condition that all other applicable state or federal permits be  
30 obtained before commencement of the development. This section  
31 does not prohibit a county from providing information to an  
32 applicant regarding what other state or federal permits may  
33 apply.

34 Section 2. Section 162.12, Florida Statutes, is amended to  
35 read:

36 162.12 Notices.—

37 (1) All notices required by this part must be provided to  
38 the alleged violator by:

39 (a) Certified mail, return receipt requested, to the  
40 address listed in the tax collector's office for tax notices, or  
41 to the address listed in the county property appraiser's  
42 database. The local government may also provide an additional



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43 notice to any other address it may find for ~~provided by the~~  
44 ~~property owner in writing to the local government for the~~  
45 ~~purpose of receiving notices.~~ For property owned by a  
46 corporation, notices may be provided by certified mail to the  
47 registered agent of the corporation. If any notice sent by  
48 certified mail is not signed as received within 30 days after  
49 the postmarked date of mailing, notice may be provided by  
50 posting as described in subparagraphs (2)(b)1. and 2.;

51 (b) Hand delivery by the sheriff or other law enforcement  
52 officer, code inspector, or other person designated by the local  
53 governing body;

54 (c) Leaving the notice at the violator's usual place of  
55 residence with any person residing therein who is above 15 years  
56 of age and informing such person of the contents of the notice;  
57 or

58 (d) In the case of commercial premises, leaving the notice  
59 with the manager or other person in charge.

60 (2) In addition to providing notice as set forth in  
61 subsection (1), at the option of the code enforcement board or  
62 the local government, notice may ~~also~~ be served by publication  
63 or posting, as follows:

64 (a)1. Such notice shall be published once during each week  
65 for 4 consecutive weeks (four publications being sufficient) in  
66 a newspaper of general circulation in the county where the code  
67 enforcement board is located. The newspaper shall meet such  
68 requirements as are prescribed under chapter 50 for legal and  
69 official advertisements.

70 2. Proof of publication shall be made as provided in ss.  
71 50.041 and 50.051.



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72 (b)1. In lieu of publication as described in paragraph (a),  
73 such notice may be posted at least 10 days prior to the hearing,  
74 or prior to the expiration of any deadline contained in the  
75 notice, in at least two locations, one of which shall be the  
76 property upon which the violation is alleged to exist and the  
77 other of which shall be, in the case of municipalities, at the  
78 primary municipal government office, and in the case of  
79 counties, at the front door of the courthouse or the main county  
80 governmental center in said county.

81 2. Proof of posting shall be by affidavit of the person  
82 posting the notice, which affidavit shall include a copy of the  
83 notice posted and the date and places of its posting.

84 (c) Notice by publication or posting may run concurrently  
85 with, or may follow, an attempt or attempts to provide notice by  
86 hand delivery or by mail as required under subsection (1).

87  
88 Evidence that an attempt has been made to hand deliver or mail  
89 notice as provided in subsection (1), together with proof of  
90 publication or posting as provided in subsection (2), shall be  
91 sufficient to show that the notice requirements of this part  
92 have been met, without regard to whether or not the alleged  
93 violator actually received such notice.

94 Section 3. Section 166.033, Florida Statutes, is amended to  
95 read:

96 166.033 Development permits.—When a municipality denies an  
97 application for a development permit, the municipality shall  
98 give written notice to the applicant. The notice must include a  
99 citation to the applicable portions of an ordinance, rule,  
100 statute, or other legal authority for the denial of the permit.



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101 As used in this section, the term "development permit" has the  
102 same meaning as in s. 163.3164. For any development permit  
103 application filed with the municipality after July 1, 2012, a  
104 municipality may not require as a condition of processing or  
105 issuing a development permit that an applicant obtain a permit  
106 or approval from any state or federal agency unless the agency  
107 has issued a final agency action that denies the federal or  
108 state permit before the municipal action on the local  
109 development permit. Issuance of a development permit by a  
110 municipality does not in any way create any right on the part of  
111 an applicant to obtain a permit from a state or federal agency  
112 and does not create any liability on the part of the  
113 municipality for issuance of the permit if the applicant fails  
114 to obtain requisite approvals or fulfill the obligations imposed  
115 by a state or federal agency or undertakes actions that result  
116 in a violation of state or federal law. A municipality shall ~~may~~  
117 attach such a disclaimer to the issuance of development permits  
118 and shall ~~may~~ include a permit condition that all other  
119 applicable state or federal permits be obtained before  
120 commencement of the development. This section does not prohibit  
121 a municipality from providing information to an applicant  
122 regarding what other state or federal permits may apply.

123 Section 4. Subsection (3) of section 255.20, Florida  
124 Statutes, is amended to read:

125 255.20 Local bids and contracts for public construction  
126 works; specification of state-produced lumber.—

127 (3) (a) All county officials, boards of county  
128 commissioners, school boards, city councils, city commissioners,  
129 and all other public officers of state boards or commissions



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130 that are charged with the letting of contracts for public work,  
131 for the construction of public bridges, buildings, and other  
132 structures must specify in the contract lumber, timber, and  
133 other forest products produced and manufactured in this state,  
134 if wood is a component of the public work, and if such products  
135 are available and their price, fitness, and quality are equal.

136 (b) This subsection does not apply:

137 1. To plywood specified for monolithic concrete forms.

138 2. If the structural or service requirements for timber for  
139 a particular job cannot be supplied by native species.

140 3. If the construction is financed in whole or in part from  
141 federal funds with the requirement that there be no restrictions  
142 as to species or place of manufacture.

143 4. To transportation projects for which federal aid funds  
144 are available.

145 Section 5. Subsection (4) is added to section 255.2575,  
146 Florida Statutes, to read:

147 255.2575 Energy-efficient and sustainable buildings.-

148 (4) (a) All state agencies, county officials, boards of  
149 county commissioners, school boards, city councils, city  
150 commissioners, and all other public officers of state boards or  
151 commissions that are charged with the letting of contracts for  
152 public work, for the construction of public bridges, buildings,  
153 and other structures must specify in the contract lumber,  
154 timber, and other forest products produced and manufactured in  
155 this state, if wood is a component of the public work, and if  
156 such products are available and their price, fitness, and  
157 quality are equal.

158 (b) This subsection does not apply:



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159           1. To plywood specified for monolithic concrete forms.

160           2. If the structural or service requirements for timber for  
161 a particular job cannot be supplied by native species.

162           3. If the construction is financed in whole or in part from  
163 federal funds with the requirement that there be no restrictions  
164 as to species or place of manufacture.

165           4. To transportation projects for which federal aid funds  
166 are available.

167           Section 6. Paragraph (a) of subsection (4) of section  
168 255.257, Florida Statutes, is amended to read:

169           255.257 Energy management; buildings occupied by state  
170 agencies.—

171           (4) ADOPTION OF STANDARDS.—

172           (a) Each ~~All~~ state agency ~~agencies~~ shall use ~~adopt~~ a  
173 sustainable building rating system or ~~use~~ a national model green  
174 building code for each ~~all~~ new building ~~buildings~~ and renovation  
175 ~~renovations~~ to an existing building ~~buildings~~.

176           Section 7. Paragraph (aa) of subsection (4) of section  
177 381.0065, Florida Statutes, is amended to read:

178           381.0065 Onsite sewage treatment and disposal systems;  
179 regulation.—

180           (4) PERMITS; INSTALLATION; AND CONDITIONS.—A person may not  
181 construct, repair, modify, abandon, or operate an onsite sewage  
182 treatment and disposal system without first obtaining a permit  
183 approved by the department. The department may issue permits to  
184 carry out this section, but shall not make the issuance of such  
185 permits contingent upon prior approval by the Department of  
186 Environmental Protection, except that the issuance of a permit  
187 for work seaward of the coastal construction control line



188 established under s. 161.053 shall be contingent upon receipt of  
189 any required coastal construction control line permit from the  
190 Department of Environmental Protection. A construction permit is  
191 valid for 18 months from the issuance date and may be extended  
192 by the department for one 90-day period under rules adopted by  
193 the department. A repair permit is valid for 90 days from the  
194 date of issuance. An operating permit must be obtained prior to  
195 the use of any aerobic treatment unit or if the establishment  
196 generates commercial waste. Buildings or establishments that use  
197 an aerobic treatment unit or generate commercial waste shall be  
198 inspected by the department at least annually to assure  
199 compliance with the terms of the operating permit. The operating  
200 permit for a commercial wastewater system is valid for 1 year  
201 from the date of issuance and must be renewed annually. The  
202 operating permit for an aerobic treatment unit is valid for 2  
203 years from the date of issuance and must be renewed every 2  
204 years. If all information pertaining to the siting, location,  
205 and installation conditions or repair of an onsite sewage  
206 treatment and disposal system remains the same, a construction  
207 or repair permit for the onsite sewage treatment and disposal  
208 system may be transferred to another person, if the transferee  
209 files, within 60 days after the transfer of ownership, an  
210 amended application providing all corrected information and  
211 proof of ownership of the property. There is no fee associated  
212 with the processing of this supplemental information. A person  
213 may not contract to construct, modify, alter, repair, service,  
214 abandon, or maintain any portion of an onsite sewage treatment  
215 and disposal system without being registered under part III of  
216 chapter 489. A property owner who personally performs





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217 construction, maintenance, or repairs to a system serving his or  
218 her own owner-occupied single-family residence is exempt from  
219 registration requirements for performing such construction,  
220 maintenance, or repairs on that residence, but is subject to all  
221 permitting requirements. A municipality or political subdivision  
222 of the state may not issue a building or plumbing permit for any  
223 building that requires the use of an onsite sewage treatment and  
224 disposal system unless the owner or builder has received a  
225 construction permit for such system from the department. A  
226 building or structure may not be occupied and a municipality,  
227 political subdivision, or any state or federal agency may not  
228 authorize occupancy until the department approves the final  
229 installation of the onsite sewage treatment and disposal system.  
230 A municipality or political subdivision of the state may not  
231 approve any change in occupancy or tenancy of a building that  
232 uses an onsite sewage treatment and disposal system until the  
233 department has reviewed the use of the system with the proposed  
234 change, approved the change, and amended the operating permit.

235 (aa) An existing-system inspection or evaluation and  
236 assessment, or a modification, replacement, or upgrade of an  
237 onsite sewage treatment and disposal system is not required for  
238 a remodeling addition or modification to a single-family home if  
239 a bedroom is not added. However, a remodeling addition or  
240 modification to a single-family home may not cover any part of  
241 the existing system or encroach upon a required setback or the  
242 unobstructed area. To determine if a setback or the unobstructed  
243 area is impacted, the local health department shall review and  
244 verify a floor plan and site plan of the proposed remodeling  
245 addition or modification to the home submitted by a remodeler



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246 which shows the location of the system, including the distance  
247 of the remodeling addition or modification to the home from the  
248 onsite sewage treatment and disposal system. The local health  
249 department may visit the site or otherwise determine the best  
250 means of verifying the information submitted. A verification of  
251 the location of a system is not an inspection or evaluation and  
252 assessment of the system. The review and verification must be  
253 completed within 7 business days after receipt by the local  
254 health department of a floor plan and site plan. If the review  
255 and verification is not completed within such time, the  
256 remodeling addition or modification to the single-family home,  
257 for the purposes of this paragraph, is approved.

258 Section 8. The amendments to s. 489.113(2), Florida  
259 Statutes, by section 11 of chapter 2012-13, Laws of Florida, are  
260 remedial in nature and intended to clarify existing law. This  
261 section applies retroactively to any action initiated or pending  
262 on or after March 23, 2012.

263 Section 9. Paragraphs (c) and (f) of subsection (5) and  
264 subsection (6) of section 489.127, Florida Statutes, are amended  
265 to read:

266 489.127 Prohibitions; penalties.—

267 (5) Each county or municipality may, at its option,  
268 designate one or more of its code enforcement officers, as  
269 defined in chapter 162, to enforce, as set out in this  
270 subsection, the provisions of subsection (1) and s. 489.132(1)  
271 against persons who engage in activity for which a county or  
272 municipal certificate of competency or license or state  
273 certification or registration is required.

274 (c) The local governing body of the county or municipality



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275 ~~may is authorized to~~ enforce codes and ordinances against  
276 unlicensed contractors under the provisions of this subsection  
277 and may enact an ordinance establishing procedures for  
278 implementing this subsection, including a schedule of penalties  
279 to be assessed by the code enforcement officer. The maximum  
280 civil penalty which may be levied ~~may shall~~ not exceed \$2,000  
281 ~~\$500~~. Moneys collected pursuant to this subsection shall be  
282 retained locally, as provided for by local ordinance, and may be  
283 set aside in a specific fund to support future enforcement  
284 activities against unlicensed contractors.

285 (f) If the enforcement or licensing board or designated  
286 special magistrate finds that a violation exists, the  
287 enforcement or licensing board or designated special magistrate  
288 may order the violator to pay a civil penalty of not less than  
289 the amount set forth on the citation but not more than \$2,500  
290 ~~\$1,000~~ per day for each violation. In determining the amount of  
291 the penalty, the enforcement or licensing board or designated  
292 special magistrate shall consider the following factors:

- 293 1. The gravity of the violation.
- 294 2. Any actions taken by the violator to correct the  
295 violation.
- 296 3. Any previous violations committed by the violator.

297 (6) Local building departments may collect outstanding  
298 fines against registered or certified contractors issued by the  
299 Construction Industry Licensing Board and may retain 75 ~~25~~  
300 percent of the fines they are able to collect, provided that  
301 they transmit 25 ~~75~~ percent of the fines they are able to  
302 collect to the department according to a procedure to be  
303 determined by the department.



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304 Section 10. Paragraph (a) of subsection (7) of section  
305 489.131, Florida Statutes, is amended to read:

306 489.131 Applicability.—

307 (7) (a) It is the policy of the state that the purpose of  
308 regulation is to protect the public by attaining compliance with  
309 the policies established in law. Fines and other penalties are  
310 provided in order to ensure compliance; ~~however, the collection~~  
311 ~~of fines and the imposition of penalties are intended to be~~  
312 ~~secondary to the primary goal of attaining compliance with state~~  
313 ~~laws and local jurisdiction ordinances. It is the intent of the~~  
314 ~~Legislature that a local jurisdiction agency charged with~~  
315 ~~enforcing regulatory laws shall issue a notice of noncompliance~~  
316 ~~as its first response to a minor violation of a regulatory law~~  
317 ~~in any instance in which it is reasonable to assume that the~~  
318 ~~violator was unaware of such a law or unclear as to how to~~  
319 ~~comply with it. A violation of a regulatory law is a "minor~~  
320 ~~violation" if it does not result in economic or physical harm to~~  
321 ~~a person or adversely affect the public health, safety, or~~  
322 ~~welfare or create a significant threat of such harm. A "notice~~  
323 ~~of noncompliance" is a notification by the local jurisdiction~~  
324 ~~agency charged with enforcing the ordinance, which is issued to~~  
325 ~~the licensee that is subject to the ordinance. A notice of~~  
326 ~~noncompliance should not be accompanied with a fine or other~~  
327 ~~disciplinary penalty. It should identify the specific ordinance~~  
328 ~~that is being violated, provide information on how to comply~~  
329 ~~with the ordinance, and specify a reasonable time for the~~  
330 ~~violator to comply with the ordinance. Failure of a licensee to~~  
331 ~~take action correcting the violation within a set period of time~~  
332 ~~would then result in the institution of further disciplinary~~



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333 ~~proceedings.~~

334 Section 11. Section 489.514, Florida Statutes, is amended  
335 to read:

336 489.514 Certification for registered contractors;  
337 grandfathering provisions.—

338 (1) The board shall, upon receipt of a completed  
339 application, appropriate fee, and proof of compliance with the  
340 provisions of this section, issue:

341 (a) To an applying registered electrical contractor, a  
342 certificate as an electrical contractor, as defined in s.  
343 489.505(12); ~~or~~

344 (b) To an applying registered alarm system contractor, a  
345 certificate in the matching alarm system contractor category, as  
346 defined in s. 489.505(2) (a) or (b); or

347 (c) To an applying registered electrical specialty  
348 contractor, a certificate in the matching electrical specialty  
349 contractor category, as defined in s. 489.505(19).

350 (2) Any contractor registered under this part who makes  
351 application under this section to the board shall meet each of  
352 the following requirements for certification:

353 (a) Currently holds a valid registered local license in the  
354 category of electrical contractor, alarm system contractor, or  
355 electrical specialty contractor.

356 (b) Has, for that category, passed a written, proctored  
357 examination that the board finds to be substantially similar to  
358 the examination required to be licensed as a certified  
359 contractor under this part. For purposes of this subsection, a  
360 written, proctored examination such as that produced by the  
361 National Assessment Institute, Block and Associates, NAI/Block,



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362    Experior Assessments, Professional Testing, Inc., or Assessment  
363    Systems, Inc., shall be considered to be substantially similar  
364    to the examination required to be licensed as a certified  
365    contractor. The board may not impose or make any requirements  
366    regarding the nature or content of these cited examinations.

367           (c) Has at least 5 years of experience as a contractor in  
368    that contracting category, or as an inspector or building  
369    administrator with oversight over that category, at the time of  
370    application. For contractors, only time periods in which the  
371    contractor license is active and the contractor is not on  
372    probation shall count toward the 5 years required under this  
373    subsection.

374           (d) Has not had his or her contractor's license revoked at  
375    any time, had his or her contractor's license suspended in the  
376    last 5 years, or been assessed a fine in excess of \$500 in the  
377    last 5 years.

378           (e) Is in compliance with the insurance and financial  
379    responsibility requirements in s. 489.515(1)(b).

380           (3) An applicant must make application by November 1, 2015  
381    ~~2004~~, to be licensed pursuant to this section.

382           Section 12. Paragraph (c) and (f) of subsection (4) of  
383    section 489.531, Florida Statutes, are amended to read:

384           489.531 Prohibitions; penalties.—

385           (4) Each county or municipality may, at its option,  
386    designate one or more of its code enforcement officers, as  
387    defined in chapter 162, to enforce, as set out in this  
388    subsection, the provisions of subsection (1) against persons who  
389    engage in activity for which county or municipal certification  
390    is required.



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391 (c) The local governing body of the county or municipality  
392 ~~may is authorized to~~ enforce codes and ordinances against  
393 unlicensed contractors under the provisions of this section and  
394 may enact an ordinance establishing procedures for implementing  
395 this section, including a schedule of penalties to be assessed  
396 by the code enforcement officers. The maximum civil penalty  
397 which may be levied ~~may shall~~ not exceed \$2,000 ~~\$500~~. Moneys  
398 collected pursuant to this section shall be retained locally as  
399 provided for by local ordinance and may be set aside in a  
400 specific fund to support future enforcement activities against  
401 unlicensed contractors.

402 (f) If the enforcement or licensing board or designated  
403 special magistrate finds that a violation exists, the  
404 enforcement or licensing board or designated special magistrate  
405 may order the violator to pay a civil penalty of not less than  
406 the amount set forth on the citation but not more than \$2,500  
407 ~~\$500~~ per day for each violation. In determining the amount of  
408 the penalty, the enforcement or licensing board or designated  
409 special magistrate shall consider the following factors:

- 410 1. The gravity of the violation.
- 411 2. Any actions taken by the violator to correct the  
412 violation.
- 413 3. Any previous violations committed by the violator.

414 Section 13. Present subsections (6) through (11) of section  
415 553.71, Florida Statutes, are redesignated as subsections (7)  
416 through (12), respectively, and a new subsection (6) is added to  
417 that section, to read:

418 553.71 Definitions.—As used in this part, the term:

419 (6) "Local technical amendment" means an action by a local



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420 governing authority that results in a technical change to the  
421 Florida Building Code and its local enforcement.

422 Section 14. Subsection (17) of section 553.73, Florida  
423 Statutes, is amended to read:

424 553.73 Florida Building Code.—

425 (17) A provision ~~The provisions of section R313 of the most~~  
426 ~~current version~~ of the International Residential Code relating  
427 to mandated fire sprinklers may not be incorporated into the  
428 Florida Building Code as adopted by the Florida Building  
429 Commission and may not be adopted as a local amendment to the  
430 Florida Building Code. This subsection does not prohibit the  
431 application of cost-saving incentives for residential fire  
432 sprinklers that are authorized in the International Residential  
433 Code upon a mutual agreement between the builder and the code  
434 official. This subsection does not apply to a local government  
435 that has a lawfully adopted ordinance relating to fire  
436 sprinklers which has been in effect since January 1, 2010.

437 Section 15. Subsection (1) of section 553.74, Florida  
438 Statutes, is amended to read:

439 553.74 Florida Building Commission.—

440 (1) The Florida Building Commission is created and located  
441 within the Department of Business and Professional Regulation  
442 for administrative purposes. Members are ~~shall be~~ appointed by  
443 the Governor subject to confirmation by the Senate. The  
444 commission is ~~shall be~~ composed of 26 ~~25~~ members, consisting of  
445 the following:

446 (a) One architect registered to practice in this state and  
447 actively engaged in the profession. The American Institute of  
448 Architects, Florida Section, is encouraged to recommend a list





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449 of candidates for consideration.

450 (b) One structural engineer registered to practice in this  
451 state and actively engaged in the profession. The Florida  
452 Engineering Society is encouraged to recommend a list of  
453 candidates for consideration.

454 (c) One air-conditioning or mechanical contractor certified  
455 to do business in this state and actively engaged in the  
456 profession. The Florida Air Conditioning Contractors  
457 Association, the Florida Refrigeration and Air Conditioning  
458 Contractors Association, and the Mechanical Contractors  
459 Association of Florida are encouraged to recommend a list of  
460 candidates for consideration.

461 (d) One electrical contractor certified to do business in  
462 this state and actively engaged in the profession. The Florida  
463 Electrical Contractors Association and the National Electrical  
464 Contractors Association, Florida Chapter, are encouraged to  
465 recommend a list of candidates for consideration.

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

471 (f) One general contractor certified to do business in this  
472 state and actively engaged in the profession. The Associated  
473 Builders and Contractors of Florida, the Florida Associated  
474 General Contractors Council, and the Union Contractors  
475 Association are encouraged to recommend a list of candidates for  
476 consideration.

477 (g) One plumbing contractor licensed to do business in this



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478 state and actively engaged in the profession. The Florida  
479 Association of Plumbing, Heating, and Cooling Contractors is  
480 encouraged to recommend a list of candidates for consideration.

481 (h) One roofing or sheet metal contractor certified to do  
482 business in this state and actively engaged in the profession.  
483 The Florida Roofing, Sheet Metal, and Air Conditioning  
484 Contractors Association and the Sheet Metal and Air Conditioning  
485 Contractors National Association are encouraged to recommend a  
486 list of candidates for consideration.

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

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

496 (k) One member who represents the Department of Financial  
497 Services.

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

501 (m) One member of a Florida-based organization of persons  
502 with disabilities or a nationally chartered organization of  
503 persons with disabilities with chapters in this state.

504 (n) One member of the manufactured buildings industry who  
505 is licensed to do business in this state and is actively engaged  
506 in the industry. The Florida Manufactured Housing Association is



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507 encouraged to recommend a list of candidates for consideration.

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

512 (p) One member who is a representative of a municipality or  
513 a charter county. The Florida League of Cities and the Florida  
514 Association of Counties are encouraged to recommend a list of  
515 candidates for consideration.

516 (q) One member of the building products manufacturing  
517 industry who is authorized to do business in this state and is  
518 actively engaged in the industry. The Florida Building Material  
519 Association, the Florida Concrete and Products Association, and  
520 the Fenestration Manufacturers Association are encouraged to  
521 recommend a list of candidates for consideration.

522 (r) One member who is a representative of the building  
523 owners and managers industry who is actively engaged in  
524 commercial building ownership or management. The Building Owners  
525 and Managers Association is encouraged to recommend a list of  
526 candidates for consideration.

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

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

531 (u) One member who is a swimming pool contractor licensed  
532 to do business in this state and actively engaged in the  
533 profession. The Florida Swimming Pool Association and the United  
534 Pool and Spa Association are encouraged to recommend a list of  
535 candidates for consideration.



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536 (v) One member who is a representative of the green  
537 building industry and who is a third-party commission agent, a  
538 Florida board member of the United States Green Building Council  
539 or Green Building Initiative, a professional who is accredited  
540 under the International Green Construction Code (IGCC), or a  
541 professional who is accredited under Leadership in Energy and  
542 Environmental Design (LEED).

543 (w) One member who is a representative of a natural gas  
544 distribution system and who is actively engaged in the  
545 distribution of natural gas in this state. The Florida Natural  
546 Gas Association is encouraged to recommend a list of candidates  
547 for consideration.

548 (x) ~~(w)~~ One member who shall be the chair.

549  
550 Any person serving on the commission under paragraph (c) or  
551 paragraph (h) on October 1, 2003, and who has served less than  
552 two full terms is eligible for reappointment to the commission  
553 regardless of whether he or she meets the new qualification.

554 Section 16. Paragraph (a) of subsection (5) of section  
555 553.79, Florida Statutes, is amended, and subsection (18) is  
556 added to that section, to read:

557 553.79 Permits; applications; issuance; inspections.-

558 (5) (a) The enforcing agency shall require a special  
559 inspector to perform structural inspections on a threshold  
560 building pursuant to a structural inspection plan prepared by  
561 the engineer or architect of record. The structural inspection  
562 plan must be submitted to and approved by the enforcing agency  
563 before ~~prior to~~ the issuance of a building permit for the  
564 construction of a threshold building. The purpose of the



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565 structural inspection plan is to provide specific inspection  
566 procedures and schedules so that the building can be adequately  
567 inspected for compliance with the permitted documents. The  
568 special inspector may not serve as a surrogate in carrying out  
569 the responsibilities of the building official, the architect, or  
570 the engineer of record. The contractor's contractual or  
571 statutory obligations are not relieved by any action of the  
572 special inspector. The special inspector shall determine that a  
573 professional engineer who specializes in shoring design has  
574 inspected the shoring and reshoring for conformance with the  
575 shoring and reshoring plans submitted to the enforcing agency. A  
576 fee simple title owner of a building, which does not meet the  
577 minimum size, height, occupancy, occupancy classification, or  
578 number-of-stories criteria which would result in classification  
579 as a threshold building under s. 553.71(12) ~~553.71(11)~~, may  
580 designate such building as a threshold building, subject to more  
581 than the minimum number of inspections required by the Florida  
582 Building Code.

583 (18) For the purpose of inspection and record retention,  
584 site plans for a building may be maintained in the form of an  
585 electronic copy at the worksite. These plans must be open to  
586 inspection by the building official or a duly authorized  
587 representative, as required by the Florida Building Code.

588 Section 17. Paragraph (a) of subsection (5) of section  
589 553.842, Florida Statutes, is amended to read:

590 553.842 Product evaluation and approval.—

591 (5) Statewide approval of products, methods, or systems of  
592 construction may be achieved by one of the following methods.  
593 One of these methods must be used by the commission to approve



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594 the following categories of products: panel walls, exterior  
595 doors, roofing, skylights, windows, shutters, impact protective  
596 systems, and structural components as established by the  
597 commission by rule. A product may not be advertised, sold,  
598 offered, provided, distributed, or marketed as hurricane,  
599 windstorm, or impact protection from wind-borne debris from a  
600 hurricane or windstorm unless it is approved pursuant to this  
601 section or s. 553.8425. Any person who advertises, sells,  
602 offers, provides, distributes, or markets a product as  
603 hurricane, windstorm, or impact protection from wind-borne  
604 debris without such approval is subject to the Florida Deceptive  
605 and Unfair Trade Practices Act under part II of chapter 501  
606 brought by the enforcing authority as defined in s. 501.203.

607 (a) Products for which the code establishes standardized  
608 testing or comparative or rational analysis methods shall be  
609 approved by submittal and validation of one of the following  
610 reports or listings indicating that the product or method or  
611 system of construction was in compliance with the Florida  
612 Building Code and that the product or method or system of  
613 construction is, for the purpose intended, at least equivalent  
614 to that required by the Florida Building Code:

- 615 1. A certification mark or listing of an approved  
616 certification agency, which may be used only for products for  
617 which the code designates standardized testing;
- 618 2. A test report from an approved testing laboratory;
- 619 3. A product evaluation report based upon testing or  
620 comparative or rational analysis, or a combination thereof, from  
621 an approved product evaluation entity; or
- 622 4. A product evaluation report based upon testing or



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623 comparative or rational analysis, or a combination thereof,  
624 developed and signed and sealed by a professional engineer or  
625 architect, licensed in this state.

626  
627 A product evaluation report or a certification mark or listing  
628 of an approved certification agency which demonstrates that the  
629 product or method or system of construction complies with the  
630 Florida Building Code for the purpose intended is equivalent to  
631 a test report and test procedure referenced in the Florida  
632 Building Code. An application for state approval of a product  
633 under subparagraph 1. or 3. must be approved by the department  
634 after the commission staff or a designee verifies that the  
635 application and related documentation are complete. This  
636 verification must be completed within 10 business days after  
637 receipt of the application. Upon approval by the department, the  
638 product shall be immediately added to the list of state-approved  
639 products maintained under subsection (13). Approvals by the  
640 department shall be reviewed and ratified by the commission's  
641 program oversight committee except for a showing of good cause  
642 that a review by the full commission is necessary. The  
643 commission shall adopt rules providing means to cure  
644 deficiencies identified within submittals for products approved  
645 under this paragraph.

646 Section 18. Section 553.901, Florida Statutes, is amended  
647 to read:

648 553.901 Purpose of thermal efficiency code.—The Department  
649 of Business and Professional Regulation shall prepare a thermal  
650 efficiency code to provide for a statewide uniform standard for  
651 energy efficiency in the thermal design and operation of all



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652 buildings statewide, consistent with energy conservation goals,  
653 and to best provide for public safety, health, and general  
654 welfare. The Florida Building Commission shall adopt the Florida  
655 Building Code-Energy Conservation ~~Florida Energy Efficiency Code~~  
656 ~~for Building Construction within the Florida Building Code~~, and  
657 shall modify, revise, update, and maintain the code to implement  
658 the provisions of this thermal efficiency code and amendments  
659 thereto, in accordance with the procedures of chapter 120. The  
660 department shall, at least triennially, determine the most cost-  
661 effective energy-saving equipment and techniques available and  
662 report its determinations to the commission, which shall update  
663 the code to incorporate such equipment and techniques. The  
664 proposed changes shall be made available for public review and  
665 comment no later than 6 months before ~~prior to~~ code  
666 implementation. The term "cost-effective," as used in ~~for the~~  
667 ~~purposes of~~ this part, means ~~shall be construed to mean~~ cost-  
668 effective to the consumer.

669 Section 19. Section 553.902, Florida Statutes, is reordered  
670 and amended to read:

671 553.902 Definitions. As used in ~~For the purposes of~~ this  
672 part, the term:

673 (2) ~~(1)~~ "Exempted building" means:

674 (a) A ~~Any~~ building or portion thereof whose peak design  
675 rate of energy usage for all purposes is less than 1 watt (3.4  
676 Btu per hour) per square foot of floor area for all purposes.

677 (b) A ~~Any~~ building that ~~which~~ is neither heated nor cooled  
678 by a mechanical system designed to control or modify the indoor  
679 temperature and powered by electricity or fossil fuels.

680 (c) A ~~Any~~ building for which federal mandatory standards





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681 preempt state energy codes.

682 (d) A ~~Any~~ historical building as described in s.  
683 267.021(3).

684  
685 The Florida Building Commission may recommend to the Legislature  
686 additional types of buildings which should be exempted from  
687 compliance with the Florida Building Code-Energy Conservation  
688 ~~Florida Energy Efficiency Code for Building Construction~~.

689 (4) ~~(2)~~ "HVAC" means a system of heating, ventilating, and  
690 air-conditioning.

691 (6) ~~(3)~~ "Renovated building" means a residential or  
692 nonresidential building undergoing alteration that varies or  
693 changes insulation, HVAC systems, water heating systems, or  
694 exterior envelope conditions, if provided the estimated cost of  
695 renovation exceeds 30 percent of the assessed value of the  
696 structure.

697 (5) ~~(4)~~ "Local enforcement agency" means the agency of local  
698 government which has the authority to make inspections of  
699 buildings and to enforce the Florida Building Code. The term ~~It~~  
700 includes any agency within the definition of s. 553.71(5).

701 (3) ~~(5)~~ "Exterior envelope physical characteristics" means  
702 the physical nature of those elements of a building which  
703 enclose conditioned spaces through which energy may be  
704 transferred to or from the exterior.

705 (1) ~~(6)~~ "Energy performance level" means the indicator of  
706 the energy-related performance of a building, including, but not  
707 limited to, the levels of insulation, the amount and type of  
708 glass, and the HVAC and water heating system efficiencies.

709 Section 20. Section 553.903, Florida Statutes, is amended



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710 to read:

711       553.903 Applicability.—This part applies ~~shall apply~~ to all  
712 new and renovated buildings in the state, except exempted  
713 buildings, for which building permits are obtained after March  
714 15, 1979, and to the installation or replacement of building  
715 systems and components with new products for which thermal  
716 efficiency standards are set by the Florida Building Code-Energy  
717 Conservation ~~Florida Energy Efficiency Code for Building~~  
718 ~~Construction~~. The provisions of this part shall constitute a  
719 statewide uniform code.

720       Section 21. Section 553.904, Florida Statutes, is amended  
721 to read:

722       553.904 Thermal efficiency standards for new nonresidential  
723 buildings.—Thermal designs and operations for new nonresidential  
724 buildings for which building permits are obtained after March  
725 15, 1979, must ~~shall~~ at a minimum take into account exterior  
726 envelope physical characteristics, including thermal mass; HVAC,  
727 service water heating, energy distribution, lighting, energy  
728 managing, and auxiliary systems design and selection; and HVAC,  
729 service water heating, energy distribution, lighting, energy  
730 managing, and auxiliary equipment performance, and are ~~shall~~ not  
731 ~~be~~ required to meet standards more stringent than the provisions  
732 of the Florida Building Code-Energy Conservation ~~Florida Energy~~  
733 ~~Efficiency Code for Building Construction~~.

734       Section 22. Section 553.905, Florida Statutes, is amended  
735 to read:

736       553.905 Thermal efficiency standards for new residential  
737 buildings.—Thermal designs and operations for new residential  
738 buildings for which building permits are obtained after March



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739 15, 1979, must ~~shall~~ at a minimum take into account exterior  
740 envelope physical characteristics, HVAC system selection and  
741 configuration, HVAC equipment performance, and service water  
742 heating design and equipment selection and are ~~shall~~ not ~~be~~  
743 required to meet standards more stringent than the provisions of  
744 the Florida Building Code-Energy Conservation ~~Florida Energy~~  
745 ~~Efficiency Code for Building Construction~~. HVAC equipment  
746 mounted in an attic or a garage is ~~shall~~ not ~~be~~ required to have  
747 supplemental insulation in addition to that installed by the  
748 manufacturer. All new residential buildings, except those herein  
749 exempted, must ~~shall~~ have insulation in ceilings rated at R-19  
750 or more, space permitting. Thermal efficiency standards do not  
751 apply to a building of less than 1,000 square feet which is not  
752 primarily used as a principal residence and which is constructed  
753 and owned by a natural person for hunting or similar  
754 recreational purposes; however, ~~no~~ such person may not build  
755 more than one exempt building in any 12-month period.

756 Section 23. Section 553.906, Florida Statutes, is amended  
757 to read:

758 553.906 Thermal efficiency standards for renovated  
759 buildings.—Thermal designs and operations for renovated  
760 buildings for which building permits are obtained after March  
761 15, 1979, must ~~shall~~ take into account insulation; windows;  
762 infiltration; and HVAC, service water heating, energy  
763 distribution, lighting, energy managing, and auxiliary systems  
764 design and equipment selection and performance. Such buildings  
765 are ~~shall~~ not ~~be~~ required to meet standards more stringent than  
766 the provisions of the Florida Building Code-Energy Conservation  
767 ~~Florida Energy Efficiency Code for Building Construction~~. These



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768 standards apply only to those portions of the structure which  
769 are actually renovated.

770 Section 24. Section 553.912, Florida Statutes, is amended  
771 to read:

772 553.912 Air conditioners.—All air conditioners that are  
773 sold or installed in the state must ~~shall~~ meet the minimum  
774 efficiency ratings of the Florida Building Code-Energy  
775 Conservation ~~Energy Efficiency Code for Building Construction~~.  
776 These efficiency ratings must ~~shall~~ be minimums and may be  
777 updated in the Florida Building Code-Energy Conservation ~~Florida~~  
778 ~~Energy Efficiency Code for Building Construction~~ by the  
779 department in accordance with s. 553.901, following its  
780 determination that more cost-effective energy-saving equipment  
781 and techniques are available. It is the intent of the  
782 Legislature that all replacement air-conditioning systems in  
783 residential applications be installed using energy-saving,  
784 quality installation procedures, including, but not limited to,  
785 equipment sizing analysis and duct inspection. Notwithstanding  
786 this section, existing heating and cooling equipment in  
787 residential applications need not meet the minimum equipment  
788 efficiencies, including system sizing and duct sealing.

789 Section 25. Section 553.991, Florida Statutes, is amended  
790 to read:

791 553.991 Purpose.—The purpose of this part is to identify  
792 systems ~~provide for a statewide uniform system~~ for rating the  
793 energy efficiency of buildings. It is in the interest of the  
794 state to encourage the consideration of ~~the~~ energy-efficiency  
795 rating systems ~~system~~ in the market so as to provide market  
796 rewards for energy-efficient buildings and to those persons or



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797 companies designing, building, or selling energy-efficient  
798 buildings.

799 Section 26. Section 553.992, Florida Statutes, is repealed.

800 Section 27. Section 553.993, Florida Statutes, is amended  
801 to read:

802 553.993 Definitions.—For purposes of this part:

803 (1) "Acquisition" means to gain the sole or partial use of  
804 a building through a purchase agreement.

805 (2) "Builder" means the primary contractor who possesses  
806 the requisite skill, knowledge, and experience, and has the  
807 responsibility, to supervise, direct, manage, and control the  
808 contracting activities of the business organization with which  
809 she or he is connected and who has the responsibility to  
810 supervise, direct, manage, and control the construction work on  
811 a job for which she or he has obtained the building permit.  
812 Construction work includes, but is not limited to, foundation,  
813 framing, wiring, plumbing, and finishing work.

814 (3) "Building energy-efficiency rating system" means a  
815 whole building energy evaluation system established by the  
816 Residential Energy Services Network, the Commercial Energy  
817 Services Network, the Building Performance Institute, or the  
818 Florida Solar Energy Center.

819 ~~(4)~~ (3) "Designer" means the architect, engineer, landscape  
820 architect, builder, interior designer, or other person who  
821 performs the actual design work or under whose direct  
822 supervision and responsible charge the construction documents  
823 are prepared.

824 (5) "Energy auditor" means a trained and certified  
825 professional who conducts energy evaluations of an existing



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826 building and uses tools to identify the building's current  
827 energy usage and the condition of the building and equipment.

828 (6) "Energy-efficiency rating" means an unbiased indication  
829 of a building's relative energy efficiency based on consistent  
830 inspection procedures, operating assumptions, climate data, and  
831 calculation methods.

832 (7) "Energy rater" means an individual certified by a  
833 building energy-efficiency rating system to perform building  
834 energy-efficiency ratings for the building type and in the  
835 rating class for which the rater is certified.

836 (8)-(4) "New building" means commercial occupancy buildings  
837 permitted for construction after January 1, 1995, and  
838 residential occupancy buildings permitted for construction after  
839 January 1, 1994.

840 (9)-(5) "Public building" means a building comfort-  
841 conditioned for occupancy that is owned or leased by the state,  
842 a state agency, or a governmental subdivision, including, but  
843 not limited to, a city, county, or school district.

844 Section 28. Section 553.994, Florida Statutes, is amended  
845 to read:

846 553.994 Applicability.-Building energy-efficiency ~~The~~  
847 rating systems ~~system shall~~ apply to all public, commercial, and  
848 residential buildings in the state.

849 Section 29. Section 553.995, Florida Statutes, is amended  
850 to read:

851 553.995 Energy-efficiency ratings for buildings.-

852 (1) Building ~~The~~ energy-efficiency rating systems must,  
853 ~~system shall~~ at a minimum:

854 ~~(a) Provide a uniform rating scale of the efficiency of~~



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855 ~~buildings based on annual energy usage.~~

856 ~~(a)(b)~~ Take into account local climate conditions,  
857 construction practices, and building use.

858 ~~(b)(e)~~ Be compatible with standard federal rating systems  
859 and state building codes and standards, where applicable, and  
860 shall satisfy the requirements of s. 553.9085 with respect to  
861 residential buildings and s. 255.256 with respect to state  
862 buildings.

863 ~~(c)(2)~~ ~~The energy-efficiency rating system adopted by the~~  
864 ~~department shall~~ Provide a means of analyzing and comparing the  
865 relative energy efficiency of buildings upon the sale of new or  
866 existing residential, public, or commercial buildings.

867 ~~(3)~~ ~~The department shall establish a voluntary working~~  
868 ~~group of persons interested in the energy-efficiency rating~~  
869 ~~system or energy efficiency, including, but not limited to, such~~  
870 ~~persons as electrical engineers, mechanical engineers,~~  
871 ~~architects, public utilities, and builders. The interest group~~  
872 ~~shall advise the department in the development of the energy-~~  
873 ~~efficiency rating system and shall assist the department in the~~  
874 ~~implementation of the rating system by coordinating educational~~  
875 ~~programs for designers, builders, businesses, and other~~  
876 ~~interested persons to assist compliance and to facilitate~~  
877 ~~incorporation of the rating system into existing practices.~~

878 ~~(2)(a)(4)~~ ~~The department shall develop a training and~~  
879 ~~certification program to certify raters. In addition to the~~  
880 ~~department,~~ Ratings may be conducted by a any local government  
881 or private entity if, ~~provided that~~ the appropriate persons have  
882 completed the necessary training established by the applicable  
883 building energy-efficiency rating system ~~and have been certified~~



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884 ~~by the department.~~

885       **(b)** The Department of Management Services shall rate state-  
886 owned or state-leased buildings if, ~~provided that~~ the  
887 appropriate persons have completed the necessary training  
888 established by the applicable building energy-efficiency rating  
889 system and ~~have been certified by the Department of Business and~~  
890 ~~Professional Regulation.~~

891       **(c)** A state agency that ~~which~~ has building construction  
892 regulation authority may rate its own buildings and those it is  
893 responsible for, if the appropriate persons have completed the  
894 necessary training established by the applicable building  
895 energy-efficiency rating system and ~~have been certified by the~~  
896 ~~Department of Business and Professional Regulation.~~ The  
897 ~~Department of Business and Professional Regulation may charge a~~  
898 ~~fee not to exceed the costs for the training and certification~~  
899 ~~of raters. The department shall by rule set the appropriate~~  
900 ~~charges for raters to charge for energy ratings, not to exceed~~  
901 ~~the actual costs.~~

902       Section 30. Section 553.996, Florida Statutes, is amended  
903 to read:

904       553.996 Energy-efficiency information provided by building  
905 energy-efficiency rating systems providers brochure.-A  
906 prospective purchaser of real property with a building for  
907 occupancy located thereon shall be provided ~~with a copy of an~~  
908 ~~information brochure~~, at the time of or before ~~prior to~~ the  
909 purchaser's execution of the contract for sale and purchase  
910 which notifies, ~~notifying~~ the purchaser of the option for an  
911 energy-efficiency rating on the building. Building energy-  
912 efficiency rating system providers identified in this part shall





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913 prepare such information and make it available for distribution  
914 ~~Such brochure shall be prepared, made available for~~  
915 ~~distribution, and provided at no cost by the department.~~ Such  
916 ~~brochure shall contain~~ information relevant to that class of  
917 building must include, including, but need not be limited to:

918 (1) How to analyze the building's energy-efficiency rating.

919 (2) Comparisons to statewide averages for new and existing  
920 construction of that class.

921 (3) Information concerning methods to improve the  
922 building's energy-efficiency rating.

923 (4) A notice to residential purchasers that the energy-  
924 efficiency rating may qualify the purchaser for an energy-  
925 efficient mortgage from lending institutions.

926 Section 31. Subsection (2) of section 553.997, Florida  
927 Statutes, is amended to read:

928 553.997 Public buildings.—

929 (2) ~~The department, together with other~~ State agencies  
930 having building construction and maintenance responsibilities,  
931 shall make available energy-efficiency practices information to  
932 be used by individuals involved in the design, construction,  
933 retrofitting, and maintenance of buildings for state and local  
934 governments.

935 Section 32. Section 553.998, Florida Statutes, is amended  
936 to read:

937 553.998 Compliance.—All ratings must ~~shall~~ be determined  
938 using tools and procedures developed by the systems recognized  
939 under this part ~~adopted by the department by rule in accordance~~  
940 ~~with chapter 120~~ and must ~~shall~~ be certified by the rater as  
941 accurate and correct and in compliance with procedures of the



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942 system under which the rater is certified ~~adopted by the~~  
943 ~~department by rule in accordance with chapter 120.~~

944 Section 33. Except as otherwise explicitly stated  
945 elsewhere, this act shall take effect July 1, 2013.

946  
947

948 ===== T I T L E A M E N D M E N T =====

949 And the title is amended as follows:

950 Delete everything before the enacting clause  
951 and insert:

952 A bill to be entitled  
953 An act relating to building construction; amending s.  
954 125.022, F.S.; requiring counties to attach certain  
955 disclaimers and include certain permit conditions when  
956 issuing development permits; amending s. 162.12, F.S.;  
957 revising notice requirements in the Local Government  
958 Code Enforcement Boards Act; amending s. 166.033,  
959 F.S.; requiring municipalities to attach certain  
960 disclaimers and include certain permit conditions when  
961 issuing development permits; amending ss. 255.20 and  
962 255.2575, F.S.; requiring governmental entities to  
963 specify certain products associated with public works  
964 projects; providing for applicability; amending s.  
965 255.257, F.S.; requiring state agencies to use certain  
966 building rating systems and building codes for each  
967 new construction and renovation project; amending s.  
968 381.0065, F.S.; specifying that certain actions  
969 relating to onsite sewage treatment and removal are  
970 not required if a bedroom is not added during a



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971 remodeling addition or modification to a single-family  
972 home; prohibiting a remodeling addition or  
973 modification from certain coverage or encroachment;  
974 authorizing a local health board to review specific  
975 plans; requiring a review to be completed within a  
976 specific time period after receipt of specific plans;  
977 providing that amendments to s. 489.113(2), F.S.,  
978 enacted in s. 11, ch. 2012-13, Laws of Florida, are  
979 remedial and intended to clarify existing law;  
980 providing for retroactivity; amending s. 489.127,  
981 F.S.; revising civil penalties; authorizing a local  
982 building department to retain 75 percent of certain  
983 fines collected if it transmits 25 percent to the  
984 Department of Business and Professional Regulation;  
985 amending s. 489.131, F.S.; deleting legislative intent  
986 referring to a local agency's enforcement of  
987 regulatory laws; deleting the definitions of "minor  
988 violation" and "notice of noncompliance"; deleting  
989 provisions that provide for what a notice of  
990 noncompliance should or should not include; deleting a  
991 provision that provides for further disciplinary  
992 proceedings for certain licensees; amending s.  
993 489.514, F.S.; extending the date by which an  
994 applicant must make application for a license to be  
995 grandfathered; amending s. 489.531, F.S.; revising  
996 maximum civil penalties for specified violations;  
997 amending s. 553.71, F.S.; providing a definition for  
998 the term "local technical amendment"; amending s.  
999 553.73, F.S.; prohibiting any provision of the



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1000 International Residential Code relating to mandated  
1001 fire sprinklers from incorporation into the Florida  
1002 Building Code; amending s. 553.74, F.S.; revising  
1003 membership of the Florida Building Commission;  
1004 amending s. 553.79, F.S.; conforming a cross-  
1005 reference; authorizing a site plan to be maintained at  
1006 the worksite as an electronic copy; requiring the copy  
1007 to be open to inspection by certain officials;  
1008 amending s. 553.842, F.S.; requiring an application  
1009 for state approval of a certain product to be approved  
1010 by the department after the application and related  
1011 documentation are complete; amending ss. 553.901,  
1012 553.902, 553.903, 553.904, 553.905, and 553.906, F.S.;  
1013 requiring the Florida Building Commission to adopt the  
1014 Florida Building Code-Energy Conservation; conforming  
1015 subsequent sections of the thermal efficiency code;  
1016 amending s. 553.912, F.S.; requiring replacement air  
1017 conditioning systems in residential applications to  
1018 use energy-saving quality installation procedures;  
1019 providing that certain existing heating and cooling  
1020 equipment is not required to meet the minimum  
1021 equipment efficiencies; amending s. 553.991, F.S.;  
1022 revising the purpose of the Florida Building Energy-  
1023 Efficiency Rating Act; repealing s. 553.992, F.S.,  
1024 relating to the adoption of a rating system; amending  
1025 s. 553.993, F.S.; providing definitions; amending s.  
1026 553.994, F.S.; providing for the applicability of  
1027 building energy-efficiency rating systems; amending s.  
1028 553.995, F.S.; deleting a minimum requirement for the



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1029 building energy-efficiency rating systems; revising  
1030 language; deleting provisions relating to a certain  
1031 interest group; deleting provisions relating to the  
1032 Department of Business and Professional Regulation;  
1033 amending s. 553.996, F.S.; requiring building energy-  
1034 efficiency rating system providers to provide certain  
1035 information; amending s. 553.997, F.S.; deleting a  
1036 provision relating to the department; amending s.  
1037 553.998, F.S.; revising provisions relating to rating  
1038 compliance; providing effective dates.