

1                   A bill to be entitled  
2           An act relating to building codes; amending s.  
3           468.609, F.S.; revising the certification examination  
4           requirements for building code inspectors, plans  
5           examiners, and building code administrators; requiring  
6           the Florida Building Code Administrators and  
7           Inspectors Board to provide for issuance of certain  
8           provisional certificates; amending ss. 468.627,  
9           471.0195, 481.215, and 481.313, F.S.; requiring a  
10          licensee or certificateholder to undergo code-related  
11          training as part of his or her continuing education  
12          courses; amending s. 489.103, F.S.; providing an  
13          exemption for certain employees who make minor repairs  
14          to existing electric water heaters and to existing  
15          electric heating, venting, and air-conditioning  
16          systems under specified circumstances; amending s.  
17          489.105, F.S.; revising the definition of the term  
18          "plumbing contractor"; amending s. 489.115, F.S.;  
19          requiring a certificateholder or registrant to undergo  
20          code-related training as part of his or her continuing  
21          education requirements; amending s. 489.1401, F.S.;  
22          revising legislative intent with respect to the  
23          purpose of the Florida Homeowners' Construction  
24          Recovery Fund; providing legislative intent that  
25          Division II contractors set apart funds to participate  
26          in the fund; amending s. 489.1402, F.S.; revising

27 definitions; amending s. 489.141, F.S.; authorizing  
28 certain claimants to make a claim against the recovery  
29 fund for certain contracts entered into before a  
30 specified date; amending s. 489.1425, F.S.; revising a  
31 notification provided by contractors to certain  
32 residential property owners to state that payment from  
33 the recovery fund is limited; amending s. 489.143,  
34 F.S.; revising provisions concerning payments from the  
35 recovery fund; specifying claim amounts for certain  
36 contracts entered into before or after specified  
37 dates; providing aggregate caps for payments; amending  
38 s. 489.503, F.S.; exempting certain low-voltage  
39 landscape lighting from licensed electrical contractor  
40 installation requirements; amending s. 489.517, F.S.;  
41 requiring a certificateholder or registrant to undergo  
42 code-related training as part of his or her continuing  
43 education requirements; amending s. 514.011, F.S.;  
44 revising the definition of the term "private pool";  
45 amending s. 514.0115, F.S.; prohibiting a portable  
46 pool from being regulated as a public pool in certain  
47 circumstances; amending s. 514.031, F.S.; providing  
48 that a portable pool may not be used as a public pool  
49 unless it is exempt under s. 514.0115, F.S.; amending  
50 s. 553.512, F.S.; revising the membership of the  
51 Accessibility Advisory Council; amending s. 553.721,  
52 F.S.; directing the Florida Building Code Compliance

53 and Mitigation Program to fund, from existing  
54 resources, the recommendations made by the Building  
55 Code System Uniform Implementation Evaluation  
56 Workgroup; providing a limitation; requiring that a  
57 specified amount of funds from the surcharge be used  
58 to fund certain Florida Fire Prevention Code informal  
59 interpretations; requiring the State Fire Marshal to  
60 adopt specified rules; amending s. 553.73, F.S.;

61 authorizing local boards created to address specified  
62 issues to combine the appeals boards to create a  
63 single, local board; authorizing the local board to  
64 grant alternatives or modifications through specified  
65 procedures; requiring at least one member of a board  
66 to be a fire protection contractor, a fire protection  
67 design professional, a fire department operations  
68 professional, or a fire code enforcement professional  
69 in order to meet a specified quorum requirement;

70 authorizing the appeal to a local administrative board  
71 of specified decisions made by a local fire official;  
72 specifying the decisions of the local building  
73 official and the local fire official which are subject  
74 to review; prohibiting an agency or local government  
75 from requiring that existing mechanical equipment  
76 located on or above the surface of a roof be installed  
77 in compliance with the Florida Building Code under  
78 certain circumstances; prohibiting the Florida

79 Building Code from requiring more than one fire access  
80 elevator in certain buildings; prohibiting a 1-hour  
81 fire-rated fire service access elevator lobby from  
82 being required in certain circumstances; requiring a  
83 1-hour fire-related fire service access elevator lobby  
84 in certain circumstances; providing that the  
85 requirement for a second fire service access elevator  
86 is not considered a part of the Florida Building Code;  
87 amending s. 553.775, F.S.; revising membership on a  
88 panel that hears requests to review decisions of local  
89 building officials; amending s. 553.79, F.S.;

90 authorizing a building official to issue a permit for  
91 the construction of the foundation or any other part  
92 of a building or structure before the construction  
93 documents for the whole building or structure have  
94 been submitted; providing that the holder of such  
95 permit shall begin building at the holder's own risk  
96 with the building operation and without assurance that  
97 a permit for the entire structure will be granted;  
98 amending s. 553.841, F.S.; authorizing the Department  
99 of Business and Professional Regulation to maintain,  
100 update, develop, or cause to be developed code-related  
101 training and education; removing provisions related to  
102 the development of advanced courses with respect to  
103 the Florida Building Code Compliance and Mitigation  
104 Program and the accreditation of courses related to

105 the Florida Building Code; amending s. 553.842, F.S.;

106 providing that Underwriters Laboratories, LLC, is an

107 approved evaluation entity; amending s. 553.883, F.S.;

108 exempting certain devices from certain smoke alarm

109 battery requirements; amending s. 553.908, F.S.;

110 restricting certain provisions of the Florida Building

111 Code or law relating to air sealing and insulation

112 from becoming effective; prohibiting certain

113 governmental entities from requiring certain HVAC type

114 tests in specific buildings; amending s. 633.202,

115 F.S.; requiring all new high-rise and existing high-

116 rise buildings to maintain a minimum radio signal

117 strength for fire department communications; providing

118 a transitory period for compliance; requiring existing

119 buildings and existing apartment buildings that are

120 not in compliance to initiate an application for an

121 appropriate permit by a specified date; requiring

122 areas of refuge to be required as determined by the

123 Florida Building Code-Accessibility; amending s.

124 633.206, F.S.; providing that certain provisions may

125 be applied to existing assisted living facilities

126 notwithstanding the edition of the codes applied at

127 the time of construction; amending s. 633.208, F.S.;

128 authorizing fire officials to consider certain systems

129 as acceptable systems when identifying low-cost

130 alternatives; amending s. 633.336, F.S.; authorizing a

131 licensed fire protection contractor to subcontract for  
132 advanced technical services under certain  
133 circumstances; amending s. 120.541, F.S., relating to  
134 statements of estimated regulatory costs; deleting  
135 exemptions from legislative ratification for certain  
136 updates and amendments to the Florida Building Code  
137 and the Florida Fire Prevention Code; amending s.  
138 120.80, F.S.; revising the exemption from legislative  
139 ratification for certain provisions of the Florida  
140 Building Code and the Florida Fire Prevention Code;  
141 requiring a statement of estimated regulatory costs to  
142 evaluate each new section of certain codes under  
143 certain circumstances; creating the Calder Sloan  
144 Swimming Pool Electrical-Safety Task Force within the  
145 Florida Building Commission; specifying the purpose of  
146 the task force; requiring a report to the Governor and  
147 the Legislature by a specified date; providing for  
148 membership; requiring the Florida Building Commission  
149 to provide staff, information, and other assistance to  
150 the task force; providing that members of the task  
151 force serve without compensation; authorizing the task  
152 force to meet as often as necessary; providing for  
153 future repeal of the task force; providing an  
154 effective date.

155  
156 Be It Enacted by the Legislature of the State of Florida:

157  
158 Section 1. Subsections (2), (3), and (7) of section  
159 468.609, Florida Statutes, are amended to read:

160 468.609 Administration of this part; standards for  
161 certification; additional categories of certification.—

162 (2) A person may take the examination for certification as  
163 a building code inspector or plans examiner pursuant to this  
164 part if the person:

165 (a) Is at least 18 years of age.

166 (b) Is of good moral character.

167 (c) Meets eligibility requirements according to one of the  
168 following criteria:

169 1. Demonstrates 5 years' combined experience in the field  
170 of construction or a related field, building code inspection, or  
171 plans review corresponding to the certification category sought;

172 2. Demonstrates a combination of postsecondary education  
173 in the field of construction or a related field and experience  
174 which totals 4 years, with at least 1 year of such total being  
175 experience in construction, building code inspection, or plans  
176 review;

177 3. Demonstrates a combination of technical education in  
178 the field of construction or a related field and experience  
179 which totals 4 years, with at least 1 year of such total being  
180 experience in construction, building code inspection, or plans  
181 review;

182 4. Currently holds a standard certificate ~~as~~ issued by the

183 board, or a firesafety ~~fire safety~~ inspector license issued  
 184 pursuant to chapter 633, has a minimum of 3 ~~5~~ years' verifiable  
 185 full-time experience in inspection or plan review, and has  
 186 satisfactorily completed ~~completes~~ a building code inspector or  
 187 plans examiner training program that provides at least 100 hours  
 188 but not more ~~of not less~~ than 200 hours of cross-training in the  
 189 certification category sought. The board shall establish by rule  
 190 criteria for the development and implementation of the training  
 191 programs. The board shall accept all classroom training offered  
 192 by an approved provider if the content substantially meets the  
 193 intent of the classroom component of the training program; or

194 5. Demonstrates a combination of the completion of an  
 195 approved training program in the field of building code  
 196 inspection or plan review and a minimum of 2 years' experience  
 197 in the field of building code inspection, plan review, fire code  
 198 inspections and fire plans review of new buildings as a  
 199 firesafety inspector certified under s. 633.216, or  
 200 construction. The approved training portion of this requirement  
 201 shall include proof of satisfactory completion of a training  
 202 program that provides at least 200 hours but not more ~~of not~~  
 203 ~~less~~ than 300 hours of cross-training that ~~which~~ is approved by  
 204 the board in the chosen category of building code inspection or  
 205 plan review in the certification category sought with at least  
 206 ~~not less than~~ 20 hours but not more than 30 hours of instruction  
 207 in state laws, rules, and ethics relating to professional  
 208 standards of practice, duties, and responsibilities of a



209 certificateholder. The board shall coordinate with the Building  
210 Officials Association of Florida, Inc., to establish by rule the  
211 development and implementation of the training program. However,  
212 the board shall accept all classroom training offered by an  
213 approved provider if the content substantially meets the intent  
214 of the classroom component of the training program; or

215 6. Currently holds a standard certificate issued by the  
216 board or a firesafety inspector license issued pursuant to  
217 chapter 633 and:

218 a. Has at least 5 years' verifiable full-time experience  
219 as an inspector or plans examiner in a standard certification  
220 category currently held or has a minimum of 5 years' verifiable  
221 full-time experience as a firesafety inspector licensed pursuant  
222 to chapter 633.

223 b. Has satisfactorily completed a building code inspector  
224 or plans examiner classroom training course or program that  
225 provides at least 200 but not more than 300 hours in the  
226 certification category sought, except for one-family and two-  
227 family dwelling training programs, which are required to provide  
228 at least 500 but not more than 800 hours of training as  
229 prescribed by the board. The board shall establish by rule  
230 criteria for the development and implementation of classroom  
231 training courses and programs in each certification category.

232 (3) A person may take the examination for certification as  
233 a building code administrator pursuant to this part if the  
234 person:

235 (a) Is at least 18 years of age.

236 (b) Is of good moral character.

237 (c) Meets eligibility requirements according to one of the

238 following criteria:

239 1. Demonstrates 10 years' combined experience as an

240 architect, engineer, plans examiner, building code inspector,

241 registered or certified contractor, or construction

242 superintendent, with at least 5 years of such experience in

243 supervisory positions; or

244 2. Demonstrates a combination of postsecondary education

245 in the field of construction or related field, no more than 5

246 years of which may be applied, and experience as an architect,

247 engineer, plans examiner, building code inspector, registered or

248 certified contractor, or construction superintendent which

249 totals 10 years, with at least 5 years of such total being

250 experience in supervisory positions. In addition, the applicant

251 must have completed training consisting of at least 20 hours,

252 but not more than 30 hours, of instruction in state laws, rules,

253 and ethics relating to the professional standards of practice,

254 duties, and responsibilities of a certificateholder.

255 (7) (a) The board shall ~~may~~ provide for the issuance of

256 provisional certificates valid for 1 year, as specified by board

257 rule, to any newly employed or promoted building code inspector

258 or plans examiner who meets the eligibility requirements

259 described in subsection (2) and any newly employed or promoted

260 building code administrator who meets the eligibility

261 requirements described in subsection (3). The provisional  
262 license may be renewed by the board for just cause; however, a  
263 provisional license is not valid for a period longer than 3  
264 years.

265 (b) A ~~No~~ building code administrator, plans examiner, or  
266 building code inspector may not have a provisional certificate  
267 extended beyond the specified period by renewal or otherwise.

268 (c) The board shall ~~may~~ provide for appropriate levels of  
269 provisional certificates and may issue these certificates with  
270 such special conditions or requirements relating to the place of  
271 employment of the person holding the certificate, the  
272 supervision of such person on a consulting or advisory basis, or  
273 other matters as the board may deem necessary to protect the  
274 public safety and health.

275 (d) A newly employed or hired person may perform the  
276 duties of a plans examiner or building code inspector for 120  
277 days if a provisional certificate application has been submitted  
278 if such person is under the direct supervision of a certified  
279 building code administrator who holds a standard certification  
280 and who has found such person qualified for a provisional  
281 certificate. Direct supervision and the determination of  
282 qualifications may also be provided by a building code  
283 administrator who holds a limited or provisional certificate in  
284 a county having a population of fewer than 75,000 and in a  
285 municipality located within such county.

286 Section 2. Subsection (5) of section 468.627, Florida

287 Statutes, is amended to read:

288 468.627 Application; examination; renewal; fees.—

289 (5) The certificateholder shall provide proof, in a form  
 290 established by board rule, that the certificateholder has  
 291 completed at least 14 classroom hours of at least 50 minutes  
 292 each of continuing education courses during each biennium since  
 293 the issuance or renewal of the certificate, including code-  
 294 related training ~~the specialized or advanced coursework approved~~  
 295 ~~by the Florida Building Commission~~, as part of the building code  
 296 training program established pursuant to s. 553.841, appropriate  
 297 to the licensing category sought. A minimum of 3 of the required  
 298 14 classroom hours must be on state law, rules, and ethics  
 299 relating to professional standards of practice, duties, and  
 300 responsibilities of the certificateholder. The board shall by  
 301 rule establish criteria for approval of continuing education  
 302 courses and providers, and may by rule establish criteria for  
 303 accepting alternative nonclassroom continuing education on an  
 304 hour-for-hour basis.

305 Section 3. Section 471.0195, Florida Statutes, is amended  
 306 to read:

307 471.0195 Florida Building Code training for engineers.—All  
 308 licensees actively participating in the design of engineering  
 309 works or systems in connection with buildings, structures, or  
 310 facilities and systems covered by the Florida Building Code  
 311 shall take continuing education courses and submit proof to the  
 312 board, at such times and in such manner as established by the

313 board by rule, that the licensee has completed any specialized  
 314 or code-related training ~~advanced courses~~ on any portion of the  
 315 Florida Building Code applicable to the licensee's area of  
 316 practice. The board shall record reported continuing education  
 317 courses on a system easily accessed by code enforcement  
 318 jurisdictions for evaluation when determining license status for  
 319 purposes of processing design documents. Local jurisdictions  
 320 shall be responsible for notifying the board when design  
 321 documents are submitted for building construction permits by  
 322 persons who are not in compliance with this section. The board  
 323 shall take appropriate action as provided by its rules when such  
 324 noncompliance is determined to exist.

325 Section 4. Subsection (5) of section 481.215, Florida  
 326 Statutes, is amended to read:

327 481.215 Renewal of license.—

328 (5) The board shall require, by rule adopted pursuant to  
 329 ss. 120.536(1) and 120.54, a specified number of hours in  
 330 specialized or code-related training ~~advanced courses, approved~~  
 331 ~~by the Florida Building Commission,~~ on any portion of the  
 332 Florida Building Code, adopted pursuant to part IV of chapter  
 333 553, relating to the licensee's respective area of practice.

334 Section 5. Subsection (5) of section 481.313, Florida  
 335 Statutes, is amended to read:

336 481.313 Renewal of license.—

337 (5) The board shall require, by rule adopted pursuant to  
 338 ss. 120.536(1) and 120.54, a specified number of hours in

339 specialized or code-related training ~~advanced courses, approved~~  
340 ~~by the Florida Building Commission,~~ on any portion of the  
341 Florida Building Code, adopted pursuant to part IV of chapter  
342 553, relating to the licensee's respective area of practice.

343 Section 6. Subsection (23) is added to section 489.103,  
344 Florida Statutes, to read:

345 489.103 Exemptions.—This part does not apply to:

346 (23) An employee of an apartment community or apartment  
347 community management company who makes minor repairs to existing  
348 electric water heaters or to existing electric heating, venting,  
349 and air-conditioning systems if:

350 (a) The employee:

351 1. Does not hold himself or herself or his or her employer  
352 out to be licensed or qualified by a licensee.

353 2. Does not perform any acts, other than acts authorized  
354 by this exemption, that constitute contracting.

355 3. Receives compensation from and is under the supervision  
356 and control of an employer who deducts the FICA and withholding  
357 tax and who provides workers' compensation, as prescribed by  
358 law.

359 4. Holds a current certificate for apartment maintenance  
360 technicians issued by the National Apartment Association and  
361 accredited by the American National Standards Institute.

362 Requirements for obtaining such certificate must include at  
363 least:

364 a. One year of apartment or rental housing maintenance

365 experience.

366 b. Successful completion of at least 90 hours of courses  
367 or online content that covers electrical maintenance and repair;  
368 plumbing maintenance and repair; heating, venting, or air-  
369 conditioning system maintenance and repair; appliance  
370 maintenance and repair; and interior and exterior maintenance  
371 and repair.

372 c. Completion of all examination requirements.

373 (b) The equipment:

374 1. Is already installed on the property owned by the  
375 apartment community or managed by the apartment community  
376 management company.

377 2. Is not being modified except to replace components  
378 necessary to return the equipment to its original condition and  
379 the partial disassembly associated with the replacement.

380 3. Is a type of equipment commonly installed in similar  
381 locations.

382 4. Is repaired with new parts that are functionally  
383 identical to the parts being replaced.

384 (c) An individual repair does not involve replacement  
385 parts that cost more than \$1,000. An individual repair may not  
386 be so extensive as to be a functional replacement of the  
387 electric water heater or the existing electric heating, venting,  
388 or air-conditioning system being repaired.

389 (d) The property owned by the apartment community or  
390 managed by the apartment community management company includes

391 at least 100 apartments.

392 Section 7. Paragraph (m) of subsection (3) of section  
393 489.105, Florida Statutes, is amended to read:

394 489.105 Definitions.—As used in this part:

395 (3) "Contractor" means the person who is qualified for,  
396 and is only responsible for, the project contracted for and  
397 means, except as exempted in this part, the person who, for  
398 compensation, undertakes to, submits a bid to, or does himself  
399 or herself or by others construct, repair, alter, remodel, add  
400 to, demolish, subtract from, or improve any building or  
401 structure, including related improvements to real estate, for  
402 others or for resale to others; and whose job scope is  
403 substantially similar to the job scope described in one of the  
404 paragraphs of this subsection. For the purposes of regulation  
405 under this part, the term "demolish" applies only to demolition  
406 of steel tanks more than 50 feet in height; towers more than 50  
407 feet in height; other structures more than 50 feet in height;  
408 and all buildings or residences. Contractors are subdivided into  
409 two divisions, Division I, consisting of those contractors  
410 defined in paragraphs (a)-(c), and Division II, consisting of  
411 those contractors defined in paragraphs (d)-(q):

412 (m) "Plumbing contractor" means a contractor whose  
413 services are unlimited in the plumbing trade and includes  
414 contracting business consisting of the execution of contracts  
415 requiring the experience, financial means, knowledge, and skill  
416 to install, maintain, repair, alter, extend, or, if not



417 prohibited by law, design plumbing. A plumbing contractor may  
418 install, maintain, repair, alter, extend, or, if not prohibited  
419 by law, design the following without obtaining an additional  
420 local regulatory license, certificate, or registration: sanitary  
421 drainage or storm drainage facilities, water and sewer plants  
422 and substations, venting systems, public or private water supply  
423 systems, septic tanks, drainage and supply wells, swimming pool  
424 piping, irrigation systems, and solar heating water systems and  
425 all appurtenances, apparatus, or equipment used in connection  
426 therewith, including boilers and pressure process piping and  
427 including the installation of water, natural gas, liquefied  
428 petroleum gas and related venting, and storm and sanitary sewer  
429 lines. The scope of work of the plumbing contractor also  
430 includes the design, if not prohibited by law, and installation,  
431 maintenance, repair, alteration, or extension of air-piping,  
432 vacuum line piping, oxygen line piping, nitrous oxide piping,  
433 and all related medical gas systems; fire line standpipes and  
434 fire sprinklers if authorized by law; ink and chemical lines;  
435 fuel oil and gasoline piping and tank and pump installation,  
436 except bulk storage plants; and pneumatic control piping  
437 systems, all in a manner that complies with all plans,  
438 specifications, codes, laws, and regulations applicable. The  
439 scope of work of the plumbing contractor applies to private  
440 property and public property, including any excavation work  
441 incidental thereto, and includes the work of the specialty  
442 plumbing contractor. Such contractor shall subcontract, with a

443 qualified contractor in the field concerned, all other work  
444 incidental to the work but which is specified as being the work  
445 of a trade other than that of a plumbing contractor. This  
446 definition does not limit the scope of work of any specialty  
447 contractor certified pursuant to s. 489.113(6), and does not  
448 require certification or registration under this part as a  
449 category I liquefied petroleum gas dealer, LP gas installer, or  
450 specialty installer who is licensed under chapter 527 or an ~~of~~  
451 ~~any~~ authorized employee of a public natural gas utility or of a  
452 private natural gas utility regulated by the Public Service  
453 Commission when disconnecting and reconnecting water lines in  
454 the servicing or replacement of an existing water heater. A  
455 plumbing contractor may perform drain cleaning and clearing and  
456 install or repair rainwater catchment systems; however, a  
457 mandatory licensing requirement is not established for the  
458 performance of these specific services.

459 Section 8. Paragraph (b) of subsection (4) of section  
460 489.115, Florida Statutes, is amended to read:

461 489.115 Certification and registration; endorsement;  
462 reciprocity; renewals; continuing education.—

463 (4)

464 (b)1. Each certificateholder or registrant shall provide  
465 proof, in a form established by rule of the board, that the  
466 certificateholder or registrant has completed at least 14  
467 classroom hours of at least 50 minutes each of continuing  
468 education courses during each biennium since the issuance or

469 renewal of the certificate or registration. The board shall  
470 establish by rule that a portion of the required 14 hours must  
471 deal with the subject of workers' compensation, business  
472 practices, workplace safety, and, for applicable licensure  
473 categories, wind mitigation methodologies, and 1 hour of which  
474 must deal with laws and rules. The board shall by rule establish  
475 criteria for the approval of continuing education courses and  
476 providers, including requirements relating to the content of  
477 courses and standards for approval of providers, and may by rule  
478 establish criteria for accepting alternative nonclassroom  
479 continuing education on an hour-for-hour basis. The board shall  
480 prescribe by rule the continuing education, if any, which is  
481 required during the first biennium of initial licensure. A  
482 person who has been licensed for less than an entire biennium  
483 must not be required to complete the full 14 hours of continuing  
484 education.

485       2. In addition, the board may approve specialized  
486 continuing education courses on compliance with the wind  
487 resistance provisions for one and two family dwellings contained  
488 in the Florida Building Code and any alternate methodologies for  
489 providing such wind resistance which have been approved for use  
490 by the Florida Building Commission. Division I  
491 certificateholders or registrants who demonstrate proficiency  
492 upon completion of such specialized courses may certify plans  
493 and specifications for one and two family dwellings to be in  
494 compliance with the code or alternate methodologies, as

495 appropriate, except for dwellings located in floodways or  
 496 coastal hazard areas as defined in ss. 60.3D and E of the  
 497 National Flood Insurance Program.

498 3. The board shall require, by rule adopted pursuant to  
 499 ss. 120.536(1) and 120.54, a specified number of hours in  
 500 specialized or code-related training ~~advanced module courses,~~  
 501 ~~approved by the Florida Building Commission,~~ on any portion of  
 502 the Florida Building Code, adopted pursuant to part IV of  
 503 chapter 553, relating to the contractor's respective discipline.

504 Section 9. Subsections (2) and (3) of section 489.1401,  
 505 Florida Statutes, are amended to read:

506 489.1401 Legislative intent.—

507 (2) It is the intent of the Legislature that the sole  
 508 purpose of the Florida Homeowners' Construction Recovery Fund is  
 509 to compensate an ~~any~~ aggrieved claimant who contracted for the  
 510 construction or improvement of the homeowner's residence located  
 511 within this state and who has obtained a final judgment in a ~~any~~  
 512 court of competent jurisdiction, was awarded restitution by the  
 513 Construction Industry Licensing Board, or received an award in  
 514 arbitration against a licensee on grounds of financial  
 515 mismanagement or misconduct, abandoning a construction project,  
 516 or making a false statement with respect to a project. Such  
 517 grievance must arise ~~and arising~~ directly out of a ~~any~~  
 518 transaction conducted when the judgment debtor was licensed and  
 519 must involve an act performed ~~any of the activities~~ enumerated  
 520 under s. 489.129(1)(g), (j) or (k) ~~on the homeowner's residence.~~

521 (3) It is the intent of the Legislature that Division I  
522 and Division II contractors set apart funds for the specific  
523 objective of participating in the fund.

524 Section 10. Paragraphs (d), (i), (k), and (l) of  
525 subsection (1) of section 489.1402, Florida Statutes, are  
526 amended to read:

527 489.1402 Homeowners' Construction Recovery Fund;  
528 definitions.—

529 (1) The following definitions apply to ss. 489.140-  
530 489.144:

531 (d) "Contractor" means a Division I or Division II  
532 contractor performing his or her respective services described  
533 in s. 489.105(3)(a)-(g) ~~489.105(3)(a)-(e)~~.

534 (i) "Residence" means a single-family residence, an  
535 individual residential condominium or cooperative unit, or a  
536 residential building containing not more than two residential  
537 units in which the owner contracting for the improvement is  
538 residing or will reside 6 months or more each calendar year upon  
539 completion of the improvement.

540 (k) "Same transaction" means a contract, or a ~~any~~ series  
541 of contracts, between a claimant and a contractor or qualified  
542 business, when such contract or contracts involve the same  
543 property or contiguous properties and are entered into either at  
544 one time or serially.

545 (l) "Valid and current license," for the purpose of s.  
546 489.141(2)(d), means a ~~any~~ license issued pursuant to this part

547 to a licensee, including a license in an active, inactive,  
 548 delinquent, or suspended status.

549 Section 11. Subsections (1) and (2) of section 489.141,  
 550 Florida Statutes, are amended to read:

551 489.141 Conditions for recovery; eligibility.—

552 (1) A ~~Any~~ claimant is eligible to seek recovery from the  
 553 recovery fund after making ~~having made~~ a claim and exhausting  
 554 the limits of any available bond, cash bond, surety, guarantee,  
 555 warranty, letter of credit, or policy of insurance if, ~~provided~~  
 556 ~~that~~ each of the following conditions is satisfied:

557 (a) The claimant has received a final judgment in a court  
 558 of competent jurisdiction in this state or has received an award  
 559 in arbitration or the Construction Industry Licensing Board has  
 560 issued a final order directing the licensee to pay restitution  
 561 to the claimant. The board may waive this requirement if:

562 1. The claimant is unable to secure a final judgment  
 563 against the licensee due to the death of the licensee; or

564 2. The claimant has sought to have assets involving the  
 565 transaction that gave rise to the claim removed from the  
 566 bankruptcy proceedings so that the matter might be heard in a  
 567 court of competent jurisdiction in this state and, after due  
 568 diligence, the claimant is precluded by action of the bankruptcy  
 569 court from securing a final judgment against the licensee.

570 (b) The judgment, award, or restitution is based upon a  
 571 violation of s. 489.129(1)(g), (j), or (k) or s. 713.35.

572 (c) The violation was committed by a licensee.

573 (d) The judgment, award, or restitution order specifies  
574 the actual damages suffered as a consequence of such violation.

575 (e) The contract was executed and the violation occurred  
576 on or after July 1, 1993, and provided that:

577 1. The claimant has caused to be issued a writ of  
578 execution upon such judgment, and the officer executing the writ  
579 has made a return showing that no personal or real property of  
580 the judgment debtor or licensee liable to be levied upon in  
581 satisfaction of the judgment can be found or that the amount  
582 realized on the sale of the judgment debtor's or licensee's  
583 property pursuant to such execution was insufficient to satisfy  
584 the judgment;

585 2. If the claimant is unable to comply with subparagraph  
586 1. for a valid reason to be determined by the board, the  
587 claimant has made all reasonable searches and inquiries to  
588 ascertain whether the judgment debtor or licensee is possessed  
589 of real or personal property or other assets subject to being  
590 sold or applied in satisfaction of the judgment and by his or  
591 her search has discovered no property or assets or has  
592 discovered property and assets and has taken all necessary  
593 action and proceedings for the application thereof to the  
594 judgment but the amount thereby realized was insufficient to  
595 satisfy the judgment; and

596 3. The claimant has made a diligent attempt, as defined by  
597 board rule, to collect the restitution awarded by the board.

598 (f) A claim for recovery is made within 1 year after the

599 conclusion of any civil, criminal, or administrative action or  
 600 award in arbitration based on the act. This paragraph applies to  
 601 any claim filed with the board after October 1, 1998.

602 (g) Any amounts recovered by the claimant from the  
 603 judgment debtor or licensee, or from any other source, have been  
 604 applied to the damages awarded by the court or the amount of  
 605 restitution ordered by the board.

606 (h) The claimant is not a person who is precluded by this  
 607 act from making a claim for recovery.

608 (2) A claimant is not qualified to make a claim for  
 609 recovery from the recovery fund, if:

610 (a) The claimant is the spouse of the judgment debtor or  
 611 licensee or a personal representative of such spouse;

612 (b) The claimant is a licensee who acted as the contractor  
 613 in the transaction that ~~which~~ is the subject of the claim;

614 (c) The claim is based upon a construction contract in  
 615 which the licensee was acting with respect to the property owned  
 616 or controlled by the licensee;

617 (d) The claim is based upon a construction contract in  
 618 which the contractor did not hold a valid and current license at  
 619 the time of the construction contract;

620 (e) The claimant was associated in a business relationship  
 621 with the licensee other than the contract at issue; or

622 ~~(f) The claimant has suffered damages as the result of~~  
 623 ~~making improper payments to a contractor as defined in part I of~~  
 624 ~~chapter 713; or~~



625 (f)~~(g)~~ The claimant had entered into a contract ~~has~~  
 626 ~~contracted~~ with a licensee to perform a scope of work described  
 627 in s. 489.105(3)(d)-(g) before July 1, 2016 ~~489.105(3)(d)-(p)~~.

628 Section 12. Subsection (1) of section 489.1425, Florida  
 629 Statutes, is amended to read:

630 489.1425 Duty of contractor to notify residential property  
 631 owner of recovery fund.—

632 (1) Each ~~Any~~ agreement or contract for repair,  
 633 restoration, improvement, or construction to residential real  
 634 property must contain a written statement explaining the  
 635 consumer's rights under the recovery fund, except where the  
 636 value of all labor and materials does not exceed \$2,500. The  
 637 written statement must be substantially in the following form:

638  
 639 FLORIDA HOMEOWNERS' CONSTRUCTION  
 640 RECOVERY FUND

641  
 642 PAYMENT, UP TO A LIMITED AMOUNT, MAY BE AVAILABLE FROM THE  
 643 FLORIDA HOMEOWNERS' CONSTRUCTION RECOVERY FUND IF YOU LOSE MONEY  
 644 ON A PROJECT PERFORMED UNDER CONTRACT, WHERE THE LOSS RESULTS  
 645 FROM SPECIFIED VIOLATIONS OF FLORIDA LAW BY A LICENSED  
 646 CONTRACTOR. FOR INFORMATION ABOUT THE RECOVERY FUND AND FILING A  
 647 CLAIM, CONTACT THE FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD  
 648 AT THE FOLLOWING TELEPHONE NUMBER AND ADDRESS:

649  
 650 The statement must ~~shall~~ be immediately followed by the board's

651 address and telephone number as established by board rule.

652 Section 13. Section 489.143, Florida Statutes, is amended  
653 to read:

654 489.143 Payment from the fund.—

655 (1) The fund shall be disbursed as provided in s. 489.141  
656 on a final order of the board.

657 (2) A ~~Any~~ claimant who meets all of the conditions  
658 prescribed in s. 489.141 may apply to the board to cause payment  
659 to be made to a claimant from the recovery fund in an amount  
660 equal to the judgment, award, or restitution order or \$25,000,  
661 whichever is less, or an amount equal to the unsatisfied portion  
662 of such person's judgment, award, or restitution order, but only  
663 to the extent and amount of actual damages suffered by the  
664 claimant, and only up to the maximum payment allowed for each  
665 respective Division I and Division II claim. Payment from the  
666 fund for other costs related to or pursuant to civil proceedings  
667 such as postjudgment interest, attorney ~~attorney's~~ fees, court  
668 costs, medical damages, and punitive damages is prohibited. The  
669 recovery fund is not obligated to pay a ~~any~~ judgment, an award,  
670 or a restitution order, or any portion thereof, which is not  
671 expressly based on one of the grounds for recovery set forth in  
672 s. 489.141.

673 (3) Beginning January 1, 2005, for each Division I  
674 contract entered into after July 1, 2004, payment from the  
675 recovery fund is ~~shall be~~ subject to a \$50,000 maximum payment  
676 for each Division I claim. Beginning January 1, 2017, for each

677 Division II contract entered into on or after July 1, 2016,  
678 payment from the recovery fund is subject to a \$15,000 maximum  
679 payment for each Division II claim.

680 (4)~~(3)~~ Upon receipt by a claimant under subsection (2) of  
681 payment from the recovery fund, the claimant shall assign his or  
682 her additional right, title, and interest in the judgment,  
683 award, or restitution order, to the extent of such payment, to  
684 the board, and thereupon the board shall be subrogated to the  
685 right, title, and interest of the claimant; and any amount  
686 subsequently recovered on the judgment, award, or restitution  
687 order, to the extent of the right, title, and interest of the  
688 board therein, shall be for the purpose of reimbursing the  
689 recovery fund.

690 (5)~~(4)~~ Payments for claims arising out of the same  
691 transaction shall be limited, in the aggregate, to the lesser of  
692 the judgment, award, or restitution order or the maximum payment  
693 allowed for a Division I or Division II claim, regardless of the  
694 number of claimants involved in the transaction.

695 (6)~~(5)~~ For contracts entered into before July 1, 2004,  
696 payments for claims against any one licensee may ~~shall~~ not  
697 exceed, in the aggregate, \$100,000 annually, up to a total  
698 aggregate of \$250,000. For any claim approved by the board which  
699 is in excess of the annual cap, the amount in excess of \$100,000  
700 up to the total aggregate cap of \$250,000 is eligible for  
701 payment in the next and succeeding fiscal years, but only after  
702 all claims for the then-current calendar year have been paid.

703 Payments may not exceed the aggregate annual or per claimant  
 704 limits under law. Beginning January 1, 2005, for each Division I  
 705 contract entered into after July 1, 2004, payment from the  
 706 recovery fund is subject only to a total aggregate cap of  
 707 \$500,000 for each Division I licensee. Beginning January 1,  
 708 2017, for each Division II contract entered into on or after  
 709 July 1, 2015, payment from the recovery fund is subject only to  
 710 a total aggregate cap of \$150,000 for each Division II licensee.

711 (7)(6) Claims shall be paid in the order filed, up to the  
 712 aggregate limits for each transaction and licensee and to the  
 713 limits of the amount appropriated to pay claims against the fund  
 714 ~~for the fiscal year in which the claims were filed.~~ Payments may  
 715 not exceed the total aggregate cap per license or per claimant  
 716 limits under this section.

717 (8)(7) If the annual appropriation is exhausted with  
 718 claims pending, such claims shall be carried forward to the next  
 719 fiscal year. Any moneys in excess of pending claims remaining in  
 720 the recovery fund at the end of the fiscal year shall be paid as  
 721 provided in s. 468.631.

722 (9)(8) Upon the payment of any amount from the recovery  
 723 fund in settlement of a claim in satisfaction of a judgment,  
 724 award, or restitution order against a licensee as described in  
 725 s. 489.141, the license of such licensee shall be automatically  
 726 suspended, without further administrative action, upon the date  
 727 of payment from the fund. The license of such licensee may ~~shall~~  
 728 not be reinstated until he or she has repaid in full, plus

729 interest, the amount paid from the fund. A discharge of  
 730 bankruptcy does not relieve a person from the penalties and  
 731 disabilities provided in this section.

732 (10)~~(9)~~ A ~~Any~~ firm, a corporation, a partnership, or an  
 733 association, or a ~~any~~ person acting in his or her individual  
 734 capacity, who aids, abets, solicits, or conspires with another  
 735 ~~any~~ person to knowingly present or cause to be presented a ~~any~~  
 736 false or fraudulent claim for the payment of a loss under this  
 737 act commits ~~is guilty of~~ a third-degree felony, punishable as  
 738 provided in s. 775.082 or s. 775.084 and by a fine of up to ~~not~~  
 739 ~~exceeding~~ \$30,000, unless the value of the fraud exceeds that  
 740 amount, ~~\$30,000~~ in which event the fine may not exceed double  
 741 the value of the fraud.

742 (11)~~(10)~~ Each payment ~~All payments~~ and disbursement  
 743 ~~disbursements~~ from the recovery fund shall be made by the Chief  
 744 Financial Officer upon a voucher signed by the secretary of the  
 745 department or the secretary's designee.

746 Section 14. Subsection (24) is added to section 489.503,  
 747 Florida Statutes, to read:

748 489.503 Exemptions.—This part does not apply to:

749 (24) A person who installs low-voltage landscape lighting  
 750 that contains a factory-installed electrical cord with plug that  
 751 does not require installation, wiring, or other modification to  
 752 the electrical wiring of a structure.

753 Section 15. Subsection (6) of section 489.517, Florida  
 754 Statutes, is amended to read:

755 489.517 Renewal of certificate or registration; continuing  
 756 education.—

757 (6) The board shall require, by rule adopted pursuant to  
 758 ss. 120.536(1) and 120.54, a specialized number of hours in  
 759 specialized or code-related training ~~advanced module courses,~~  
 760 ~~approved by the Florida Building Commission,~~ on any portion of  
 761 the Florida Building Code, adopted pursuant to part IV of  
 762 chapter 553, relating to the contractor's respective discipline.

763 Section 16. Subsection (3) of section 514.011, Florida  
 764 Statutes, is amended to read:

765 514.011 Definitions.—As used in this chapter:

766 (3) "Private pool" means a facility used only by an  
 767 individual, family, or living unit members and their guests  
 768 which does not serve any type of cooperative housing or joint  
 769 tenancy of five or more living units. For purposes of the  
 770 exemptions provided under s. 514.0115, the term includes a  
 771 portable pool used exclusively for providing swimming lessons or  
 772 related instruction in support of an established educational  
 773 program sponsored or provided by a county school district.

774 Section 17. Subsection (3) of section 514.0115, Florida  
 775 Statutes, is amended to read:

776 514.0115 Exemptions from supervision or regulation;  
 777 variances.—

778 (3) A private pool used for instructional purposes in  
 779 swimming may ~~shall~~ not be regulated as a public pool. A portable  
 780 pool used for instructional purposes or to further an approved

781 educational program may not be regulated as a public pool.

782 Section 18. Subsection (5) of section 514.031, Florida  
783 Statutes, is amended to read:

784 514.031 Permit necessary to operate public swimming pool.—

785 (5) An owner or operator of a public swimming pool,  
786 including, but not limited to, a spa, wading, or special purpose  
787 pool, to which admittance is obtained by membership for a fee  
788 shall post in a prominent location within the facility the most  
789 recent pool inspection report issued by the department  
790 pertaining to the health and safety conditions of such facility.  
791 The report shall be legible and readily accessible to members or  
792 potential members. The department shall adopt rules to enforce  
793 this subsection. A portable pool may not be used as a public  
794 pool unless it is exempt under s. 514.0115.

795 Section 19. Subsection (2) of section 553.512, Florida  
796 Statutes, is amended to read:

797 553.512 Modifications and waivers; advisory council.—

798 (2) The Accessibility Advisory Council shall consist of  
799 the following seven members, who shall be knowledgeable in the  
800 area of accessibility for persons with disabilities. The  
801 Secretary of Business and Professional Regulation shall appoint  
802 the following: a representative from the Advocacy Center for  
803 Persons with Disabilities, Inc.; a representative from the  
804 Division of Blind Services; a representative from the Division  
805 of Vocational Rehabilitation; a representative from a statewide  
806 organization representing the physically handicapped; a

807 representative from the hearing impaired; a representative from  
 808 the Pensacola Pen Wheels Inc. Employ the Handicapped Council  
 809 ~~President, Florida Council of Handicapped Organizations~~; and a  
 810 representative of the Paralyzed Veterans of America. The terms  
 811 for the first three council members appointed subsequent to  
 812 October 1, 1991, shall be for 4 years, the terms for the next  
 813 two council members appointed shall be for 3 years, and the  
 814 terms for the next two members shall be for 2 years. Thereafter,  
 815 all council member appointments shall be for terms of 4 years.  
 816 No council member shall serve more than two 4-year terms  
 817 subsequent to October 1, 1991. Any member of the council may be  
 818 replaced by the secretary upon three unexcused absences. Upon  
 819 application made in the form provided, an individual waiver or  
 820 modification may be granted by the commission so long as such  
 821 modification or waiver is not in conflict with more stringent  
 822 standards provided in another chapter.

823 Section 20. Section 553.721, Florida Statutes, is amended  
 824 to read:

825 553.721 Surcharge.—In order for the Department of Business  
 826 and Professional Regulation to administer and carry out the  
 827 purposes of this part and related activities, there is created a  
 828 surcharge, to be assessed at the rate of 1.5 percent of the  
 829 permit fees associated with enforcement of the Florida Building  
 830 Code as defined by the uniform account criteria and specifically  
 831 the uniform account code for building permits adopted for local  
 832 government financial reporting pursuant to s. 218.32. The



833 minimum amount collected on any permit issued shall be \$2. The  
834 unit of government responsible for collecting a permit fee  
835 pursuant to s. 125.56(4) or s. 166.201 shall collect the  
836 surcharge and electronically remit the funds collected to the  
837 department on a quarterly calendar basis for the preceding  
838 quarter and continuing each third month thereafter. The unit of  
839 government shall retain 10 percent of the surcharge collected to  
840 fund the participation of building departments in the national  
841 and state building code adoption processes and to provide  
842 education related to enforcement of the Florida Building Code.  
843 All funds remitted to the department pursuant to this section  
844 shall be deposited in the Professional Regulation Trust Fund.  
845 Funds collected from the surcharge shall be allocated to fund  
846 the Florida Building Commission and the Florida Building Code  
847 Compliance and Mitigation Program under s. 553.841. Funds  
848 allocated to the Florida Building Code Compliance and Mitigation  
849 Program shall be \$925,000 each fiscal year. The Florida Building  
850 Code Compliance and Mitigation Program shall fund the  
851 recommendations made by the Building Code System Uniform  
852 Implementation Evaluation Workgroup, dated April 8, 2013, from  
853 existing resources, not to exceed \$30,000 in the 2016-2017  
854 fiscal year. Funds collected from the surcharge shall also be  
855 used to fund Florida Fire Prevention Code informal  
856 interpretations managed by the State Fire Marshal and shall be  
857 limited to \$15,000 each fiscal year. The State Fire Marshal  
858 shall adopt rules to address the implementation and expenditure

859 of the funds allocated to fund the Florida Fire Prevention Code  
860 informal interpretations under this section. The funds collected  
861 from the surcharge may not be used to fund research on  
862 techniques for mitigation of radon in existing buildings. Funds  
863 used by the department as well as funds to be transferred to the  
864 Department of Health and the State Fire Marshal shall be as  
865 prescribed in the annual General Appropriations Act. The  
866 department shall adopt rules governing the collection and  
867 remittance of surcharges pursuant to chapter 120.

868 Section 21. Subsections (11) and (15) of section 553.73,  
869 Florida Statutes, are amended, and subsection (19) is added to  
870 that section, to read:

871 553.73 Florida Building Code.—

872 (11) (a) In the event of a conflict between the Florida  
873 Building Code and the Florida Fire Prevention Code and the Life  
874 Safety Code as applied to a specific project, the conflict shall  
875 be resolved by agreement between the local building code  
876 enforcement official and the local fire code enforcement  
877 official in favor of the requirement of the code which offers  
878 the greatest degree of lifesafety or alternatives which would  
879 provide an equivalent degree of lifesafety and an equivalent  
880 method of construction. Local boards created to address issues  
881 arising under the Florida Building Code or the Florida Fire  
882 Prevention Code may combine the appeals boards to create a  
883 single, local board having jurisdiction over matters arising  
884 under either code or both codes. The combined local appeals

885 board may grant alternatives or modifications through procedures  
886 outlined in NFPA 1, Section 1.4, but may not waive the  
887 requirements of the Florida Fire Prevention Code. To meet the  
888 quorum requirement for convening the combined local appeals  
889 board, at least one member of the board who is a fire protection  
890 contractor, a fire protection design professional, a fire  
891 department operations professional, or a fire code enforcement  
892 professional must be present.

893 (b) Any decision made by the local fire official regarding  
894 application, interpretation, or enforcement of the Florida Fire  
895 Prevention Code, by ~~and~~ the local building official regarding  
896 application, interpretation, or enforcement of the Florida  
897 Building Code, or the appropriate application of either code or  
898 both codes in the case of a conflict between the codes may be  
899 appealed to a local administrative board designated by the  
900 municipality, county, or special district having firesafety  
901 responsibilities. If the decision of the local fire official and  
902 the local building official is to apply the provisions of either  
903 the Florida Building Code or the Florida Fire Prevention Code  
904 and the Life Safety Code, the board may not alter the decision  
905 unless the board determines that the application of such code is  
906 not reasonable. If the decision of the local fire official and  
907 the local building official is to adopt an alternative to the  
908 codes, the local administrative board shall give due regard to  
909 the decision rendered by the local officials and may modify that  
910 decision if the administrative board adopts a better

911 alternative, taking into consideration all relevant  
912 circumstances. In any case in which the local administrative  
913 board adopts alternatives to the decision rendered by the local  
914 fire official and the local building official, such alternatives  
915 shall provide an equivalent degree of lifesafety and an  
916 equivalent method of construction as the decision rendered by  
917 the local officials.

918 (c) If the local building official and the local fire  
919 official are unable to agree on a resolution of the conflict  
920 between the Florida Building Code and the Florida Fire  
921 Prevention Code and the Life Safety Code, the local  
922 administrative board shall resolve the conflict in favor of the  
923 code which offers the greatest degree of lifesafety or  
924 alternatives which would provide an equivalent degree of  
925 lifesafety and an equivalent method of construction.

926 (d) All decisions of the local administrative board, ~~or,~~  
927 if none exists, ~~the decisions of~~ the local building official and  
928 the local fire official in regard to the application,  
929 enforcement, or interpretation of the Florida Fire Prevention  
930 Code, or conflicts between the Florida Fire Prevention Code and  
931 the Florida Building Code, are subject to review by a joint  
932 committee composed of members of the Florida Building Commission  
933 and the Fire Code Advisory Council. If the joint committee is  
934 unable to resolve conflicts between the codes as applied to a  
935 specific project, the matter shall be resolved pursuant to ~~the~~  
936 provisions of paragraph (1) (d). Decisions of the local

937 administrative board related solely to the Florida Building Code  
938 are subject to review as set forth in s. 553.775.

939 (e) The local administrative board shall, to the greatest  
940 extent possible, be composed of members with expertise in  
941 building construction and firesafety standards.

942 (f) All decisions of the local building official and local  
943 fire official and all decisions of the administrative board  
944 shall be in writing and shall be binding upon a person but do  
945 not limit the authority of the State Fire Marshal or the Florida  
946 Building Commission pursuant to paragraph (1) (d) and ss. 633.104  
947 and 633.228. Decisions of general application shall be indexed  
948 by building and fire code sections and shall be available for  
949 inspection during normal business hours.

950 (15) An agency or local government may not require that  
951 existing mechanical equipment located on or above the surface of  
952 a roof be installed in compliance with the requirements of the  
953 Florida Building Code except during reroofing when the equipment  
954 is being replaced or moved ~~during reroofing~~ and is not in  
955 compliance with the provisions of the Florida Building Code  
956 relating to roof-mounted mechanical units.

957 (19) The Florida Building Code may not require more than  
958 one fire service access elevator in a residential occupancy  
959 where the highest occupiable floor is less than 420 feet above  
960 the level of fire service access and all remaining elevators are  
961 provided with Phase I and II emergency operations. Where fire  
962 service access elevators are required, the code may not require

963 a 1-hour fire-rated fire service access elevator lobby with  
964 direct access from the fire service access elevators if the fire  
965 service access elevators open into an exit access corridor that  
966 is at least 150 square feet with the exception of door openings;  
967 is no less than 6 feet wide for its entire length; and has a  
968 minimum 1-hour fire rating with three-quarter hour fire and  
969 smoke rated openings and if, and during a fire event, the fire  
970 service access elevators are pressurized and floor-to-floor  
971 smoke control is provided. However, where transient residential  
972 occupancies occur at floor levels above 420 feet above the level  
973 of fire service access, a 1-hour fire-rated fire service access  
974 elevator lobby with direct access from the fire service access  
975 elevators is required. The requirement for a second fire service  
976 access elevator is not considered a part of the Florida Building  
977 Code and therefore does take effect until July 1, 2017.

978 Section 22. Paragraph (c) of subsection (3) of section  
979 553.775, Florida Statutes, is amended to read:

980 553.775 Interpretations.—

981 (3) The following procedures may be invoked regarding  
982 interpretations of the Florida Building Code or the Florida  
983 Accessibility Code for Building Construction:

984 (c) The commission shall review decisions of local  
985 building officials and local enforcement agencies regarding  
986 interpretations of the Florida Building Code or the Florida  
987 Accessibility Code for Building Construction after the local  
988 board of appeals has considered the decision, if such board

989 exists, and if such appeals process is concluded within 25  
990 business days.

991 1. The commission shall coordinate with the Building  
992 Officials Association of Florida, Inc., to designate a panel  
993 ~~panels~~ composed of seven ~~five~~ members to hear requests to review  
994 decisions of local building officials. Five ~~The~~ members must be  
995 licensed as building code administrators under part XII of  
996 chapter 468, one member must be licensed as an architect under  
997 chapter 481, and one member must be licensed as an engineer  
998 under chapter 471. Each member ~~and~~ must have experience  
999 interpreting or ~~and~~ enforcing provisions of the Florida Building  
1000 Code and the Florida Accessibility Code for Building  
1001 Construction.

1002 2. Requests to review a decision of a local building  
1003 official interpreting provisions of the Florida Building Code or  
1004 the Florida Accessibility Code for Building Construction may be  
1005 initiated by any substantially affected person, including an  
1006 owner or builder subject to a decision of a local building  
1007 official or an association of owners or builders having members  
1008 who are subject to a decision of a local building official. In  
1009 order to initiate review, the substantially affected person must  
1010 file a petition with the commission. The commission shall adopt  
1011 a form for the petition, which shall be published on the  
1012 Building Code Information System. The form shall, at a minimum,  
1013 require the following:

1014 a. The name and address of the county or municipality in

1015 | which provisions of the Florida Building Code or the Florida  
1016 | Accessibility Code for Building Construction are being  
1017 | interpreted.

1018 |       b. The name and address of the local building official who  
1019 | has made the interpretation being appealed.

1020 |       c. The name, address, and telephone number of the  
1021 | petitioner; the name, address, and telephone number of the  
1022 | petitioner's representative, if any; and an explanation of how  
1023 | the petitioner's substantial interests are being affected by the  
1024 | local interpretation of the Florida Building Code or the Florida  
1025 | Accessibility Code for Building Construction.

1026 |       d. A statement of the provisions of the Florida Building  
1027 | Code or the Florida Accessibility Code for Building Construction  
1028 | which are being interpreted by the local building official.

1029 |       e. A statement of the interpretation given to provisions  
1030 | of the Florida Building Code or the Florida Accessibility Code  
1031 | for Building Construction by the local building official and the  
1032 | manner in which the interpretation was rendered.

1033 |       f. A statement of the interpretation that the petitioner  
1034 | contends should be given to the provisions of the Florida  
1035 | Building Code or the Florida Accessibility Code for Building  
1036 | Construction and a statement supporting the petitioner's  
1037 | interpretation.

1038 |       g. Space for the local building official to respond in  
1039 | writing. The space shall, at a minimum, require the local  
1040 | building official to respond by providing a statement admitting



1041 or denying the statements contained in the petition and a  
1042 statement of the interpretation of the provisions of the Florida  
1043 Building Code or the Florida Accessibility Code for Building  
1044 Construction which the local jurisdiction or the local building  
1045 official contends is correct, including the basis for the  
1046 interpretation.

1047 3. The petitioner shall submit the petition to the local  
1048 building official, who shall place the date of receipt on the  
1049 petition. The local building official shall respond to the  
1050 petition in accordance with the form and shall return the  
1051 petition along with his or her response to the petitioner within  
1052 5 days after receipt, exclusive of Saturdays, Sundays, and legal  
1053 holidays. The petitioner may file the petition with the  
1054 commission at any time after the local building official  
1055 provides a response. If no response is provided by the local  
1056 building official, the petitioner may file the petition with the  
1057 commission 10 days after submission of the petition to the local  
1058 building official and shall note that the local building  
1059 official did not respond.

1060 4. Upon receipt of a petition that meets the requirements  
1061 of subparagraph 2., the commission shall immediately provide  
1062 copies of the petition to the ~~a~~ panel, and the commission shall  
1063 publish the petition, including any response submitted by the  
1064 local building official, on the Building Code Information System  
1065 in a manner that allows interested persons to address the issues  
1066 by posting comments.

1067           5. The panel shall conduct proceedings as necessary to  
1068 resolve the issues; shall give due regard to the petitions, the  
1069 response, and to comments posed on the Building Code Information  
1070 System; and shall issue an interpretation regarding the  
1071 provisions of the Florida Building Code or the Florida  
1072 Accessibility Code for Building Construction within 21 days  
1073 after the filing of the petition. The panel shall render a  
1074 determination based upon the Florida Building Code or the  
1075 Florida Accessibility Code for Building Construction or, if the  
1076 code is ambiguous, the intent of the code. The panel's  
1077 interpretation shall be provided to the commission, which shall  
1078 publish the interpretation on the Building Code Information  
1079 System and in the Florida Administrative Register. The  
1080 interpretation shall be considered an interpretation entered by  
1081 the commission, and shall be binding upon the parties and upon  
1082 all jurisdictions subject to the Florida Building Code or the  
1083 Florida Accessibility Code for Building Construction, unless it  
1084 is superseded by a declaratory statement issued by the Florida  
1085 Building Commission or by a final order entered after an appeal  
1086 proceeding conducted in accordance with subparagraph 7.

1087           6. It is the intent of the Legislature that review  
1088 proceedings be completed within 21 days after the date that a  
1089 petition seeking review is filed with the commission, and the  
1090 time periods set forth in this paragraph may be waived only upon  
1091 consent of all parties.

1092           7. Any substantially affected person may appeal an

1093 interpretation rendered by the ~~a hearing officer~~ panel by filing  
1094 a petition with the commission. Such appeals shall be initiated  
1095 in accordance with chapter 120 and the uniform rules of  
1096 procedure and must be filed within 30 days after publication of  
1097 the interpretation on the Building Code Information System or in  
1098 the Florida Administrative Register. Hearings shall be conducted  
1099 pursuant to chapter 120 and the uniform rules of procedure.  
1100 Decisions of the commission are subject to judicial review  
1101 pursuant to s. 120.68. The final order of the commission is  
1102 binding upon the parties and upon all jurisdictions subject to  
1103 the Florida Building Code or the Florida Accessibility Code for  
1104 Building Construction.

1105 8. The burden of proof in any proceeding initiated in  
1106 accordance with subparagraph 7. is on the party who initiated  
1107 the appeal.

1108 9. In any review proceeding initiated in accordance with  
1109 this paragraph, including any proceeding initiated in accordance  
1110 with subparagraph 7., the fact that an owner or builder has  
1111 proceeded with construction may not be grounds for determining  
1112 an issue to be moot if the issue is one that is likely to arise  
1113 in the future.

1114  
1115 This paragraph provides the exclusive remedy for addressing  
1116 requests to review local interpretations of the Florida Building  
1117 Code or the Florida Accessibility Code for Building Construction  
1118 and appeals from review proceedings.

1119 Section 23. Subsection (6) of section 553.79, Florida  
 1120 Statutes, is amended to read:

1121 553.79 Permits; applications; issuance; inspections.—

1122 (6) A permit may not be issued for any building  
 1123 construction, erection, alteration, modification, repair, or  
 1124 addition unless the applicant for such permit complies with the  
 1125 requirements for plan review established by the Florida Building  
 1126 Commission within the Florida Building Code. However, the code  
 1127 shall set standards and criteria to authorize preliminary  
 1128 construction before completion of all building plans review,  
 1129 including, but not limited to, special permits for the  
 1130 foundation only, and such standards shall take effect concurrent  
 1131 with the first effective date of the Florida Building Code.  
 1132 After submittal of the appropriate construction documents, the  
 1133 building official may issue a permit for the construction of  
 1134 foundations or any other part of a building or structure before  
 1135 the construction documents for the whole building or structure  
 1136 have been submitted. The holder of such permit for the  
 1137 foundation or other parts of a building or structure shall  
 1138 proceed at the holder's own risk and without assurance that a  
 1139 permit for the entire structure will be granted. Corrections may  
 1140 be required to meet the requirements of the technical codes.

1141 Section 24. Subsections (4) and (7) of section 553.841,  
 1142 Florida Statutes, are amended to read:

1143 553.841 Building code compliance and mitigation program.—

1144 (4) In administering the Florida Building Code Compliance

1145 and Mitigation Program, the department may ~~shall~~ maintain,  
1146 update, develop, or cause to be developed code-related training  
1147 and education ~~advanced modules designed~~ for use by each  
1148 profession.

1149 ~~(7) The Florida Building Commission shall provide by rule~~  
1150 ~~for the accreditation of courses related to the Florida Building~~  
1151 ~~Code by accreditors approved by the commission. The commission~~  
1152 ~~shall establish qualifications of accreditors and criteria for~~  
1153 ~~the accreditation of courses by rule. The commission may revoke~~  
1154 ~~the accreditation of a course by an accreditor if the~~  
1155 ~~accreditation is demonstrated to violate this part or the rules~~  
1156 ~~of the commission.~~

1157 Section 25. Paragraph (a) of subsection (8) of section  
1158 553.842, Florida Statutes, is amended to read:

1159 553.842 Product evaluation and approval.—

1160 (8) The commission may adopt rules to approve the  
1161 following types of entities that produce information on which  
1162 product approvals are based. All of the following entities,  
1163 including engineers and architects, must comply with a  
1164 nationally recognized standard demonstrating independence or no  
1165 conflict of interest:

1166 (a) Evaluation entities approved pursuant to this  
1167 paragraph. The commission shall specifically approve the  
1168 National Evaluation Service, the International Association of  
1169 Plumbing and Mechanical Officials Evaluation Service, the  
1170 International Code Council Evaluation Services, Underwriters

1171 Laboratories, LLC, and the Miami-Dade County Building Code  
 1172 Compliance Office Product Control Division. Architects and  
 1173 engineers licensed in this state are also approved to conduct  
 1174 product evaluations as provided in subsection (5).

1175 Section 26. Section 553.883, Florida Statutes, is amended  
 1176 to read:

1177 553.883 Smoke alarms in one-family and two-family  
 1178 dwellings and townhomes.—One-family and two-family dwellings and  
 1179 townhomes undergoing a repair, or a level 1 alteration as  
 1180 defined in the Florida Building Code, may use smoke alarms  
 1181 powered by 10-year nonremovable, nonreplaceable batteries in  
 1182 lieu of retrofitting such dwelling with smoke alarms powered by  
 1183 the dwelling's electrical system. Effective January 1, 2015, a  
 1184 battery-powered smoke alarm that is newly installed or replaces  
 1185 an existing battery-powered smoke alarm must be powered by a  
 1186 nonremovable, nonreplaceable battery that powers the alarm for  
 1187 at least 10 years. The battery requirements of this section do  
 1188 not apply to a fire alarm, smoke detector, smoke alarm, or  
 1189 ancillary component that is electronically connected as a part  
 1190 of a centrally monitored or supervised alarm system; or that  
 1191 uses a low-power, radio frequency wireless communication signal;  
 1192 or that contains multiple sensors, such as a smoke alarm  
 1193 combined with a carbon monoxide alarm or other devices as the  
 1194 State Fire Marshal designates by rule.

1195 Section 27. Section 553.908, Florida Statutes, is amended  
 1196 to read:

1197           553.908 Inspection.—Before construction or renovation is  
 1198 completed, the local enforcement agency shall inspect buildings  
 1199 for compliance with the standards of this part. Notwithstanding  
 1200 any other provision of the code or law, effective July 1, 2016,  
 1201 section R402.4.1 of the 5th Edition (2014) of the Florida  
 1202 Building Code, Energy Conservation, which became effective on  
 1203 June 30, 2015, shall cease to be effective. Instead, section  
 1204 402.4.2 of the 2010 Florida Building Code, Energy Conservation,  
 1205 relating to air sealing and insulation, in effect before June  
 1206 30, 2015, shall govern and become applicable and effective on  
 1207 June 30, 2016, and thereafter. Additionally, a state or local  
 1208 enforcement agency or code official may not require any type of  
 1209 mandatory blower door test or air infiltration test to determine  
 1210 specific air infiltration levels or air leakage rates in a  
 1211 residential building or dwelling unit and may not require the  
 1212 installation of any mechanical ventilation devices designed to  
 1213 filter outside air through an HVAC system as a condition of a  
 1214 permit or to determine compliance with the code. However, if  
 1215 section R402.4.1 of the 5th Edition (2014) of the Florida  
 1216 Building Code—Energy Conservation is voluntarily used, the local  
 1217 enforcement agency shall inspect the construction or renovation  
 1218 for compliance with that section.

1219           Section 28. Subsections (17) and (18) are added to section  
 1220 633.202, Florida Statutes, to read:

1221           633.202 Florida Fire Prevention Code.—

1222           (17) The authority having jurisdiction shall determine the

1223 minimum radio signal strength for fire department communications  
1224 in all new high-rise and existing high-rise buildings. Existing  
1225 buildings are not required to comply with minimum radio strength  
1226 for fire department communications and two-way radio system  
1227 enhancement communications as required by the Florida Fire  
1228 Prevention Code until January 1, 2022. However, by December 31,  
1229 2019, an existing building that is not in compliance with the  
1230 requirements for minimum radio strength for fire department  
1231 communications must apply for an appropriate permit for the  
1232 required installation with the local government agency having  
1233 jurisdiction and must demonstrate that the building will become  
1234 compliant by January 1, 2022. Existing apartment buildings are  
1235 not required to comply until January 1, 2025. However, existing  
1236 apartment buildings are required to apply for the appropriate  
1237 permit for the required communications installation by December  
1238 31, 2022.

1239 (18) Areas of refuge shall be provided if required by the  
1240 Florida Building Code, Accessibility. Required portions of an  
1241 area of refuge shall be accessible from the space they serve by  
1242 an accessible means of egress.

1243 Section 29. Subsection (5) is added to section 633.206,  
1244 Florida Statutes, to read:

1245 633.206 Uniform firesafety standards—The Legislature  
1246 hereby determines that to protect the public health, safety, and  
1247 welfare it is necessary to provide for firesafety standards  
1248 governing the construction and utilization of certain buildings



1249 and structures. The Legislature further determines that certain  
 1250 buildings or structures, due to their specialized use or to the  
 1251 special characteristics of the person utilizing or occupying  
 1252 these buildings or structures, should be subject to firesafety  
 1253 standards reflecting these special needs as may be appropriate.

1254 (5) The home environment provisions in the most current  
 1255 edition of the codes adopted by the division may be applied to  
 1256 existing assisted living facilities, at the option of each  
 1257 facility, notwithstanding the edition of the codes applied at  
 1258 the time of construction.

1259 Section 30. Subsection (5) of section 633.208, Florida  
 1260 Statutes, is amended to read:

1261 633.208 Minimum firesafety standards.—

1262 (5) With regard to existing buildings, the Legislature  
 1263 recognizes that it is not always practical to apply any or all  
 1264 of the provisions of the Florida Fire Prevention Code and that  
 1265 physical limitations may require disproportionate effort or  
 1266 expense with little increase in fire or life safety. Before  
 1267 ~~Prior to~~ applying the minimum firesafety code to an existing  
 1268 building, the local fire official shall determine whether ~~that~~ a  
 1269 threat to lifesafety or property exists. If a threat to  
 1270 lifesafety or property exists, the fire official shall apply the  
 1271 applicable firesafety code for existing buildings to the extent  
 1272 practical to ensure ~~assure~~ a reasonable degree of lifesafety and  
 1273 safety of property or the fire official shall fashion a  
 1274 reasonable alternative that ~~which~~ affords an equivalent degree

1275 of lifesafety and safety of property. The local fire official  
 1276 may consider the fire safety evaluation systems found in NFPA  
 1277 101A, Guide on Alternative Solutions to Life Safety, adopted by  
 1278 the State Fire Marshal, as acceptable systems for the  
 1279 identification of low-cost, reasonable alternatives. It is  
 1280 acceptable to use the Fire Safety Evaluation System for Board  
 1281 and Care Facilities using prompt evacuation capabilities  
 1282 parameter values on existing residential high-rise buildings.  
 1283 The decision of the local fire official may be appealed to the  
 1284 local administrative board described in s. 553.73.

1285 Section 31. Section 633.336, Florida Statutes, is amended  
 1286 to read:

1287 633.336 Contracting without certificate prohibited;  
 1288 violations; penalty.—

1289 (1) It is unlawful for any organization or individual to  
 1290 engage in the business of layout, fabrication, installation,  
 1291 inspection, alteration, repair, or service of a fire protection  
 1292 system, other than a preengineered system, act in the capacity  
 1293 of a fire protection contractor, or advertise itself as being a  
 1294 fire protection contractor without having been duly certified  
 1295 and holding a valid and existing certificate, except as  
 1296 hereinafter provided. The holder of a certificate used to  
 1297 qualify an organization must be a full-time employee of the  
 1298 qualified organization or business. A certificateholder who is  
 1299 employed by more than one fire protection contractor during the  
 1300 same time is deemed not to be a full-time employee of either

1301 contractor. The State Fire Marshal shall revoke, for a period  
1302 determined by the State Fire Marshal, the certificate of a  
1303 certificateholder who allows the use of the certificate to  
1304 qualify a company of which the certificateholder is not a full-  
1305 time employee. A contractor who maintains more than one place of  
1306 business must employ a certificateholder at each location. This  
1307 subsection does not prohibit an employee acting on behalf of  
1308 governmental entities from inspecting and enforcing firesafety  
1309 codes, provided such employee is certified under s. 633.216.

1310 (2) A fire protection contractor certified under this  
1311 chapter may not:

1312 (a) Enter into a written or oral agreement to authorize,  
1313 or otherwise knowingly allow, a contractor who is not certified  
1314 under this chapter to engage in the business of, or act in the  
1315 capacity of, a fire protection contractor.

1316 (b) Apply for or obtain a construction permit for fire  
1317 protection work unless the fire protection contractor or the  
1318 business organization qualified by the fire protection  
1319 contractor has contracted to conduct the work specified in the  
1320 application for the permit.

1321 (3) The Legislature recognizes that special expertise is  
1322 required for fire pump control panels and maintenance of  
1323 electric and diesel pump drivers and that it is not economically  
1324 feasible for all contractors to employ these experts full-time  
1325 whose work may be limited. It is therefore deemed acceptable for  
1326 a fire protection contractor licensed under chapter 633 to

1327 subcontract with companies providing advanced technical services  
1328 for the installation, servicing, and maintenance of fire pump  
1329 control panels and pump drivers. To ensure the integrity of the  
1330 system and to protect the interests of the property owner, those  
1331 providing technical support services for fire pump control  
1332 panels and pump drivers must be under contract with a licensed  
1333 fire protection contractor.

1334 (4)~~(3)~~ A person who violates any provision of this act or  
1335 commits any of the acts constituting cause for disciplinary  
1336 action as herein set forth commits a misdemeanor of the second  
1337 degree, punishable as provided in s. 775.082 or s. 775.083.

1338 (5)~~(4)~~ In addition to the penalties provided in subsection  
1339 (4) ~~(3)~~, a fire protection contractor certified under this  
1340 chapter who violates any provision of this section or who  
1341 commits any act constituting cause for disciplinary action is  
1342 subject to suspension or revocation of the certificate and  
1343 administrative fines pursuant to s. 633.338.

1344 Section 32. Paragraphs (b) and (c) of subsection (4) of  
1345 section 120.541, Florida Statutes, are amended to read:

1346 120.541 Statement of estimated regulatory costs.—

1347 (3) If the adverse impact or regulatory costs of the rule  
1348 exceed any of the criteria established in paragraph (2)(a), the  
1349 rule shall be submitted to the President of the Senate and  
1350 Speaker of the House of Representatives no later than 30 days  
1351 prior to the next regular legislative session, and the rule may  
1352 not take effect until it is ratified by the Legislature.

1353 (4) Subsection (3) does not apply to the adoption of:  
 1354 ~~(b) Triennial updates of and amendments to the Florida~~  
 1355 ~~Building Code which are expressly authorized by s. 553.73.~~  
 1356 ~~(c) Triennial updates of and amendments to the Florida~~  
 1357 ~~Fire Prevention Code which are expressly authorized by s.~~  
 1358 ~~633.202.~~

1359 Section 33. Subsections (16) and (17) of section 120.80,  
 1360 Florida Statutes, are amended to read:

1361 120.80 Exceptions and special requirements; agencies.—

1362 (16) FLORIDA BUILDING COMMISSION.—

1363 (a) Notwithstanding the provisions of s. 120.542, the  
 1364 Florida Building Commission may not accept a petition for waiver  
 1365 or variance and may not grant any waiver or variance from the  
 1366 requirements of the Florida Building Code.

1367 (b) The Florida Building Commission shall adopt within the  
 1368 Florida Building Code criteria and procedures for alternative  
 1369 means of compliance with the code or local amendments thereto,  
 1370 for enforcement by local governments, local enforcement  
 1371 districts, or other entities authorized by law to enforce the  
 1372 Florida Building Code. Appeals from the denial of the use of  
 1373 alternative means shall be heard by the local board, if one  
 1374 exists, and may be appealed to the Florida Building Commission.

1375 (c) Notwithstanding ss. 120.565, 120.569, and 120.57, the  
 1376 Florida Building Commission and hearing officer panels appointed  
 1377 by the commission in accordance with s. 553.775(3)(c)1. may  
 1378 conduct proceedings to review decisions of local building code

1379 officials in accordance with s. 553.775(3)(c).

1380 (d) Effective July 1, 2016, section 120.541(3) does not  
1381 apply to the adoption of any section of the Florida Building  
1382 Code, adopted pursuant to s. 553.73, if the section would not be  
1383 subject to ratification as a discrete rule or if the substance  
1384 of the section was incorporated in a prior adopted and effective  
1385 rule amendments and the triennial update to the Florida Building  
1386 Code expressly authorized by s. 553.73.

1387 (e) In adopting the Florida Building Code, a statement of  
1388 estimated regulatory costs prepared under s. 120.541 must  
1389 evaluate each section of the underlying code developed to form  
1390 the foundation of the Florida Building Code pursuant to s.  
1391 553.73(3) if the section was not incorporated in the previous  
1392 version of the Florida Building Code and the section is expected  
1393 to increase construction costs in excess of \$1 million in the  
1394 aggregate within 5 years after the implementation of the  
1395 section.

1396 (17) STATE FIRE MARSHAL.—

1397 (a) Effective July 1, 2016, section 120.541(3) does not  
1398 apply to the adoption of any section of the Florida Fire  
1399 Prevention Code adopted pursuant to s. 633.202 if the section  
1400 would not be subject to ratification as a discrete rule or if  
1401 the substance of the section was incorporated in a prior adopted  
1402 and effective rule amendments and the triennial update to the  
1403 Florida Fire Prevention Code expressly authorized by s. 633.202.

1404 (b) In adopting the Florida Fire Prevention Code, a

1405 statement of estimated regulatory costs prepared under s.  
1406 120.541 must evaluate each section of the National Fire  
1407 Protection Association's Standard 1, Fire Prevention Code and  
1408 each section of the Life Safety Code, NFPA 101, adopted by  
1409 reference in the Florida Fire Prevention Code, if the section  
1410 was not incorporated in the previous version of the Florida Fire  
1411 Prevention Code and the section is expected to increase  
1412 construction costs in excess of \$1 million in the aggregate  
1413 within 5 years after the implementation of the section.

1414 Section 34. The Calder Sloan Swimming Pool Electrical-  
1415 Safety Task Force.—There is established within the Florida  
1416 Building Commission the Calder Sloan Swimming Pool Electrical-  
1417 Safety Task Force.

1418 (1) The purpose of the task force is to study standards on  
1419 grounding, bonding, lighting, wiring, and all electrical aspects  
1420 for safety in and around public and private swimming pools,  
1421 especially with regard to minimizing risks of electrocutions  
1422 linked to swimming pools. The task force shall submit a report  
1423 of its findings, including recommended revisions to state law,  
1424 if any, to the Governor, the President of the Senate, and the  
1425 Speaker of the House of Representatives by November 1, 2016.

1426 (2) The task force shall consist of the swimming pool and  
1427 electrical technical advisory committees of the Florida Building  
1428 Commission.

1429 (3) The task force shall be chaired by the swimming pool  
1430 contractor appointed to the Florida Building Commission pursuant

1431 to s. 553.74, Florida Statutes.

1432 (4) The Florida Building Commission shall provide such  
1433 staff, information, and other assistance as is reasonably  
1434 necessary to assist the task force in carrying out its  
1435 responsibilities.

1436 (5) Members of the task force shall serve without  
1437 compensation.

1438 (6) The task force shall meet as often as necessary to  
1439 fulfill its responsibilities. Meetings may be conducted by  
1440 conference call, teleconferencing, or similar technology.

1441 (7) This section expires December 31, 2016.

1442 Section 35. This act shall take effect July 1, 2016.