

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Eagle offered the following:

2  
3 **Amendment (with title amendment)**

4 Between lines 353 and 354, insert:

5 Section 10. Paragraph (a) of subsection (1) of section  
6 162.12, Florida Statutes, is amended to read:

7 162.12 Notices.—

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

10 (a) Certified mail, with or without return receipt  
11 requested at the option of the local government, to the address  
12 listed in the tax collector's office for tax notices or to the  
13 address listed in the county property appraiser's database. The  
14 local government may also provide an additional notice to any

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15 other address it may find for the property owner. For property  
16 owned by a corporation, notices may be provided by certified  
17 mail to the registered agent of the corporation. If any notice  
18 sent by certified mail is not signed as received within 30 days  
19 after the postmarked date of mailing, notice may be provided by  
20 posting as described in subparagraphs (2)(b)1. and 2.;

21 Section 11. Paragraph (b) of subsection (3) of section  
22 373.323, Florida Statutes, is amended to read:

23 373.323 Licensure of water well contractors; application,  
24 qualifications, and examinations; equipment identification.—

25 (3) An applicant who meets the following requirements  
26 shall be entitled to take the water well contractor licensure  
27 examination:

28 (b) Has at least 2 years of experience in constructing,  
29 repairing, or abandoning water wells. Satisfactory proof of such  
30 experience shall be demonstrated by providing:

31 1. Evidence of the length of time the applicant has been  
32 engaged in the business of the construction, repair, or  
33 abandonment of water wells as a major activity, as attested to  
34 by a letter from ~~three of the following persons:~~

35 ~~a. a water well contractor and a letter from—~~

36 ~~b. A water well driller.~~

37 ~~c. A water well parts and equipment vendor.~~

38 ~~d. a water well inspector employed by a governmental~~  
39 agency.

40 2. A list of at least 10 water wells that the applicant

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41 has constructed, repaired, or abandoned within the preceding 5  
42 years. Of these wells, at least seven must have been  
43 constructed, as defined in s. 373.303(2), by the applicant. The  
44 list shall also include:

45 a. The name and address of the owner or owners of each  
46 well.

47 b. The location, primary use, and approximate depth and  
48 diameter of each well that the applicant has constructed,  
49 repaired, or abandoned.

50 c. The approximate date the construction, repair, or  
51 abandonment of each well was completed.

52 Section 12. Section 440.103, Florida Statutes, is amended  
53 to read:

54 440.103 Building permits; identification of minimum  
55 premium policy.—Every employer shall, as a condition to applying  
56 for and receiving a building permit, show proof and certify to  
57 the permit issuer that it has secured compensation for its  
58 employees under this chapter as provided in ss. 440.10 and  
59 440.38. Such proof of compensation must be evidenced by a  
60 certificate of coverage issued by the carrier, a valid exemption  
61 certificate approved by the department, or a copy of the  
62 employer's authority to self-insure and may shall be presented,  
63 electronically or physically, each time the employer applies for  
64 a building permit. As provided in s. 553.79(19), for the purpose  
65 of inspection and record retention, site plans or electronically  
66 transferred building permits may be maintained in the original

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67 form or an electronic copy at the worksite. These plans and  
68 permits must be open to inspection by the building official or a  
69 duly authorized representative, as required by the Florida  
70 Building Code. As provided in s. 627.413(5), each certificate of  
71 coverage must show, on its face, whether ~~or not~~ coverage is  
72 secured under the minimum premium provisions of rules adopted by  
73 rating organizations licensed pursuant to s. 627.221. The words  
74 "minimum premium policy" or equivalent language shall be typed,  
75 printed, stamped, or legibly handwritten. Under this section,  
76 proof of compensation may be submitted and retained  
77 electronically.

78 Section 13. Section 514.03, Florida Statutes, is amended  
79 to read:

80 514.03 Approval necessary to construct, develop, or modify  
81 public swimming pools or public bathing places.-

82 (1) A person or public body desiring to construct,  
83 develop, or modify a public swimming pool must apply to the  
84 department for an operating permit before filing an application  
85 for a building permit under s. 553.79.

86 (2) Local governments or local enforcement districts may  
87 determine compliance with the general construction standards of  
88 the Florida Building Code, pursuant to s. 553.80. Local  
89 governments or local enforcement districts may conduct plan  
90 reviews and inspections of public swimming pools and public  
91 bathing places for this purpose.

92 Section 14. Paragraph (a) of subsection (1) of section

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93 514.031, Florida Statutes, is amended to read:

94 514.031 Permit necessary to operate public swimming pool.-

95 (1) It is unlawful for any person or public body to  
96 operate or continue to operate any public swimming pool without  
97 a valid permit from the department, such permit to be obtained  
98 in the following manner:

99 (a) Any person or public body desiring to operate any  
100 public swimming pool shall file an application for an operating  
101 a permit with the department, on application forms provided by  
102 the department, and shall accompany such application with:

103 1. A description of the structure, its appurtenances, and  
104 its operation.

105 ~~2.1.~~ A description of the source or sources of water  
106 supply, and the amount and quality of water available and  
107 intended to be used.

108 ~~3.2.~~ The method and manner of water purification,  
109 treatment, disinfection, and heating.

110 ~~4.3.~~ The safety equipment and standards to be used.

111 5. A copy of the final approval from the local enforcement  
112 agency as defined in chapter 553.

113 ~~6.4.~~ Any other pertinent information deemed necessary by  
114 the department.

115 Section 15. Paragraph (c) of subsection (1) of section  
116 553.37, Florida Statutes, is amended to read:

117 553.37 Rules; inspections; and insignia.-

118 (1) The Florida Building Commission shall adopt within the

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119 Florida Building Code requirements for construction or  
120 modification of manufactured buildings and building modules, to  
121 address:

122 (c) ~~Minimum~~ Inspection criteria, which shall require the  
123 approved inspection agency to:

124 1. Observe the first building built, or with regard to  
125 components, observe the first unit assembled, after  
126 certification of the manufacturer, from start to finish,  
127 inspecting all subsystems: electrical, plumbing, structural,  
128 mechanical, or thermal.

129 2. Continue observation of the manufacturing process until  
130 the approved inspection agency determines that the  
131 manufacturer's quality control program, in conjunction with the  
132 application of the plans approved by the approved inspection  
133 agency, will result in a building and components that meet or  
134 exceed the applicable Florida Building Code requirements.

135 3. Thereafter, inspect each module produced during at  
136 least one point of the manufacturing process and inspect at  
137 least 75 percent of the subsystems of each module: electrical,  
138 plumbing, structural, mechanical, or thermal.

139 4. With respect to components, inspect at least 75 percent  
140 of the manufactured building components and at least 20 percent  
141 of the storage sheds that are not designed for human habitation  
142 and that have a floor area of 720 square feet or less.

143 Section 16. Section 553.721, Florida Statutes, is amended  
144 to read:

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145           553.721 Surcharge.—In order for the Department of Business  
146 and Professional Regulation to administer and carry out the  
147 purposes of this part and related activities, there is created a  
148 surcharge, to be assessed at the rate of 1.5 percent of the  
149 permit fees associated with enforcement of the Florida Building  
150 Code as defined by the uniform account criteria and specifically  
151 the uniform account code for building permits adopted for local  
152 government financial reporting pursuant to s. 218.32. The  
153 minimum amount collected on any permit issued shall be \$2. The  
154 unit of government responsible for collecting a permit fee  
155 pursuant to s. 125.56(4) or s. 166.201 shall collect the  
156 surcharge and electronically remit the funds collected to the  
157 department on a quarterly calendar basis for the preceding  
158 quarter and continuing each third month thereafter. The unit of  
159 government shall retain 10 percent of the surcharge collected to  
160 fund the participation of building departments in the national  
161 and state building code adoption processes and to provide  
162 education related to enforcement of the Florida Building Code.  
163 All funds remitted to the department pursuant to this section  
164 shall be deposited in the Professional Regulation Trust Fund.  
165 Funds collected from the surcharge shall be allocated to fund  
166 the Florida Building Commission and the Florida Building Code  
167 Compliance and Mitigation Program under s. 553.841. ~~Beginning in~~  
168 ~~the 2013-2014 fiscal year,~~ Funds allocated to the Florida  
169 Building Code Compliance and Mitigation Program shall be  
170 \$925,000 each fiscal year. The funds collected from the

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171 surcharge may not be used to fund research on techniques for  
172 mitigation of radon in existing buildings. Funds used by the  
173 department as well as funds to be transferred to the Department  
174 of Health shall be as prescribed in the annual General  
175 Appropriations Act. The department shall adopt rules governing  
176 the collection and remittance of surcharges pursuant to chapter  
177 120.

178 Section 17. Subsection (15) of section 553.73, Florida  
179 Statutes, is amended to read:

180 553.73 Florida Building Code.—

181 (15) An agency or local government may not require that  
182 existing mechanical equipment located on or above the surface of  
183 a roof be installed in compliance with the requirements of the  
184 Florida Building Code except when until the equipment is being  
185 replaced or moved during reroofing and the equipment is not in  
186 compliance with the provisions of the Florida Building Code  
187 pertaining to roof mounted mechanical units ~~required to be~~  
188 ~~removed or replaced.~~

189 Section 18. Section 553.775, Florida Statutes, is amended  
190 to read:

191 553.775 Interpretations.—

192 (1) It is the intent of the Legislature that the Florida  
193 Building Code and the Florida Accessibility Code for Building  
194 Construction be interpreted by building officials, local  
195 enforcement agencies, and the commission in a manner that  
196 protects the public safety, health, and welfare at the most

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197 reasonable cost to the consumer by ensuring uniform  
198 interpretations throughout the state and by providing processes  
199 for resolving disputes regarding interpretations of the Florida  
200 Building Code and the Florida Accessibility Code for Building  
201 Construction which are just and expeditious.

202 (2) Local enforcement agencies, local building officials,  
203 state agencies, and the commission shall interpret provisions of  
204 the Florida Building Code and the Florida Accessibility Code for  
205 Building Construction in a manner that is consistent with  
206 declaratory statements and interpretations entered by the  
207 commission, except that conflicts between the Florida Fire  
208 Prevention Code and the Florida Building Code shall be resolved  
209 in accordance with s. 553.73(11)(c) and (d).

210 (3) The following procedures may be invoked regarding  
211 interpretations of the Florida Building Code or the Florida  
212 Accessibility Code for Building Construction:

213 (a) Upon written application by any substantially affected  
214 person or state agency or by a local enforcement agency, the  
215 commission shall issue declaratory statements pursuant to s.  
216 120.565 relating to the enforcement or administration by local  
217 governments of the Florida Building Code or the Florida  
218 Accessibility Code for Building Construction.

219 (b) When requested in writing by any substantially  
220 affected person or state agency or by a local enforcement  
221 agency, the commission shall issue a declaratory statement  
222 pursuant to s. 120.565 relating to this part and ss. 515.25,

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223 515.27, 515.29, and 515.37. Actions of the commission are  
224 subject to judicial review under s. 120.68.

225 (c) The commission shall review decisions of local  
226 building officials and local enforcement agencies regarding  
227 interpretations of the Florida Building Code or the Florida  
228 Accessibility Code for Building Construction after the local  
229 board of appeals has considered the decision, if such board  
230 exists, and if such appeals process is concluded within 25  
231 business days.

232 1. The commission shall coordinate with the Building  
233 Officials Association of Florida, Inc., to designate panels  
234 composed of five members to hear requests to review decisions of  
235 local building officials. The members must be licensed as  
236 building code administrators under part XII of chapter 468 and  
237 must have experience interpreting and enforcing provisions of  
238 the Florida Building Code and the Florida Accessibility Code for  
239 Building Construction.

240 2. Requests to review a decision of a local building  
241 official interpreting provisions of the Florida Building Code or  
242 the Florida Accessibility Code for Building Construction may be  
243 initiated by any substantially affected person, including an  
244 owner or builder subject to a decision of a local building  
245 official or an association of owners or builders having members  
246 who are subject to a decision of a local building official. In  
247 order to initiate review, the substantially affected person must  
248 file a petition with the commission. The commission shall adopt

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249 a form for the petition, which shall be published on the  
250 Building Code Information System. The form shall, at a minimum,  
251 require the following:

252 a. The name and address of the county or municipality in  
253 which provisions of the Florida Building Code or the Florida  
254 Accessibility Code for Building Construction are being  
255 interpreted.

256 b. The name and address of the local building official who  
257 has made the interpretation being appealed.

258 c. The name, address, and telephone number of the  
259 petitioner; the name, address, and telephone number of the  
260 petitioner's representative, if any; and an explanation of how  
261 the petitioner's substantial interests are being affected by the  
262 local interpretation of the Florida Building Code or the Florida  
263 Accessibility Code for Building Construction.

264 d. A statement of the provisions of the Florida Building  
265 Code or the Florida Accessibility Code for Building Construction  
266 which are being interpreted by the local building official.

267 e. A statement of the interpretation given to provisions  
268 of the Florida Building Code or the Florida Accessibility Code  
269 for Building Construction by the local building official and the  
270 manner in which the interpretation was rendered.

271 f. A statement of the interpretation that the petitioner  
272 contends should be given to the provisions of the Florida  
273 Building Code or the Florida Accessibility Code for Building  
274 Construction and a statement supporting the petitioner's

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275 interpretation.

276 g. Space for the local building official to respond in  
277 writing. The space shall, at a minimum, require the local  
278 building official to respond by providing a statement admitting  
279 or denying the statements contained in the petition and a  
280 statement of the interpretation of the provisions of the Florida  
281 Building Code or the Florida Accessibility Code for Building  
282 Construction which the local jurisdiction or the local building  
283 official contends is correct, including the basis for the  
284 interpretation.

285 3. The petitioner shall submit the petition to the local  
286 building official, who shall place the date of receipt on the  
287 petition. The local building official shall respond to the  
288 petition in accordance with the form and shall return the  
289 petition along with his or her response to the petitioner within  
290 5 days after receipt, exclusive of Saturdays, Sundays, and legal  
291 holidays. The petitioner may file the petition with the  
292 commission at any time after the local building official  
293 provides a response. If no response is provided by the local  
294 building official, the petitioner may file the petition with the  
295 commission 10 days after submission of the petition to the local  
296 building official and shall note that the local building  
297 official did not respond.

298 4. Upon receipt of a petition that meets the requirements  
299 of subparagraph 2., the commission shall immediately provide  
300 copies of the petition to a panel, and the commission shall

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301 publish the petition, including any response submitted by the  
302 local building official, on the Building Code Information System  
303 in a manner that allows interested persons to address the issues  
304 by posting comments.

305 5. The panel shall conduct proceedings as necessary to  
306 resolve the issues; shall give due regard to the petitions, the  
307 response, and to comments posed on the Building Code Information  
308 System; and shall issue an interpretation regarding the  
309 provisions of the Florida Building Code or the Florida  
310 Accessibility Code for Building Construction within 21 days  
311 after the filing of the petition. The panel shall render a  
312 determination based upon the Florida Building Code or the  
313 Florida Accessibility Code for Building Construction or, if the  
314 code is ambiguous, the intent of the code. The panel's  
315 interpretation shall be provided to the commission, which shall  
316 publish the interpretation on the Building Code Information  
317 System and in the Florida Administrative Register. The  
318 interpretation shall be considered an interpretation entered by  
319 the commission, and shall be binding upon the parties and upon  
320 all jurisdictions subject to the Florida Building Code or the  
321 Florida Accessibility Code for Building Construction, unless it  
322 is superseded by a declaratory statement issued by the Florida  
323 Building Commission or by a final order entered after an appeal  
324 proceeding conducted in accordance with subparagraph 7.

325 6. It is the intent of the Legislature that review  
326 proceedings be completed within 21 days after the date that a

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327 petition seeking review is filed with the commission, and the  
328 time periods set forth in this paragraph may be waived only upon  
329 consent of all parties.

330 7. Any substantially affected person may appeal an  
331 interpretation rendered by a hearing officer panel by filing a  
332 petition with the commission. Such appeals shall be initiated in  
333 accordance with chapter 120 and the uniform rules of procedure  
334 and must be filed within 30 days after publication of the  
335 interpretation on the Building Code Information System or in the  
336 Florida Administrative Register. Hearings shall be conducted  
337 pursuant to chapter 120 and the uniform rules of procedure.  
338 Decisions of the commission are subject to judicial review  
339 pursuant to s. 120.68. The final order of the commission is  
340 binding upon the parties and upon all jurisdictions subject to  
341 the Florida Building Code or the Florida Accessibility Code for  
342 Building Construction.

343 8. The burden of proof in any proceeding initiated in  
344 accordance with subparagraph 7. is on the party who initiated  
345 the appeal.

346 9. In any review proceeding initiated in accordance with  
347 this paragraph, including any proceeding initiated in accordance  
348 with subparagraph 7., the fact that an owner or builder has  
349 proceeded with construction may not be grounds for determining  
350 an issue to be moot if the issue is one that is likely to arise  
351 in the future.

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353 This paragraph provides the exclusive remedy for addressing  
354 requests to review local interpretations of the Florida Building  
355 Code or the Florida Accessibility Code for Building Construction  
356 and appeals from review proceedings.

357 (d) Upon written application by any substantially affected  
358 person, contractor, or designer, or a group representing a  
359 substantially affected person, contractor, or designer, the  
360 commission shall issue or cause to be issued a formal  
361 interpretation of the Florida Building Code or the Florida  
362 Accessibility Code for Building Construction as prescribed by  
363 paragraph (c).

364 (e) Local decisions declaring structures to be unsafe and  
365 subject to repair or demolition are not subject to review under  
366 this subsection and may not be appealed to the commission if the  
367 local governing body finds that there is an immediate danger to  
368 the health and safety of the public.

369 (f) Upon written application by any substantially affected  
370 person, the commission shall issue a declaratory statement  
371 pursuant to s. 120.565 relating to an agency's interpretation  
372 and enforcement of the specific provisions of the Florida  
373 Building Code or the Florida Accessibility Code for Building  
374 Construction which the agency is authorized to enforce. This  
375 subsection does not provide any powers, other than advisory, to  
376 the commission with respect to any decision of the State Fire  
377 Marshal made pursuant to chapter 633.

378 (g) The commission may designate a commission member who

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379 has demonstrated expertise in interpreting building plans to  
380 attend each meeting of the advisory council created in s.  
381 553.512. The commission member may vary from meeting to meeting,  
382 shall serve on the council in a nonvoting capacity, and shall  
383 receive per diem and expenses as provided in s. 553.74(3).

384 (h) The commission shall by rule establish an informal  
385 process of rendering nonbinding interpretations of the Florida  
386 Building Code and the Florida Accessibility Code for Building  
387 Construction. The commission is specifically authorized to refer  
388 interpretive issues to organizations that represent those  
389 engaged in the construction industry. The commission shall  
390 immediately implement the process before completing formal  
391 rulemaking. It is the intent of the Legislature that the  
392 commission create a process to refer questions to a small,  
393 rotating group of individuals licensed under part XII of chapter  
394 468, to which a party may pose questions regarding the  
395 interpretation of code provisions. It is the intent of the  
396 Legislature that the process provide for the expeditious  
397 resolution of the issues presented and publication of the  
398 resulting interpretation on the Building Code Information  
399 System. Such interpretations shall be advisory only and  
400 nonbinding on the parties and the commission.

401 (4) In order to administer this section, the commission  
402 may adopt by rule and impose a fee for filing requests for  
403 declaratory statements and binding and nonbinding  
404 interpretations to recoup the cost of the proceedings which may

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405 not exceed \$125 for each request for a nonbinding interpretation  
406 and \$250 for each request for a binding review or  
407 interpretation. For proceedings conducted by or in coordination  
408 with a third party, the rule may provide that payment be made  
409 directly to the third party, who shall remit to the department  
410 that portion of the fee necessary to cover the costs of the  
411 department.

412 ~~(5) The commission may render declaratory statements in~~  
413 ~~accordance with s. 120.565 relating to the provisions of the~~  
414 ~~Florida Accessibility Code for Building Construction not~~  
415 ~~attributable to the Americans with Disabilities Act~~  
416 ~~Accessibility Guidelines. Notwithstanding the other provisions~~  
417 ~~of this section, the Florida Accessibility Code for Building~~  
418 ~~Construction and chapter 11 of the Florida Building Code may not~~  
419 ~~be interpreted by, and are not subject to review under, any of~~  
420 ~~the procedures specified in this section. This subsection has no~~  
421 ~~effect upon the commission's authority to waive the Florida~~  
422 ~~Accessibility Code for Building Construction as provided by s.~~  
423 ~~553.512.~~

424 Section 19. Subsections (11) through (18) of section  
425 553.79, Florida Statutes, are renumbered as subsections (12)  
426 through (19), respectively, present subsection (18) is amended,  
427 and a new subsection (11) is added to that section, to read:

428 553.79 Permits; applications; issuance; inspections.-

429 (11) The local enforcing agency may not issue a building  
430 permit to construct, develop, or modify a public swimming pool

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431 without proof of application for an operating permit under s.  
432 514.031. A certificate of completion or occupancy shall not be  
433 issued until such operating permit is issued.

434 ~~(19)-(18)~~ For the purpose of inspection and record  
435 retention, site plans or electronically transferred building  
436 permits for a building may be maintained in the original form or  
437 ~~of~~ an electronic copy at the worksite. These plans and permits  
438 must be open to inspection by the building official or a duly  
439 authorized representative, as required by the Florida Building  
440 Code.

441 Section 20. Subsections (1) and (2) of section 553.841,  
442 Florida Statutes, are amended to read:

443 553.841 Building code compliance and mitigation program.—

444 (1) The Legislature finds that knowledge and understanding  
445 by persons licensed or employed in the design and construction  
446 industries of the importance and need for complying with the  
447 Florida Building Code and related laws is vital to the public  
448 health, safety, and welfare of this state, especially for  
449 protecting consumers and mitigating damage caused by hurricanes  
450 to residents and visitors to the state. The Legislature further  
451 finds that the Florida Building Code can be effective only if  
452 all participants in the design and construction industries  
453 maintain a thorough knowledge of the code, code compliance and  
454 enforcement, duties related to consumers, and changes that  
455 ~~additions thereto which~~ improve construction standards, project  
456 completion, and compliance of design and construction to protect

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457 against consumer harm, storm damage, and other damage.  
458 Consequently, the Legislature finds that there is a need for a  
459 program to provide ongoing education and outreach activities  
460 concerning compliance with the Florida Building Code, the  
461 Florida Fire Prevention Code, construction plan and permitting  
462 requirements, construction liens, and hurricane mitigation.

463 (2) The Department of Business and Professional Regulation  
464 shall administer a program, designated as the Florida Building  
465 Code Compliance and Mitigation Program, to develop, coordinate,  
466 and maintain education and outreach to persons required to  
467 comply with the Florida Building Code and related provisions as  
468 specified in subsection (1) and ensure consistent education,  
469 training, and communication of the code's requirements,  
470 including, but not limited to, methods for design and  
471 construction compliance and mitigation of storm-related damage.  
472 The program shall also operate a clearinghouse through which  
473 design, construction, and building code enforcement licensees,  
474 suppliers, and consumers in this state may find others in order  
475 to exchange information relating to mitigation and facilitate  
476 repairs in the aftermath of a natural disaster.

477 Section 21. Section 553.883, Florida Statutes, is created  
478 to read:

479 553.883 Smoke alarms in one-family and two-family  
480 dwelling and townhomes.—A one-family and two-family dwelling  
481 and townhome undergoing a repair, or a level 1 alteration as  
482 defined in the Florida Building Code, may use a smoke alarm

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483 powered by a 10-year nonremovable, nonreplaceable battery in  
484 lieu of retrofitting such dwelling with a smoke alarm powered by  
485 the dwelling's electrical system. Effective January 1, 2015, a  
486 battery-powered smoke alarm that is newly installed or replaces  
487 an existing battery-powered smoke alarm must be powered by a  
488 nonremovable, nonreplaceable battery that powers the alarm for  
489 at least 10 years.

490 Section 22. Subsection (3) of section 553.993, Florida  
491 Statutes, is amended to read:

492 553.993 Definitions.—For purposes of this part:

493 (3) "Building energy-efficiency rating system" means a  
494 whole building energy evaluation system that provides a reliable  
495 and scientifically-based analysis of a building's energy  
496 consumption or energy features and allows comparison to similar  
497 building types in similar climate zones where applicable.  
498 Specifically, the rating system shall use standard calculations,  
499 formulas, and scoring methods; be applicable nationally; compare  
500 a building to a clearly defined and researched baseline or  
501 benchmark; require qualified professionals to conduct the rating  
502 or assessment; and provide a labeling and recognition program  
503 with specific criteria or levels. Residential program benchmarks  
504 for new construction shall be consistent with national building  
505 standards. Residential building program benchmarks for existing  
506 construction shall be consistent with national home energy  
507 rating standards. The building energy-efficiency rating system  
508 shall require at least one level of oversight performed by an

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509 organized and balanced group of professionals with subject  
510 matter expertise in energy efficiency, energy rating, and  
511 evaluation methods ~~established by the Residential Energy~~  
512 ~~Services Network, the Commercial Energy Services Network, the~~  
513 ~~Building Performance Institute, or the Florida Solar Energy~~  
514 ~~Center.~~

515 Section 23. Subsection (1) of section 633.212, Florida  
516 Statutes, is amended to read:

517 633.212 Legislative intent; informal interpretations of  
518 the Florida Fire Prevention Code.—It is the intent of the  
519 Legislature that the Florida Fire Prevention Code be interpreted  
520 by fire officials and local enforcement agencies in a manner  
521 that reasonably and cost-effectively protects the public safety,  
522 health, and welfare; ensures uniform interpretations throughout  
523 this state; and provides just and expeditious processes for  
524 resolving disputes regarding such interpretations. It is the  
525 further intent of the Legislature that such processes provide  
526 for the expeditious resolution of the issues presented and that  
527 the resulting interpretation of such issues be published on the  
528 website of the division.

529 (1) The division shall by rule establish an informal  
530 process of rendering nonbinding interpretations of the Florida  
531 Fire Prevention Code. The division may contract with and refer  
532 interpretive issues to a third party, selected based upon cost  
533 effectiveness, quality of services to be performed, and other  
534 performance-based criteria, which has experience in interpreting

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535 and enforcing the Florida Fire Prevention Code. It is the intent  
536 of the Legislature that the division establish a Fire Code  
537 Interpretation Committee composed of seven persons and seven  
538 alternates, equally representing each area of the state, to  
539 which a party can pose questions regarding the interpretation of  
540 the Florida Fire Prevention Code provisions. The alternate  
541 member may respond to a nonbinding interpretation if the member  
542 ~~notifies the Fire Code Interpretation Committee that he or she~~  
543 is unable to respond.

544 -----  
545  
546 **T I T L E A M E N D M E N T**

547 Between lines 34 and 35, insert:  
548 amending s. 162.12, F.S.; revising the method for  
549 local governments to provide notices to alleged code  
550 enforcement violators; amending s. 373.323, F.S.;  
551 revising requirements for taking the water well  
552 contractor licensure examination; amending s. 440.103,  
553 F.S.; authorizing the use of electronic certificates  
554 of exemption, site plans, and building permits;  
555 requiring plans and permits to be open to inspection;  
556 amending s. 514.03, F.S.; requiring application for an  
557 operating permit before filing an application for a  
558 building permit for a public swimming pool; amending  
559 s. 514.031, F.S.; providing additional requirements  
560 for obtaining a public swimming pool operating permit;

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561 amending s. 553.37, F.S.; specifying inspection  
562 criteria for construction or modification of  
563 manufactured buildings or modules; amending s.  
564 553.721, F.S.; removing obsolete language; amending s.  
565 553.73, F.S.; revising the circumstances under which  
566 existing mechanical equipment is subject to certain  
567 provisions of the Florida Building Code; amending s.  
568 553.775, F.S.; authorizing building officials, local  
569 enforcement agencies, and the Florida Building  
570 Commission to interpret the Florida Accessibility Code  
571 for Building Construction; specifying procedures for  
572 such interpretations; deleting provisions relating to  
573 declaratory statements and interpretations of the  
574 Florida Accessibility Code for Building Construction,  
575 to conform; amending s. 553.79, F.S.; prohibiting a  
576 local enforcing agency from issuing a building permit  
577 for a public swimming pool without proof of  
578 application for an operating permit; requiring  
579 issuance of an operating permit before a certificate  
580 of completion or occupancy is issued; authorizing use  
581 of electronic building permit plans for building code  
582 inspection and record retention; amending s. 553.841,  
583 F.S.; revising education and training requirements of  
584 the Florida Building Code Compliance and Mitigation  
585 Program; creating s. 553.883, F.S.; authorizing use of  
586 a smoke alarms powered by a specified type of battery

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587 in certain circumstances; requiring use of such alarms  
588 by a certain date; amending s. 553.993, F.S.; revising  
589 the definition of the term "building energy-efficiency  
590 rating system" to require consistency with certain  
591 national standards for new construction and existing  
592 construction; providing for oversight; amending s.  
593 633.212, F.S.; deleting a requirement that a member of  
594 the Fire Code Interpretation Committee notify the  
595 committee of an inability to respond before the  
596 alternate member may respond;

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