

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. 553.80, F.S.; prohibiting a local
99 enforcement agency from charging additional fees
100 related to the recording of a contractor's license or
101 workers' compensation insurance; amending s. 553.841,
102 F.S.; authorizing the Department of Business and
103 Professional Regulation to maintain, update, develop,
104 or cause to be developed code-related training and

105 education; removing provisions related to the
106 development of advanced courses with respect to the
107 Florida Building Code Compliance and Mitigation
108 Program and the accreditation of courses related to
109 the Florida Building Code; amending s. 553.842, F.S.;
110 providing that Underwriters Laboratories, LLC, is an
111 approved evaluation entity; reviving, readopting, and
112 amending s. 553.844, F.S.; deleting an obsolete
113 provision providing for expiration of requirements for
114 the adoption of certain mitigation techniques by the
115 Florida Building Commission within the Florida
116 Building Code for certain structures and revising
117 those requirements; amending s. 553.883, F.S.;
118 exempting certain devices from certain smoke alarm
119 battery requirements; amending s. 553.908, F.S.;
120 restricting certain provisions of the Florida Building
121 Code or law relating to air sealing and insulation
122 from becoming effective; prohibiting certain
123 governmental entities from requiring certain HVAC type
124 tests in specific buildings; amending s. 633.202,
125 F.S.; requiring all new high-rise and existing high-
126 rise buildings to maintain a minimum radio signal
127 strength for fire department communications; providing
128 a transitory period for compliance; requiring existing
129 buildings and existing apartment buildings that are
130 not in compliance to initiate an application for an

131 appropriate permit by a specified date; requiring
132 areas of refuge to be required as determined by the
133 Florida Building Code, Accessibility; amending s.
134 633.206, F.S.; providing that certain provisions may
135 be applied to existing assisted living facilities
136 notwithstanding the edition of the codes applied at
137 the time of construction; amending s. 633.208, F.S.;
138 authorizing fire officials to consider certain systems
139 as acceptable systems when identifying low-cost
140 alternatives; amending s. 633.336, F.S.; authorizing a
141 licensed fire protection contractor to subcontract for
142 advanced technical services under certain
143 circumstances; creating the Calder Sloan Swimming Pool
144 Electrical-Safety Task Force within the Florida
145 Building Commission; specifying the purpose of the
146 task force; requiring a report to the Governor and the
147 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 expiration of the task force; creating the
154 Construction Industry Workforce Task Force within the
155 University of Florida Rinker School of Construction;
156 specifying the goals of the task force; providing for

157 membership; requiring the University of Florida Rinker
 158 School of Construction to provide assistance to the
 159 task force; providing for meetings; requiring a report
 160 to the Governor and Legislature by a specified date;
 161 providing an appropriation from specified funds
 162 available to the Department of Business and
 163 Professional Regulation; providing for expiration of
 164 the task force; requiring the Florida Building
 165 Commission to amend the Florida Building Code to
 166 define the term "fire separation distance," to specify
 167 openings and roof overhang projection requirements, to
 168 adopt a specific energy rating index as an option for
 169 compliance, and to provide for Climate Zone indices;
 170 providing an effective date.

171

172 Be It Enacted by the Legislature of the State of Florida:

173

174 Section 1. Subsections (2), (3), and (7) of section
 175 468.609, Florida Statutes, are amended to read:

176 468.609 Administration of this part; standards for
 177 certification; additional categories of certification.—

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

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

182 (b) Is of good moral character.

183 (c) Meets eligibility requirements according to one of the
 184 following criteria:

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

188 2. Demonstrates a combination of postsecondary education
 189 in the field of construction or a related field and experience
 190 which totals 4 years, with at least 1 year of such total being
 191 experience in construction, building code inspection, or plans
 192 review;

193 3. Demonstrates a combination of technical education in
 194 the field of construction or a related field and experience
 195 which totals 4 years, with at least 1 year of such total being
 196 experience in construction, building code inspection, or plans
 197 review;

198 4. Currently holds a standard certificate ~~as~~ issued by the
 199 board, ~~or a~~ firesafety ~~fire-safety~~ inspector license issued
 200 pursuant to chapter 633, has a minimum of 3 ~~5~~ years' verifiable
 201 full-time experience in inspection or plan review, and has
 202 satisfactorily completed ~~completes~~ a building code inspector or
 203 plans examiner training program that provides at least 100 hours
 204 but not more ~~of not less~~ than 200 hours of cross-training in the
 205 certification category sought. The board shall establish by rule
 206 criteria for the development and implementation of the training
 207 programs. The board shall accept all classroom training offered
 208 by an approved provider if the content substantially meets the

209 intent of the classroom component of the training program; or
 210 5. Demonstrates a combination of the completion of an
 211 approved training program in the field of building code
 212 inspection or plan review and a minimum of 2 years' experience
 213 in the field of building code inspection, plan review, fire code
 214 inspections and fire plans review of new buildings as a
 215 firesafety inspector certified under s. 633.216, or
 216 construction. The approved training portion of this requirement
 217 shall include proof of satisfactory completion of a training
 218 program that provides at least 200 hours but not more ~~of not~~
 219 ~~less~~ than 300 hours of cross-training that ~~which~~ is approved by
 220 the board in the chosen category of building code inspection or
 221 plan review in the certification category sought with at least
 222 ~~not less than~~ 20 hours but not more than 30 hours of instruction
 223 in state laws, rules, and ethics relating to professional
 224 standards of practice, duties, and responsibilities of a
 225 certificateholder. The board shall coordinate with the Building
 226 Officials Association of Florida, Inc., to establish by rule the
 227 development and implementation of the training program. However,
 228 the board shall accept all classroom training offered by an
 229 approved provider if the content substantially meets the intent
 230 of the classroom component of the training program; or
 231 6. Currently holds a standard certificate issued by the
 232 board or a firesafety inspector license issued pursuant to
 233 chapter 633 and:
 234 a. Has at least 5 years' verifiable full-time experience

235 as an inspector or plans examiner in a standard certification
236 category currently held or has a minimum of 5 years' verifiable
237 full-time experience as a firesafety inspector licensed pursuant
238 to chapter 633.

239 b. Has satisfactorily completed a building code inspector
240 or plans examiner classroom training course or program that
241 provides at least 200 but not more than 300 hours in the
242 certification category sought, except for one-family and two-
243 family dwelling training programs, which are required to provide
244 at least 500 but not more than 800 hours of training as
245 prescribed by the board. The board shall establish by rule
246 criteria for the development and implementation of classroom
247 training courses and programs in each certification category.

248 (3) A person may take the examination for certification as
249 a building code administrator pursuant to this part if the
250 person:

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

252 (b) Is of good moral character.

253 (c) Meets eligibility requirements according to one of the
254 following criteria:

255 1. Demonstrates 10 years' combined experience as an
256 architect, engineer, plans examiner, building code inspector,
257 registered or certified contractor, or construction
258 superintendent, with at least 5 years of such experience in
259 supervisory positions; or

260 2. Demonstrates a combination of postsecondary education

261 in the field of construction or related field, no more than 5
 262 years of which may be applied, and experience as an architect,
 263 engineer, plans examiner, building code inspector, registered or
 264 certified contractor, or construction superintendent which
 265 totals 10 years, with at least 5 years of such total being
 266 experience in supervisory positions. In addition, the applicant
 267 must have completed training consisting of at least 20 hours,
 268 but not more than 30 hours, of instruction in state laws, rules,
 269 and ethics relating to the professional standards of practice,
 270 duties, and responsibilities of a certificateholder.

271 (7) (a) The board shall ~~may~~ provide for the issuance of
 272 provisional certificates valid for 1 year, as specified by board
 273 rule, to any newly employed or promoted building code inspector
 274 or plans examiner who meets the eligibility requirements
 275 described in subsection (2) and any newly employed or promoted
 276 building code administrator who meets the eligibility
 277 requirements described in subsection (3). The provisional
 278 license may be renewed by the board for just cause; however, a
 279 provisional license is not valid for a period longer than 3
 280 years.

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

284 (c) The board shall ~~may~~ provide for appropriate levels of
 285 provisional certificates and may issue these certificates with
 286 such special conditions or requirements relating to the place of

287 employment of the person holding the certificate, the
288 supervision of such person on a consulting or advisory basis, or
289 other matters as the board may deem necessary to protect the
290 public safety and health.

291 (d) A newly employed or hired person may perform the
292 duties of a plans examiner or building code inspector for 120
293 days if a provisional certificate application has been submitted
294 if such person is under the direct supervision of a certified
295 building code administrator who holds a standard certification
296 and who has found such person qualified for a provisional
297 certificate. Direct supervision and the determination of
298 qualifications may also be provided by a building code
299 administrator who holds a limited or provisional certificate in
300 a county having a population of fewer than 75,000 and in a
301 municipality located within such county.

302 Section 2. Subsection (5) of section 468.627, Florida
303 Statutes, is amended to read:

304 468.627 Application; examination; renewal; fees.—

305 (5) The certificateholder shall provide proof, in a form
306 established by board rule, that the certificateholder has
307 completed at least 14 classroom hours of at least 50 minutes
308 each of continuing education courses during each biennium since
309 the issuance or renewal of the certificate, including code-
310 related training ~~the specialized or advanced coursework approved~~
311 ~~by the Florida Building Commission~~, as part of the building code
312 training program established pursuant to s. 553.841, appropriate

313 to the licensing category sought. A minimum of 3 of the required
314 14 classroom hours must be on state law, rules, and ethics
315 relating to professional standards of practice, duties, and
316 responsibilities of the certificateholder. The board shall by
317 rule establish criteria for approval of continuing education
318 courses and providers, and may by rule establish criteria for
319 accepting alternative nonclassroom continuing education on an
320 hour-for-hour basis.

321 Section 3. Section 471.0195, Florida Statutes, is amended
322 to read:

323 471.0195 Florida Building Code training for engineers.—All
324 licensees actively participating in the design of engineering
325 works or systems in connection with buildings, structures, or
326 facilities and systems covered by the Florida Building Code
327 shall take continuing education courses and submit proof to the
328 board, at such times and in such manner as established by the
329 board by rule, that the licensee has completed any specialized
330 or code-related training ~~advanced courses~~ on any portion of the
331 Florida Building Code applicable to the licensee's area of
332 practice. The board shall record reported continuing education
333 courses on a system easily accessed by code enforcement
334 jurisdictions for evaluation when determining license status for
335 purposes of processing design documents. Local jurisdictions
336 shall be responsible for notifying the board when design
337 documents are submitted for building construction permits by
338 persons who are not in compliance with this section. The board

339 shall take appropriate action as provided by its rules when such
340 noncompliance is determined to exist.

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

343 481.215 Renewal of license.—

344 (5) The board shall require, by rule adopted pursuant to
345 ss. 120.536(1) and 120.54, a specified number of hours in
346 specialized or code-related training ~~advanced courses, approved~~
347 ~~by the Florida Building Commission,~~ on any portion of the
348 Florida Building Code, adopted pursuant to part IV of chapter
349 553, relating to the licensee's respective area of practice.

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

352 481.313 Renewal of license.—

353 (5) The board shall require, by rule adopted pursuant to
354 ss. 120.536(1) and 120.54, a specified number of hours in
355 specialized or code-related training ~~advanced courses, approved~~
356 ~~by the Florida Building Commission,~~ on any portion of the
357 Florida Building Code, adopted pursuant to part IV of chapter
358 553, relating to the licensee's respective area of practice.

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

361 489.103 Exemptions.—This part does not apply to:

362 (23) An employee of an apartment community or apartment
363 community management company who makes minor repairs to existing
364 electric water heaters or to existing electric heating, venting,

365 and air-conditioning systems if:

366 (a) The employee:

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

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

371 3. Receives compensation from and is under the supervision
372 and control of an employer who deducts the FICA and withholding
373 tax and who provides workers' compensation, as prescribed by
374 law.

375 4. Holds a current certificate for apartment maintenance
376 technicians issued by the National Apartment Association and
377 accredited by the American National Standards Institute.
378 Requirements for obtaining such certificate must include at
379 least:

380 a. One year of apartment or rental housing maintenance
381 experience.

382 b. Successful completion of at least 90 hours of courses
383 or online content that covers electrical maintenance and repair;
384 plumbing maintenance and repair; heating, venting, or air-
385 conditioning system maintenance and repair; appliance
386 maintenance and repair; and interior and exterior maintenance
387 and repair.

388 c. Completion of all examination requirements.

389 (b) The equipment:

390 1. Is already installed on the property owned by the

391 apartment community or managed by the apartment community
392 management company.

393 2. Is not being modified except to replace components
394 necessary to return the equipment to its original condition and
395 the partial disassembly associated with the replacement.

396 3. Is a type of equipment commonly installed in similar
397 locations.

398 4. Is repaired with new parts that are functionally
399 identical to the parts being replaced.

400 (c) An individual repair does not involve replacement
401 parts that cost more than \$500. An individual repair may not be
402 so extensive as to be a functional replacement of the electric
403 water heater or the existing electric heating, venting, or air-
404 conditioning system being repaired. For purposes of this
405 paragraph, an individual repair must not be part of a larger or
406 major project that is divided into parts to avoid this
407 restriction.

408 (d) The property owned by the apartment community or
409 managed by the apartment community management company includes
410 at least 100 apartments.

411 Section 7. Paragraph (m) of subsection (3) of section
412 489.105, Florida Statutes, is amended to read:

413 489.105 Definitions.—As used in this part:

414 (3) "Contractor" means the person who is qualified for,
415 and is only responsible for, the project contracted for and
416 means, except as exempted in this part, the person who, for

417 compensation, undertakes to, submits a bid to, or does himself
418 or herself or by others construct, repair, alter, remodel, add
419 to, demolish, subtract from, or improve any building or
420 structure, including related improvements to real estate, for
421 others or for resale to others; and whose job scope is
422 substantially similar to the job scope described in one of the
423 paragraphs of this subsection. For the purposes of regulation
424 under this part, the term "demolish" applies only to demolition
425 of steel tanks more than 50 feet in height; towers more than 50
426 feet in height; other structures more than 50 feet in height;
427 and all buildings or residences. Contractors are subdivided into
428 two divisions, Division I, consisting of those contractors
429 defined in paragraphs (a)-(c), and Division II, consisting of
430 those contractors defined in paragraphs (d)-(q):

431 (m) "Plumbing contractor" means a contractor whose
432 services are unlimited in the plumbing trade and includes
433 contracting business consisting of the execution of contracts
434 requiring the experience, financial means, knowledge, and skill
435 to install, maintain, repair, alter, extend, or, if not
436 prohibited by law, design plumbing. A plumbing contractor may
437 install, maintain, repair, alter, extend, or, if not prohibited
438 by law, design the following without obtaining an additional
439 local regulatory license, certificate, or registration: sanitary
440 drainage or storm drainage facilities, water and sewer plants
441 and substations, venting systems, public or private water supply
442 systems, septic tanks, drainage and supply wells, swimming pool

443 piping, irrigation systems, and solar heating water systems and
444 all appurtenances, apparatus, or equipment used in connection
445 therewith, including boilers and pressure process piping and
446 including the installation of water, natural gas, liquefied
447 petroleum gas and related venting, and storm and sanitary sewer
448 lines. The scope of work of the plumbing contractor also
449 includes the design, if not prohibited by law, and installation,
450 maintenance, repair, alteration, or extension of air-piping,
451 vacuum line piping, oxygen line piping, nitrous oxide piping,
452 and all related medical gas systems; fire line standpipes and
453 fire sprinklers if authorized by law; ink and chemical lines;
454 fuel oil and gasoline piping and tank and pump installation,
455 except bulk storage plants; and pneumatic control piping
456 systems, all in a manner that complies with all plans,
457 specifications, codes, laws, and regulations applicable. The
458 scope of work of the plumbing contractor applies to private
459 property and public property, including any excavation work
460 incidental thereto, and includes the work of the specialty
461 plumbing contractor. Such contractor shall subcontract, with a
462 qualified contractor in the field concerned, all other work
463 incidental to the work but which is specified as being the work
464 of a trade other than that of a plumbing contractor. This
465 definition does not limit the scope of work of any specialty
466 contractor certified pursuant to s. 489.113(6), and does not
467 require certification or registration under this part as a
468 category I liquefied petroleum gas dealer, LP gas installer, or

469 specialty installer who is licensed under chapter 527 or an ~~of~~
470 ~~any~~ authorized employee of a public natural gas utility or of a
471 private natural gas utility regulated by the Public Service
472 Commission when disconnecting and reconnecting water lines in
473 the servicing or replacement of an existing water heater. A
474 plumbing contractor may perform drain cleaning and clearing and
475 install or repair rainwater catchment systems; however, a
476 mandatory licensing requirement is not established for the
477 performance of these specific services.

478 Section 8. Paragraph (b) of subsection (4) of section
479 489.115, Florida Statutes, is amended to read:

480 489.115 Certification and registration; endorsement;
481 reciprocity; renewals; continuing education.—

482 (4)

483 (b)1. Each certificateholder or registrant shall provide
484 proof, in a form established by rule of the board, that the
485 certificateholder or registrant has completed at least 14
486 classroom hours of at least 50 minutes each of continuing
487 education courses during each biennium since the issuance or
488 renewal of the certificate or registration. The board shall
489 establish by rule that a portion of the required 14 hours must
490 deal with the subject of workers' compensation, business
491 practices, workplace safety, and, for applicable licensure
492 categories, wind mitigation methodologies, and 1 hour of which
493 must deal with laws and rules. The board shall by rule establish
494 criteria for the approval of continuing education courses and

495 providers, including requirements relating to the content of
496 courses and standards for approval of providers, and may by rule
497 establish criteria for accepting alternative nonclassroom
498 continuing education on an hour-for-hour basis. The board shall
499 prescribe by rule the continuing education, if any, which is
500 required during the first biennium of initial licensure. A
501 person who has been licensed for less than an entire biennium
502 must not be required to complete the full 14 hours of continuing
503 education.

504 2. In addition, the board may approve specialized
505 continuing education courses on compliance with the wind
506 resistance provisions for one and two family dwellings contained
507 in the Florida Building Code and any alternate methodologies for
508 providing such wind resistance which have been approved for use
509 by the Florida Building Commission. Division I
510 certificateholders or registrants who demonstrate proficiency
511 upon completion of such specialized courses may certify plans
512 and specifications for one and two family dwellings to be in
513 compliance with the code or alternate methodologies, as
514 appropriate, except for dwellings located in floodways or
515 coastal hazard areas as defined in ss. 60.3D and E of the
516 National Flood Insurance Program.

517 3. The board shall require, by rule adopted pursuant to
518 ss. 120.536(1) and 120.54, a specified number of hours in
519 specialized or code-related training ~~advanced module courses,~~
520 ~~approved by the Florida Building Commission,~~ on any portion of

521 the Florida Building Code, adopted pursuant to part IV of
 522 chapter 553, relating to the contractor's respective discipline.

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

525 489.1401 Legislative intent.—

526 (2) It is the intent of the Legislature that the sole
 527 purpose of the Florida Homeowners' Construction Recovery Fund is
 528 to compensate an ~~any~~ aggrieved claimant who contracted for the
 529 construction or improvement of the homeowner's residence located
 530 within this state and who has obtained a final judgment in a ~~any~~
 531 court of competent jurisdiction, was awarded restitution by the
 532 Construction Industry Licensing Board, or received an award in
 533 arbitration against a licensee on grounds of financial
 534 mismanagement or misconduct, abandoning a construction project,
 535 or making a false statement with respect to a project. Such
 536 grievance must arise ~~and arising~~ directly out of a ~~any~~
 537 transaction conducted when the judgment debtor was licensed and
 538 must involve an act performed ~~any of the activities~~ enumerated
 539 under s. 489.129(1)(g), (j) or (k) ~~on the homeowner's residence~~.

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

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

546 489.1402 Homeowners' Construction Recovery Fund;

547 definitions.—

548 (1) The following definitions apply to ss. 489.140-
549 489.144:

550 (d) "Contractor" means a Division I or Division II
551 contractor performing his or her respective services described
552 in s. 489.105(3)(a)-(q) ~~489.105(3)(a)-(e)~~.

553 (i) "Residence" means a single-family residence, an
554 individual residential condominium or cooperative unit, or a
555 residential building containing not more than two residential
556 units in which the owner contracting for the improvement is
557 residing or will reside 6 months or more each calendar year upon
558 completion of the improvement.

559 (k) "Same transaction" means a contract, or a ~~any~~ series
560 of contracts, between a claimant and a contractor or qualified
561 business, when such contract or contracts involve the same
562 property or contiguous properties and are entered into either at
563 one time or serially.

564 (l) "Valid and current license," for the purpose of s.
565 489.141(2)(d), means a ~~any~~ license issued pursuant to this part
566 to a licensee, including a license in an active, inactive,
567 delinquent, or suspended status.

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

570 489.141 Conditions for recovery; eligibility.—

571 (1) A ~~Any~~ claimant is eligible to seek recovery from the
572 recovery fund after making ~~having made~~ a claim and exhausting

573 the limits of any available bond, cash bond, surety, guarantee,
574 warranty, letter of credit, or policy of insurance if, ~~provided~~
575 ~~that~~ each of the following conditions is satisfied:

576 (a) The claimant has received a final judgment in a court
577 of competent jurisdiction in this state or has received an award
578 in arbitration or the Construction Industry Licensing Board has
579 issued a final order directing the licensee to pay restitution
580 to the claimant. The board may waive this requirement if:

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

583 2. The claimant has sought to have assets involving the
584 transaction that gave rise to the claim removed from the
585 bankruptcy proceedings so that the matter might be heard in a
586 court of competent jurisdiction in this state and, after due
587 diligence, the claimant is precluded by action of the bankruptcy
588 court from securing a final judgment against the licensee.

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

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

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

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

596 1. The claimant has caused to be issued a writ of
597 execution upon such judgment, and the officer executing the writ
598 has made a return showing that no personal or real property of

599 the judgment debtor or licensee liable to be levied upon in
600 satisfaction of the judgment can be found or that the amount
601 realized on the sale of the judgment debtor's or licensee's
602 property pursuant to such execution was insufficient to satisfy
603 the judgment;

604 2. If the claimant is unable to comply with subparagraph
605 1. for a valid reason to be determined by the board, the
606 claimant has made all reasonable searches and inquiries to
607 ascertain whether the judgment debtor or licensee is possessed
608 of real or personal property or other assets subject to being
609 sold or applied in satisfaction of the judgment and by his or
610 her search has discovered no property or assets or has
611 discovered property and assets and has taken all necessary
612 action and proceedings for the application thereof to the
613 judgment but the amount thereby realized was insufficient to
614 satisfy the judgment; and

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

617 (f) A claim for recovery is made within 1 year after the
618 conclusion of any civil, criminal, or administrative action or
619 award in arbitration based on the act. This paragraph applies to
620 any claim filed with the board after October 1, 1998.

621 (g) Any amounts recovered by the claimant from the
622 judgment debtor or licensee, or from any other source, have been
623 applied to the damages awarded by the court or the amount of
624 restitution ordered by the board.

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

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

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

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

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

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

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

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

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

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

649 489.1425 Duty of contractor to notify residential property
 650 owner of recovery fund.—

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

657
 658 FLORIDA HOMEOWNERS' CONSTRUCTION
 659 RECOVERY FUND

660
 661 PAYMENT, UP TO A LIMITED AMOUNT, MAY BE AVAILABLE FROM THE
 662 FLORIDA HOMEOWNERS' CONSTRUCTION RECOVERY FUND IF YOU LOSE MONEY
 663 ON A PROJECT PERFORMED UNDER CONTRACT, WHERE THE LOSS RESULTS
 664 FROM SPECIFIED VIOLATIONS OF FLORIDA LAW BY A LICENSED
 665 CONTRACTOR. FOR INFORMATION ABOUT THE RECOVERY FUND AND FILING A
 666 CLAIM, CONTACT THE FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD
 667 AT THE FOLLOWING TELEPHONE NUMBER AND ADDRESS:

668
 669 The statement must ~~shall~~ be immediately followed by the board's
 670 address and telephone number as established by board rule.

671 Section 13. Section 489.143, Florida Statutes, is amended
 672 to read:

673 489.143 Payment from the fund.—

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

676 (2) A ~~Any~~ claimant who meets all of the conditions

677 prescribed in s. 489.141 may apply to the board to cause payment
678 to be made to a claimant from the recovery fund in an amount
679 equal to the judgment, award, or restitution order or \$25,000,
680 whichever is less, or an amount equal to the unsatisfied portion
681 of such person's judgment, award, or restitution order, but only
682 to the extent and amount of actual damages suffered by the
683 claimant, and only up to the maximum payment allowed for each
684 respective Division I and Division II claim. Payment from the
685 fund for other costs related to or pursuant to civil proceedings
686 such as postjudgment interest, attorney ~~attorney's~~ fees, court
687 costs, medical damages, and punitive damages is prohibited. The
688 recovery fund is not obligated to pay a ~~any~~ judgment, an award,
689 or a restitution order, or any portion thereof, which is not
690 expressly based on one of the grounds for recovery set forth in
691 s. 489.141.

692 (3) Beginning January 1, 2005, for each Division I
693 contract entered into after July 1, 2004, payment from the
694 recovery fund is ~~shall be~~ subject to a \$50,000 maximum payment
695 for each Division I claim. Beginning January 1, 2017, for each
696 Division II contract entered into on or after July 1, 2016,
697 payment from the recovery fund is subject to a \$15,000 maximum
698 payment for each Division II claim.

699 (4) ~~(3)~~ Upon receipt by a claimant under subsection (2) of
700 payment from the recovery fund, the claimant shall assign his or
701 her additional right, title, and interest in the judgment,
702 award, or restitution order, to the extent of such payment, to

703 the board, and thereupon the board shall be subrogated to the
704 right, title, and interest of the claimant; and any amount
705 subsequently recovered on the judgment, award, or restitution
706 order, to the extent of the right, title, and interest of the
707 board therein, shall be for the purpose of reimbursing the
708 recovery fund.

709 (5)-(4) Payments for claims arising out of the same
710 transaction shall be limited, in the aggregate, to the lesser of
711 the judgment, award, or restitution order or the maximum payment
712 allowed for a Division I or Division II claim, regardless of the
713 number of claimants involved in the transaction.

714 (6)-(5) For contracts entered into before July 1, 2004,
715 payments for claims against any one licensee may shall not
716 exceed, in the aggregate, \$100,000 annually, up to a total
717 aggregate of \$250,000. For any claim approved by the board which
718 is in excess of the annual cap, the amount in excess of \$100,000
719 up to the total aggregate cap of \$250,000 is eligible for
720 payment in the next and succeeding fiscal years, but only after
721 all claims for the then-current calendar year have been paid.
722 Payments may not exceed the aggregate annual or per claimant
723 limits under law. Beginning January 1, 2005, for each Division I
724 contract entered into after July 1, 2004, payment from the
725 recovery fund is subject only to a total aggregate cap of
726 \$500,000 for each Division I licensee. Beginning January 1,
727 2017, for each Division II contract entered into on or after
728 July 1, 2016, payment from the recovery fund is subject only to

729 a total aggregate cap of \$150,000 for each Division II licensee.

730 (7)-(6) Claims shall be paid in the order filed, up to the
731 aggregate limits for each transaction and licensee and to the
732 limits of the amount appropriated to pay claims against the fund
733 ~~for the fiscal year in which the claims were filed.~~ Payments may
734 not exceed the total aggregate cap per license or per claimant
735 limits under this section.

736 (8)-(7) If the annual appropriation is exhausted with
737 claims pending, such claims shall be carried forward to the next
738 fiscal year. Any moneys in excess of pending claims remaining in
739 the recovery fund at the end of the fiscal year shall be paid as
740 provided in s. 468.631.

741 (9)-(8) Upon the payment of any amount from the recovery
742 fund in settlement of a claim in satisfaction of a judgment,
743 award, or restitution order against a licensee as described in
744 s. 489.141, the license of such licensee shall be automatically
745 suspended, without further administrative action, upon the date
746 of payment from the fund. The license of such licensee may ~~shall~~
747 not be reinstated until he or she has repaid in full, plus
748 interest, the amount paid from the fund. A discharge of
749 bankruptcy does not relieve a person from the penalties and
750 disabilities provided in this section.

751 (10)-(9) A ~~Any~~ firm, a corporation, a partnership, or an
752 association, or a ~~any~~ person acting in his or her individual
753 capacity, who aids, abets, solicits, or conspires with another
754 ~~any~~ person to knowingly present or cause to be presented a ~~any~~

755 false or fraudulent claim for the payment of a loss under this
756 act commits ~~is guilty of~~ a third-degree felony, punishable as
757 provided in s. 775.082 or s. 775.084 and by a fine of up to ~~not~~
758 ~~exceeding~~ \$30,000, unless the value of the fraud exceeds that
759 amount, ~~\$30,000~~ in which event the fine may not exceed double
760 the value of the fraud.

761 ~~(11)-(10)~~ Each payment ~~All payments~~ and disbursement
762 ~~disbursements~~ from the recovery fund shall be made by the Chief
763 Financial Officer upon a voucher signed by the secretary of the
764 department or the secretary's designee.

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

767 489.503 Exemptions.—This part does not apply to:

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

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

774 489.517 Renewal of certificate or registration; continuing
775 education.—

776 (6) The board shall require, by rule adopted pursuant to
777 ss. 120.536(1) and 120.54, a specialized number of hours in
778 specialized or code-related training ~~advanced module courses,~~
779 ~~approved by the Florida Building Commission,~~ on any portion of
780 the Florida Building Code, adopted pursuant to part IV of

781 chapter 553, relating to the contractor's respective discipline.

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

784 514.011 Definitions.—As used in this chapter:

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

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

795 514.0115 Exemptions from supervision or regulation;
796 variances.—

797 (3) A private pool used for instructional purposes in
798 swimming may ~~shall~~ not be regulated as a public pool. A portable
799 pool used for instructional purposes or to further an approved
800 educational program may not be regulated as a public pool.

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

803 514.031 Permit necessary to operate public swimming pool.—

804 (5) An owner or operator of a public swimming pool,
805 including, but not limited to, a spa, wading, or special purpose
806 pool, to which admittance is obtained by membership for a fee

807 shall post in a prominent location within the facility the most
808 recent pool inspection report issued by the department
809 pertaining to the health and safety conditions of such facility.
810 The report shall be legible and readily accessible to members or
811 potential members. The department shall adopt rules to enforce
812 this subsection. A portable pool may not be used as a public
813 pool unless it is exempt under s. 514.0115.

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

816 553.512 Modifications and waivers; advisory council.—

817 (2) The Accessibility Advisory Council shall consist of
818 the following seven members, who shall be knowledgeable in the
819 area of accessibility for persons with disabilities. The
820 Secretary of Business and Professional Regulation shall appoint
821 the following: a representative from the Advocacy Center for
822 Persons with Disabilities, Inc.; a representative from the
823 Division of Blind Services; a representative from the Division
824 of Vocational Rehabilitation; a representative from a statewide
825 organization representing the physically handicapped; a
826 representative from the hearing impaired; a representative from
827 the Pensacola Pen Wheels Inc. Employ the Handicapped Council
828 ~~President, Florida Council of Handicapped Organizations;~~ and a
829 representative of the Paralyzed Veterans of America. The terms
830 for the first three council members appointed subsequent to
831 October 1, 1991, shall be for 4 years, the terms for the next
832 two council members appointed shall be for 3 years, and the

833 terms for the next two members shall be for 2 years. Thereafter,
834 all council member appointments shall be for terms of 4 years.
835 No council member shall serve more than two 4-year terms
836 subsequent to October 1, 1991. Any member of the council may be
837 replaced by the secretary upon three unexcused absences. Upon
838 application made in the form provided, an individual waiver or
839 modification may be granted by the commission so long as such
840 modification or waiver is not in conflict with more stringent
841 standards provided in another chapter.

842 Section 20. Section 553.721, Florida Statutes, is amended
843 to read:

844 553.721 Surcharge.—In order for the Department of Business
845 and Professional Regulation to administer and carry out the
846 purposes of this part and related activities, there is created a
847 surcharge, to be assessed at the rate of 1.5 percent of the
848 permit fees associated with enforcement of the Florida Building
849 Code as defined by the uniform account criteria and specifically
850 the uniform account code for building permits adopted for local
851 government financial reporting pursuant to s. 218.32. The
852 minimum amount collected on any permit issued shall be \$2. The
853 unit of government responsible for collecting a permit fee
854 pursuant to s. 125.56(4) or s. 166.201 shall collect the
855 surcharge and electronically remit the funds collected to the
856 department on a quarterly calendar basis for the preceding
857 quarter and continuing each third month thereafter. The unit of
858 government shall retain 10 percent of the surcharge collected to

859 fund the participation of building departments in the national
860 and state building code adoption processes and to provide
861 education related to enforcement of the Florida Building Code.
862 All funds remitted to the department pursuant to this section
863 shall be deposited in the Professional Regulation Trust Fund.
864 Funds collected from the surcharge shall be allocated to fund
865 the Florida Building Commission and the Florida Building Code
866 Compliance and Mitigation Program under s. 553.841. Funds
867 allocated to the Florida Building Code Compliance and Mitigation
868 Program shall be \$925,000 each fiscal year. The Florida Building
869 Code Compliance and Mitigation Program shall fund the
870 recommendations made by the Building Code System Uniform
871 Implementation Evaluation Workgroup, dated April 8, 2013, from
872 existing resources, not to exceed \$30,000 in the 2016-2017
873 fiscal year. Funds collected from the surcharge shall also be
874 used to fund Florida Fire Prevention Code informal
875 interpretations managed by the State Fire Marshal and shall be
876 limited to \$15,000 each fiscal year. The State Fire Marshal
877 shall adopt rules to address the implementation and expenditure
878 of the funds allocated to fund the Florida Fire Prevention Code
879 informal interpretations under this section. The funds collected
880 from the surcharge may not be used to fund research on
881 techniques for mitigation of radon in existing buildings. Funds
882 used by the department as well as funds to be transferred to the
883 Department of Health and the State Fire Marshal shall be as
884 prescribed in the annual General Appropriations Act. The

885 department shall adopt rules governing the collection and
886 remittance of surcharges pursuant to chapter 120.

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

890 553.73 Florida Building Code.—

891 (11) (a) In the event of a conflict between the Florida
892 Building Code and the Florida Fire Prevention Code and the Life
893 Safety Code as applied to a specific project, the conflict shall
894 be resolved by agreement between the local building code
895 enforcement official and the local fire code enforcement
896 official in favor of the requirement of the code which offers
897 the greatest degree of lifesafety or alternatives which would
898 provide an equivalent degree of lifesafety and an equivalent
899 method of construction. Local boards created to address issues
900 arising under the Florida Building Code or the Florida Fire
901 Prevention Code may combine the appeals boards to create a
902 single, local board having jurisdiction over matters arising
903 under either code or both codes. The combined local appeals
904 board may grant alternatives or modifications through procedures
905 outlined in NFPA 1, Section 1.4, but may not waive the
906 requirements of the Florida Fire Prevention Code. To meet the
907 quorum requirement for convening the combined local appeals
908 board, at least one member of the board who is a fire protection
909 contractor, a fire protection design professional, a fire
910 department operations professional, or a fire code enforcement

911 professional must be present.

912 (b) Any decision made by the local fire official regarding
913 application, interpretation, or enforcement of the Florida Fire
914 Prevention Code, by ~~and~~ the local building official regarding
915 application, interpretation, or enforcement of the Florida
916 Building Code, or the appropriate application of either code or
917 both codes in the case of a conflict between the codes may be
918 appealed to a local administrative board designated by the
919 municipality, county, or special district having firesafety
920 responsibilities. If the decision of the local fire official and
921 the local building official is to apply the provisions of either
922 the Florida Building Code or the Florida Fire Prevention Code
923 and the Life Safety Code, the board may not alter the decision
924 unless the board determines that the application of such code is
925 not reasonable. If the decision of the local fire official and
926 the local building official is to adopt an alternative to the
927 codes, the local administrative board shall give due regard to
928 the decision rendered by the local officials and may modify that
929 decision if the administrative board adopts a better
930 alternative, taking into consideration all relevant
931 circumstances. In any case in which the local administrative
932 board adopts alternatives to the decision rendered by the local
933 fire official and the local building official, such alternatives
934 shall provide an equivalent degree of lifesafety and an
935 equivalent method of construction as the decision rendered by
936 the local officials.

937 (c) If the local building official and the local fire
938 official are unable to agree on a resolution of the conflict
939 between the Florida Building Code and the Florida Fire
940 Prevention Code and the Life Safety Code, the local
941 administrative board shall resolve the conflict in favor of the
942 code which offers the greatest degree of lifesafety or
943 alternatives which would provide an equivalent degree of
944 lifesafety and an equivalent method of construction.

945 (d) All decisions of the local administrative board~~7~~ or,
946 if none exists, ~~the decisions of~~ the local building official and
947 the local fire official in regard to the application,
948 enforcement, or interpretation of the Florida Fire Prevention
949 Code, or conflicts between the Florida Fire Prevention Code and
950 the Florida Building Code, are subject to review by a joint
951 committee composed of members of the Florida Building Commission
952 and the Fire Code Advisory Council. If the joint committee is
953 unable to resolve conflicts between the codes as applied to a
954 specific project, the matter shall be resolved pursuant to ~~the~~
955 ~~provisions of~~ paragraph (1) (d). Decisions of the local
956 administrative board related solely to the Florida Building Code
957 are subject to review as set forth in s. 553.775.

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

961 (f) All decisions of the local building official and local
962 fire official and all decisions of the administrative board

963 shall be in writing and shall be binding upon a person but do
964 not limit the authority of the State Fire Marshal or the Florida
965 Building Commission pursuant to paragraph (1) (d) and ss. 633.104
966 and 633.228. Decisions of general application shall be indexed
967 by building and fire code sections and shall be available for
968 inspection during normal business hours.

969 (15) An agency or local government may not require that
970 existing mechanical equipment located on or above the surface of
971 a roof be installed in compliance with the requirements of the
972 Florida Building Code except during reroofing when the equipment
973 is being replaced or moved ~~during reroofing~~ and is not in
974 compliance with the provisions of the Florida Building Code
975 relating to roof-mounted mechanical units.

976 (19) The Florida Building Code may not require more than
977 one fire service access elevator in a residential occupancy
978 where the highest occupiable floor is less than 420 feet above
979 the level of fire service access and all remaining elevators are
980 provided with Phase I and II emergency operations. Where fire
981 service access elevators are required, the code may not require
982 a 1-hour fire-rated fire service access elevator lobby with
983 direct access from the fire service access elevators if the fire
984 service access elevators open into an exit access corridor that
985 is at least 150 square feet with the exception of door openings;
986 is no less than 6 feet wide for its entire length; and has a
987 minimum 1-hour fire rating with three-quarter hour fire and
988 smoke rated openings and if, and during a fire event, the fire

989 service access elevators are pressurized and floor-to-floor
 990 smoke control is provided. However, where transient residential
 991 occupancies occur at floor levels above 420 feet above the level
 992 of fire service access, a 1-hour fire-rated fire service access
 993 elevator lobby with direct access from the fire service access
 994 elevators is required. The requirement for a second fire service
 995 access elevator is not considered a part of the Florida Building
 996 Code and therefore does not take effect until July 1, 2017.

997 Section 22. Paragraph (c) of subsection (3) of section
 998 553.775, Florida Statutes, is amended to read:

999 553.775 Interpretations.—

1000 (3) The following procedures may be invoked regarding
 1001 interpretations of the Florida Building Code or the Florida
 1002 Accessibility Code for Building Construction:

1003 (c) The commission shall review decisions of local
 1004 building officials and local enforcement agencies regarding
 1005 interpretations of the Florida Building Code or the Florida
 1006 Accessibility Code for Building Construction after the local
 1007 board of appeals has considered the decision, if such board
 1008 exists, and if such appeals process is concluded within 25
 1009 business days.

1010 1. The commission shall coordinate with the Building
 1011 Officials Association of Florida, Inc., to designate a panel
 1012 ~~panels~~ composed of seven ~~five~~ members to hear requests to review
 1013 decisions of local building officials. Five ~~The~~ members must be
 1014 licensed as building code administrators under part XII of

1015 chapter 468, one member must be licensed as an architect under
 1016 chapter 481, and one member must be licensed as an engineer
 1017 under chapter 471. Each member ~~and~~ must have experience
 1018 interpreting or ~~and~~ enforcing provisions of the Florida Building
 1019 Code and the Florida Accessibility Code for Building
 1020 Construction.

1021 2. Requests to review a decision of a local building
 1022 official interpreting provisions of the Florida Building Code or
 1023 the Florida Accessibility Code for Building Construction may be
 1024 initiated by any substantially affected person, including an
 1025 owner or builder subject to a decision of a local building
 1026 official or an association of owners or builders having members
 1027 who are subject to a decision of a local building official. In
 1028 order to initiate review, the substantially affected person must
 1029 file a petition with the commission. The commission shall adopt
 1030 a form for the petition, which shall be published on the
 1031 Building Code Information System. The form shall, at a minimum,
 1032 require the following:

1033 a. The name and address of the county or municipality in
 1034 which provisions of the Florida Building Code or the Florida
 1035 Accessibility Code for Building Construction are being
 1036 interpreted.

1037 b. The name and address of the local building official who
 1038 has made the interpretation being appealed.

1039 c. The name, address, and telephone number of the
 1040 petitioner; the name, address, and telephone number of the

1041 petitioner's representative, if any; and an explanation of how
 1042 the petitioner's substantial interests are being affected by the
 1043 local interpretation of the Florida Building Code or the Florida
 1044 Accessibility Code for Building Construction.

1045 d. A statement of the provisions of the Florida Building
 1046 Code or the Florida Accessibility Code for Building Construction
 1047 which are being interpreted by the local building official.

1048 e. A statement of the interpretation given to provisions
 1049 of the Florida Building Code or the Florida Accessibility Code
 1050 for Building Construction by the local building official and the
 1051 manner in which the interpretation was rendered.

1052 f. A statement of the interpretation that the petitioner
 1053 contends should be given to the provisions of the Florida
 1054 Building Code or the Florida Accessibility Code for Building
 1055 Construction and a statement supporting the petitioner's
 1056 interpretation.

1057 g. Space for the local building official to respond in
 1058 writing. The space shall, at a minimum, require the local
 1059 building official to respond by providing a statement admitting
 1060 or denying the statements contained in the petition and a
 1061 statement of the interpretation of the provisions of the Florida
 1062 Building Code or the Florida Accessibility Code for Building
 1063 Construction which the local jurisdiction or the local building
 1064 official contends is correct, including the basis for the
 1065 interpretation.

1066 3. The petitioner shall submit the petition to the local

1067 building official, who shall place the date of receipt on the
 1068 petition. The local building official shall respond to the
 1069 petition in accordance with the form and shall return the
 1070 petition along with his or her response to the petitioner within
 1071 5 days after receipt, exclusive of Saturdays, Sundays, and legal
 1072 holidays. The petitioner may file the petition with the
 1073 commission at any time after the local building official
 1074 provides a response. If no response is provided by the local
 1075 building official, the petitioner may file the petition with the
 1076 commission 10 days after submission of the petition to the local
 1077 building official and shall note that the local building
 1078 official did not respond.

1079 4. Upon receipt of a petition that meets the requirements
 1080 of subparagraph 2., the commission shall immediately provide
 1081 copies of the petition to the ~~a~~ panel, and the commission shall
 1082 publish the petition, including any response submitted by the
 1083 local building official, on the Building Code Information System
 1084 in a manner that allows interested persons to address the issues
 1085 by posting comments.

1086 5. The panel shall conduct proceedings as necessary to
 1087 resolve the issues; shall give due regard to the petitions, the
 1088 response, and to comments posed on the Building Code Information
 1089 System; and shall issue an interpretation regarding the
 1090 provisions of the Florida Building Code or the Florida
 1091 Accessibility Code for Building Construction within 21 days
 1092 after the filing of the petition. The panel shall render a

1093 determination based upon the Florida Building Code or the
1094 Florida Accessibility Code for Building Construction or, if the
1095 code is ambiguous, the intent of the code. The panel's
1096 interpretation shall be provided to the commission, which shall
1097 publish the interpretation on the Building Code Information
1098 System and in the Florida Administrative Register. The
1099 interpretation shall be considered an interpretation entered by
1100 the commission, and shall be binding upon the parties and upon
1101 all jurisdictions subject to the Florida Building Code or the
1102 Florida Accessibility Code for Building Construction, unless it
1103 is superseded by a declaratory statement issued by the Florida
1104 Building Commission or by a final order entered after an appeal
1105 proceeding conducted in accordance with subparagraph 7.

1106 6. It is the intent of the Legislature that review
1107 proceedings be completed within 21 days after the date that a
1108 petition seeking review is filed with the commission, and the
1109 time periods set forth in this paragraph may be waived only upon
1110 consent of all parties.

1111 7. Any substantially affected person may appeal an
1112 interpretation rendered by the ~~a hearing officer~~ panel by filing
1113 a petition with the commission. Such appeals shall be initiated
1114 in accordance with chapter 120 and the uniform rules of
1115 procedure and must be filed within 30 days after publication of
1116 the interpretation on the Building Code Information System or in
1117 the Florida Administrative Register. Hearings shall be conducted
1118 pursuant to chapter 120 and the uniform rules of procedure.

1119 Decisions of the commission are subject to judicial review
1120 pursuant to s. 120.68. The final order of the commission is
1121 binding upon the parties and upon all jurisdictions subject to
1122 the Florida Building Code or the Florida Accessibility Code for
1123 Building Construction.

1124 8. The burden of proof in any proceeding initiated in
1125 accordance with subparagraph 7. is on the party who initiated
1126 the appeal.

1127 9. In any review proceeding initiated in accordance with
1128 this paragraph, including any proceeding initiated in accordance
1129 with subparagraph 7., the fact that an owner or builder has
1130 proceeded with construction may not be grounds for determining
1131 an issue to be moot if the issue is one that is likely to arise
1132 in the future.

1133
1134 This paragraph provides the exclusive remedy for addressing
1135 requests to review local interpretations of the Florida Building
1136 Code or the Florida Accessibility Code for Building Construction
1137 and appeals from review proceedings.

1138 Section 23. Subsection (6) of section 553.79, Florida
1139 Statutes, is amended to read:

1140 553.79 Permits; applications; issuance; inspections.—

1141 (6) A permit may not be issued for any building
1142 construction, erection, alteration, modification, repair, or
1143 addition unless the applicant for such permit complies with the
1144 requirements for plan review established by the Florida Building

1145 Commission within the Florida Building Code. However, the code
 1146 shall set standards and criteria to authorize preliminary
 1147 construction before completion of all building plans review,
 1148 including, but not limited to, special permits for the
 1149 foundation only, and such standards shall take effect concurrent
 1150 with the first effective date of the Florida Building Code.
 1151 After submittal of the appropriate construction documents, the
 1152 building official may issue a permit for the construction of
 1153 foundations or any other part of a building or structure before
 1154 the construction documents for the whole building or structure
 1155 have been submitted. The holder of such permit for the
 1156 foundation or other parts of a building or structure shall
 1157 proceed at the holder's own risk and without assurance that a
 1158 permit for the entire structure will be granted. Corrections may
 1159 be required to meet the requirements of the technical codes.

1160 Section 24. Paragraph (d) is added to subsection (7) of
 1161 section 553.80, Florida Statutes, to read:

1162 553.80 Enforcement.—

1163 (7) The governing bodies of local governments may provide
 1164 a schedule of reasonable fees, as authorized by s. 125.56(2) or
 1165 s. 166.222 and this section, for enforcing this part. These
 1166 fees, and any fines or investment earnings related to the fees,
 1167 shall be used solely for carrying out the local government's
 1168 responsibilities in enforcing the Florida Building Code. When
 1169 providing a schedule of reasonable fees, the total estimated
 1170 annual revenue derived from fees, and the fines and investment

1171 earnings related to the fees, may not exceed the total estimated
 1172 annual costs of allowable activities. Any unexpended balances
 1173 shall be carried forward to future years for allowable
 1174 activities or shall be refunded at the discretion of the local
 1175 government. The basis for a fee structure for allowable
 1176 activities shall relate to the level of service provided by the
 1177 local government and shall include consideration for refunding
 1178 fees due to reduced services based on services provided as
 1179 prescribed by s. 553.791, but not provided by the local
 1180 government. Fees charged shall be consistently applied.

1181 (d) The local enforcement agency may not require the
 1182 payment of any additional fees, charges, or expenses associated
 1183 with:

- 1184 1. Providing proof of licensure pursuant to this chapter;
- 1185 2. Recording or filing a license issued pursuant to this
 1186 chapter; or
- 1187 3. Providing, recording, or filing evidence of workers'
 1188 compensation insurance coverage as required by chapter 440.

1189 Section 25. Subsections (4) and (7) of section 553.841,
 1190 Florida Statutes, are amended to read:

1191 553.841 Building code compliance and mitigation program.—

1192 (4) In administering the Florida Building Code Compliance
 1193 and Mitigation Program, the department may ~~shall~~ maintain,
 1194 update, develop, or cause to be developed code-related training
 1195 and education ~~advanced modules designed~~ for use by each
 1196 profession.

1197 ~~(7) The Florida Building Commission shall provide by rule~~
 1198 ~~for the accreditation of courses related to the Florida Building~~
 1199 ~~Code by accreditors approved by the commission. The commission~~
 1200 ~~shall establish qualifications of accreditors and criteria for~~
 1201 ~~the accreditation of courses by rule. The commission may revoke~~
 1202 ~~the accreditation of a course by an accreditor if the~~
 1203 ~~accreditation is demonstrated to violate this part or the rules~~
 1204 ~~of the commission.~~

1205 Section 26. Paragraph (a) of subsection (8) of section
 1206 553.842, Florida Statutes, is amended to read:

1207 553.842 Product evaluation and approval.—

1208 (8) The commission may adopt rules to approve the
 1209 following types of entities that produce information on which
 1210 product approvals are based. All of the following entities,
 1211 including engineers and architects, must comply with a
 1212 nationally recognized standard demonstrating independence or no
 1213 conflict of interest:

1214 (a) Evaluation entities approved pursuant to this
 1215 paragraph. The commission shall specifically approve the
 1216 National Evaluation Service, the International Association of
 1217 Plumbing and Mechanical Officials Evaluation Service, the
 1218 International Code Council Evaluation Services, Underwriters
 1219 Laboratories, LLC, and the Miami-Dade County Building Code
 1220 Compliance Office Product Control Division. Architects and
 1221 engineers licensed in this state are also approved to conduct
 1222 product evaluations as provided in subsection (5).

1223 Section 27. Subsection (4) of section 553.844, Florida
 1224 Statutes, is revived, readopted, and amended to read:

1225 553.844 Windstorm loss mitigation; requirements for roofs
 1226 and opening protection.—

1227 (4) Notwithstanding the provisions of this section,
 1228 exposed mechanical equipment or appliances fastened to a roof or
 1229 installed on the ground in compliance with the code using rated
 1230 stands, platforms, curbs, slabs, walls, or other means are
 1231 deemed to comply with the wind resistance requirements of the
 1232 2007 Florida Building Code, as amended. Further support or
 1233 enclosure of such mechanical equipment or appliances is not
 1234 required by a state or local official having authority to
 1235 enforce the Florida Building Code. ~~This subsection expires on~~
 1236 ~~the effective date of the 2013 Florida Building Code.~~

1237 Section 28. Section 553.883, Florida Statutes, is amended
 1238 to read:

1239 553.883 Smoke alarms in one-family and two-family
 1240 dwellings and townhomes.—One-family and two-family dwellings and
 1241 townhomes undergoing a repair, or a level 1 alteration as
 1242 defined in the Florida Building Code, may use smoke alarms
 1243 powered by 10-year nonremovable, nonreplaceable batteries in
 1244 lieu of retrofitting such dwelling with smoke alarms powered by
 1245 the dwelling's electrical system. Effective January 1, 2015, a
 1246 battery-powered smoke alarm that is newly installed or replaces
 1247 an existing battery-powered smoke alarm must be powered by a
 1248 nonremovable, nonreplaceable battery that powers the alarm for

1249 at least 10 years. The battery requirements of this section do
 1250 not apply to a fire alarm, smoke detector, smoke alarm, or
 1251 ancillary component that is electronically connected as a part
 1252 of a centrally monitored or supervised alarm system; or that
 1253 uses a low-power, radio frequency wireless communication signal;
 1254 or that contains multiple sensors, such as a smoke alarm
 1255 combined with a carbon monoxide alarm or other devices as the
 1256 State Fire Marshal designates by rule.

1257 Section 29. Section 553.908, Florida Statutes, is amended
 1258 to read:

1259 553.908 Inspection.—Before construction or renovation is
 1260 completed, the local enforcement agency shall inspect buildings
 1261 for compliance with the standards of this part. Notwithstanding
 1262 any other provision of the code or law, effective July 1, 2016,
 1263 section R402.4.1 of the Florida Building Code, 5th Edition
 1264 (2014) Energy Conservation, which became effective on June 30,
 1265 2015, shall cease to be effective. Instead, section 402.4.2 of
 1266 the 2010 Florida Building Code, Energy Conservation, relating to
 1267 air sealing and insulation, in effect before June 30, 2015,
 1268 shall govern and become applicable and effective on June 30,
 1269 2016, and thereafter. Additionally, a state or local enforcement
 1270 agency or code official may not require any type of mandatory
 1271 blower door test or air infiltration test to determine specific
 1272 air infiltration levels or air leakage rates in a residential
 1273 building or dwelling unit and may not require the installation
 1274 of any mechanical ventilation devices designed to filter outside

1275 air through an HVAC system as a condition of a permit or to
1276 determine compliance with the code. However, if section R402.4.1
1277 of the Florida Building Code, 5th Edition (2014) Energy
1278 Conservation, is voluntarily used, the local enforcement agency
1279 shall inspect the construction or renovation for compliance with
1280 that section.

1281 Section 30. Subsections (17) and (18) are added to section
1282 633.202, Florida Statutes, to read:

1283 633.202 Florida Fire Prevention Code.—

1284 (17) The authority having jurisdiction shall determine the
1285 minimum radio signal strength for fire department communications
1286 in all new high-rise and existing high-rise buildings. Existing
1287 buildings are not required to comply with minimum radio strength
1288 for fire department communications and two-way radio system
1289 enhancement communications as required by the Florida Fire
1290 Prevention Code until January 1, 2022. However, by December 31,
1291 2019, an existing building that is not in compliance with the
1292 requirements for minimum radio strength for fire department
1293 communications must apply for an appropriate permit for the
1294 required installation with the local government agency having
1295 jurisdiction and must demonstrate that the building will become
1296 compliant by January 1, 2022. Existing apartment buildings are
1297 not required to comply until January 1, 2025. However, existing
1298 apartment buildings are required to apply for the appropriate
1299 permit for the required communications installation by December
1300 31, 2022.

1301 (18) Areas of refuge shall be provided if required by the
 1302 Florida Building Code, Accessibility. Required portions of an
 1303 area of refuge shall be accessible from the space they serve by
 1304 an accessible means of egress.

1305 Section 31. Subsection (5) is added to section 633.206,
 1306 Florida Statutes, to read:

1307 633.206 Uniform firesafety standards—The Legislature
 1308 hereby determines that to protect the public health, safety, and
 1309 welfare it is necessary to provide for firesafety standards
 1310 governing the construction and utilization of certain buildings
 1311 and structures. The Legislature further determines that certain
 1312 buildings or structures, due to their specialized use or to the
 1313 special characteristics of the person utilizing or occupying
 1314 these buildings or structures, should be subject to firesafety
 1315 standards reflecting these special needs as may be appropriate.

1316 (5) The home environment provisions in the most current
 1317 edition of the codes adopted by the division may be applied to
 1318 existing assisted living facilities, at the option of each
 1319 facility, notwithstanding the edition of the codes applied at
 1320 the time of construction.

1321 Section 32. Subsection (5) of section 633.208, Florida
 1322 Statutes, is amended to read:

1323 633.208 Minimum firesafety standards.—

1324 (5) With regard to existing buildings, the Legislature
 1325 recognizes that it is not always practical to apply any or all
 1326 of the provisions of the Florida Fire Prevention Code and that

1327 physical limitations may require disproportionate effort or
 1328 expense with little increase in fire or life safety. Before
 1329 ~~Prior to~~ applying the minimum firesafety code to an existing
 1330 building, the local fire official shall determine whether ~~that~~ a
 1331 threat to lifesafety or property exists. If a threat to
 1332 lifesafety or property exists, the fire official shall apply the
 1333 applicable firesafety code for existing buildings to the extent
 1334 practical to ensure ~~assure~~ a reasonable degree of lifesafety and
 1335 safety of property or the fire official shall fashion a
 1336 reasonable alternative that ~~which~~ affords an equivalent degree
 1337 of lifesafety and safety of property. The local fire official
 1338 may consider the fire safety evaluation systems found in NFPA
 1339 101A, Guide on Alternative Solutions to Life Safety, adopted by
 1340 the State Fire Marshal, as acceptable systems for the
 1341 identification of low-cost, reasonable alternatives. It is
 1342 acceptable to use the Fire Safety Evaluation System for Board
 1343 and Care Facilities using prompt evacuation capabilities
 1344 parameter values on existing residential high-rise buildings.
 1345 The decision of the local fire official may be appealed to the
 1346 local administrative board described in s. 553.73.

1347 Section 33. Section 633.336, Florida Statutes, is amended
 1348 to read:

1349 633.336 Contracting without certificate prohibited;
 1350 violations; penalty.—

1351 (1) It is unlawful for any organization or individual to
 1352 engage in the business of layout, fabrication, installation,

1353 inspection, alteration, repair, or service of a fire protection
1354 system, other than a preengineered system, act in the capacity
1355 of a fire protection contractor, or advertise itself as being a
1356 fire protection contractor without having been duly certified
1357 and holding a valid and existing certificate, except as
1358 hereinafter provided. The holder of a certificate used to
1359 qualify an organization must be a full-time employee of the
1360 qualified organization or business. A certificateholder who is
1361 employed by more than one fire protection contractor during the
1362 same time is deemed not to be a full-time employee of either
1363 contractor. The State Fire Marshal shall revoke, for a period
1364 determined by the State Fire Marshal, the certificate of a
1365 certificateholder who allows the use of the certificate to
1366 qualify a company of which the certificateholder is not a full-
1367 time employee. A contractor who maintains more than one place of
1368 business must employ a certificateholder at each location. This
1369 subsection does not prohibit an employee acting on behalf of
1370 governmental entities from inspecting and enforcing firesafety
1371 codes, provided such employee is certified under s. 633.216.

1372 (2) A fire protection contractor certified under this
1373 chapter may not:

1374 (a) Enter into a written or oral agreement to authorize,
1375 or otherwise knowingly allow, a contractor who is not certified
1376 under this chapter to engage in the business of, or act in the
1377 capacity of, a fire protection contractor.

1378 (b) Apply for or obtain a construction permit for fire

1379 protection work unless the fire protection contractor or the
1380 business organization qualified by the fire protection
1381 contractor has contracted to conduct the work specified in the
1382 application for the permit.

1383 (3) The Legislature recognizes that special expertise is
1384 required for fire pump control panels and maintenance of
1385 electric and diesel pump drivers and that it is not economically
1386 feasible for all contractors to employ these experts full-time
1387 whose work may be limited. It is therefore deemed acceptable for
1388 a fire protection contractor licensed under chapter 633 to
1389 subcontract with companies providing advanced technical services
1390 for the installation, servicing, and maintenance of fire pump
1391 control panels and pump drivers. To ensure the integrity of the
1392 system and to protect the interests of the property owner, those
1393 providing technical support services for fire pump control
1394 panels and pump drivers must be under contract with a licensed
1395 fire protection contractor.

1396 (4)~~(3)~~ A person who violates any provision of this act or
1397 commits any of the acts constituting cause for disciplinary
1398 action as herein set forth commits a misdemeanor of the second
1399 degree, punishable as provided in s. 775.082 or s. 775.083.

1400 (5)~~(4)~~ In addition to the penalties provided in subsection
1401 (4) ~~(3)~~, a fire protection contractor certified under this
1402 chapter who violates any provision of this section or who
1403 commits any act constituting cause for disciplinary action is
1404 subject to suspension or revocation of the certificate and

1405 administrative fines pursuant to s. 633.338.

1406 Section 34. The Calder Sloan Swimming Pool Electrical-
1407 Safety Task Force.—There is established within the Florida
1408 Building Commission the Calder Sloan Swimming Pool Electrical-
1409 Safety Task Force.

1410 (1) The purpose of the task force is to study standards on
1411 grounding, bonding, lighting, wiring, and all electrical aspects
1412 for safety in and around public and private swimming pools,
1413 especially with regard to minimizing risks of electrocutions
1414 linked to swimming pools. The task force shall submit a report
1415 of its findings, including recommended revisions to state law,
1416 if any, to the Governor, the President of the Senate, and the
1417 Speaker of the House of Representatives by November 1, 2016.

1418 (2) The task force shall consist of the swimming pool and
1419 electrical technical advisory committees of the Florida Building
1420 Commission.

1421 (3) The task force shall be chaired by the swimming pool
1422 contractor appointed to the Florida Building Commission pursuant
1423 to s. 553.74, Florida Statutes.

1424 (4) The Florida Building Commission shall provide such
1425 staff, information, and other assistance as is reasonably
1426 necessary to assist the task force in carrying out its
1427 responsibilities.

1428 (5) Members of the task force shall serve without
1429 compensation.

1430 (6) The task force shall meet as often as necessary to

1431 fulfill its responsibilities. Meetings may be conducted by
1432 conference call, teleconferencing, or similar technology.

1433 (7) This section expires December 31, 2016.

1434 Section 35. Construction Industry Workforce Task Force.—

1435 (1) The Construction Industry Workforce Task Force is
1436 created within the University of Florida Rinker School of
1437 Construction. The goals of the task force are to:

1438 (a) Address the critical shortage of individuals trained
1439 in building construction and inspection.

1440 (b) Develop a consensus path for training the next
1441 generation of construction workers in the state.

1442 (c) Determine the causes for the current shortage of a
1443 trained construction industry work force and address the impact
1444 of the shortages on the recovery of the real estate market.

1445 (d) Review current methods and resources available for
1446 construction training.

1447 (e) Review the state of construction training available in
1448 K-12 schools.

1449 (f) Address training issues relating to building code
1450 inspectors to increase the number of qualified inspectors.

1451 (2) The task force shall consist of 19 members. Except as
1452 otherwise specified, each member shall be chosen by the
1453 association that he or she represents, as follows:

1454 (a) A member of the House of Representatives appointed by
1455 the Speaker of the House of Representatives.

1456 (b) A member of the Senate appointed by the President of

1457 the Senate.

1458 (c) A member representing the Florida Associated General
1459 Contractors Council.

1460 (d) A member representing the Associated Builders and
1461 Contractors of Florida.

1462 (e) A member representing the Florida Home Builders
1463 Association.

1464 (f) A member representing the Florida Fire Sprinkler
1465 Association.

1466 (g) A member representing the Florida Roofing, Sheet Metal
1467 and Air Conditioning Contractors Association.

1468 (h) A member representing the Florida Refrigeration and
1469 Air Conditioning Contractors Association.

1470 (i) A member representing the Florida Plumbing-Heating-
1471 Cooling Contractors Association.

1472 (j) A member representing the Florida Swimming Pool
1473 Association.

1474 (k) A member representing the National Utility Contractors
1475 Association of Florida.

1476 (l) A member representing the Florida Concrete and
1477 Products Association.

1478 (m) A member representing the Alarm Association of
1479 Florida.

1480 (n) A member representing the Independent Electrical
1481 Contractors.

1482 (o) A member representing the Florida AFL-CIO.

- 1483 (p) A member representing the Building Officials
1484 Association of Florida.
- 1485 (q) A member representing the Asphalt Contractors
1486 Association of Florida.
- 1487 (r) A member representing the American Fire Sprinkler
1488 Association-Florida Chapter.
- 1489 (s) The chair of the Florida Building Commission.
- 1490 (3) The task force shall elect a chair from among its
1491 members.
- 1492 (4) The University of Florida Rinker School of
1493 Construction shall provide such assistance as is reasonably
1494 necessary to assist the task force in carrying out its
1495 responsibilities.
- 1496 (5) The task force shall meet as often as necessary to
1497 fulfill its responsibilities but not fewer than three times. The
1498 first meeting must be held no later than September 1, 2016.
1499 Meetings may be conducted by conference call, teleconferencing,
1500 or similar technology.
- 1501 (6) The task force shall submit a final report to the
1502 Governor, the President of the Senate, and the Speaker of the
1503 House of Representatives by February 1, 2017.
- 1504 (7) The Department of Business and Professional Regulation
1505 shall provide \$50,000 from funds available for the Florida
1506 Building Code Compliance and Mitigation Program under s.
1507 553.841(5), Florida Statutes, to the University of Florida
1508 Rinker School of Construction for purposes of implementing this

1509 section.

1510 (8) This section expires July 1, 2017.

1511 Section 36. The Florida Building Commission shall define
1512 the term "fire separation distance" in Chapter 2, Definitions,
1513 of the Florida Building Code, 5th Edition (2014) Residential, as
1514 follows:

1515

1516 "FIRE SEPARATION DISTANCE. The distance measured from the
1517 building face to one of the following:

1518 1. To the closest interior lot line;

1519 2. To the centerline of a street, an alley, or a public way;

1520 3. To an imaginary line between two buildings on the lot; or

1521 4. To an imaginary line between two buildings when the exterior
1522 wall of one building is located on a zero lot line.

1523

1524 The distance shall be measured at a right angle from the face of
1525 the wall."

1526 Section 37. The Florida Building Commission shall amend
1527 the Florida Building Code, 5th Edition (2014) Residential, to
1528 allow openings and roof overhang projections on the exterior
1529 wall of a building located on a zero lot line, when the building
1530 exterior wall is separated from an adjacent building exterior
1531 wall by a distance of 6 feet or more and the roof overhang
1532 projection is separated from an adjacent building projection by
1533 a distance of 4 feet or more, with 1-hour fire-resistive
1534 construction on the underside of the overhang required, unless

1535 the separation between projections is 6 feet or more.

1536 Section 38. The Florida Building Commission shall adopt
 1537 into the Florida Building Code, 5th Edition (2014) Energy
 1538 Conservation, the following:

1539
 1540 "Section 406 relating to the Alternative Performance Path,
 1541 Energy Rating Index of the 2015 International Energy
 1542 Conservation Code (IECC) may be used as an option for
 1543 demonstrating compliance with the Florida Building Code, Energy
 1544 Conservation. TABLE R406.4 MAXIMUM ENERGY RATING INDEX shall
 1545 reflect the following energy rating index: for Climate Zone 1,
 1546 an index of 65; for Climate Zone 2, an index of 65."

1547 Section 39. This act shall take effect July 1, 2016.