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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/01/2016	.	
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The Committee on Community Affairs (Simpson) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 304 and 305

insert:

Section 3. Section 468.609, Florida Statutes, is amended to read:

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

(1) Except as provided in this part, any person who desires to be certified shall apply to the board, in writing upon forms



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11 approved and furnished by the board, to take the certification  
12 examination.

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

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

17 (b) Is of good moral character.

18 (c) Meets eligibility requirements according to one of the  
19 following criteria:

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

23 2. Demonstrates a combination of postsecondary education in  
24 the field of construction or a related field and experience  
25 which totals 4 years, with at least 1 year of such total being  
26 experience in construction, building code inspection, or plans  
27 review;

28 3. Demonstrates a combination of technical education in the  
29 field of construction or a related field and experience which  
30 totals 4 years, with at least 1 year of such total being  
31 experience in construction, building code inspection, or plans  
32 review;

33 4. Currently holds a standard certificate as issued by the  
34 board, or a fire safety inspector license issued pursuant to  
35 chapter 633, has a minimum of 5 years' verifiable full-time  
36 experience in inspection or plan review, and satisfactorily  
37 completes a building code inspector or plans examiner training  
38 program of not less than 200 hours in the certification category  
39 sought. The board shall establish by rule criteria for the



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40 development and implementation of the training programs; or  
41 5. Demonstrates a combination of the completion of an  
42 approved training program in the field of building code  
43 inspection or plan review and a minimum of 2 years' experience  
44 in the field of building code inspection, plan review, fire code  
45 inspections and fire plans review of new buildings as a  
46 firesafety inspector certified under s. 633.216, or  
47 construction. The approved training portion of this requirement  
48 shall include proof of satisfactory completion of a training  
49 program of not less than 300 hours which is approved by the  
50 board in the chosen category of building code inspection or plan  
51 review in the certification category sought with not less than  
52 20 hours of instruction in state laws, rules, and ethics  
53 relating to professional standards of practice, duties, and  
54 responsibilities of a certificateholder. The board shall  
55 coordinate with the Building Officials Association of Florida,  
56 Inc., to establish by rule the development and implementation of  
57 the training program.

58 (3) Notwithstanding any law to the contrary, a local  
59 jurisdiction may allow an individual who possesses a residential  
60 certification issued by the International Code Council to be a  
61 residential building code inspector or plans examiner within  
62 said jurisdiction.

63 (4)~~(3)~~ A person may take the examination for certification  
64 as a building code administrator pursuant to this part if the  
65 person:

- 66 (a) Is at least 18 years of age.
- 67 (b) Is of good moral character.
- 68 (c) Meets eligibility requirements according to one of the



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69 following criteria:

70 1. Demonstrates 10 years' combined experience as an  
71 architect, engineer, plans examiner, building code inspector,  
72 registered or certified contractor, or construction  
73 superintendent, with at least 5 years of such experience in  
74 supervisory positions; or

75 2. Demonstrates a combination of postsecondary education in  
76 the field of construction or related field, no more than 5 years  
77 of which may be applied, and experience as an architect,  
78 engineer, plans examiner, building code inspector, registered or  
79 certified contractor, or construction superintendent which  
80 totals 10 years, with at least 5 years of such total being  
81 experience in supervisory positions.

82 ~~(5)-(4)~~ No person may engage in the duties of a building  
83 code administrator, plans examiner, or building code inspector  
84 pursuant to this part after October 1, 1993, unless such person  
85 possesses one of the following types of certificates, currently  
86 valid, issued by the board attesting to the person's  
87 qualifications to hold such position:

88 (a) A standard certificate.

89 (b) A limited certificate.

90 (c) A provisional certificate.

91 (d) A residential certificate pursuant to subsection (3).

92 ~~(6)-(5)~~ (a) To obtain a standard certificate, an individual  
93 must pass an examination approved by the board which  
94 demonstrates that the applicant has fundamental knowledge of the  
95 state laws and codes relating to the construction of buildings  
96 for which the applicant has building code administration, plans  
97 examination, or building code inspection responsibilities. It is



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98 the intent of the Legislature that the examination approved for  
99 certification pursuant to this part be substantially equivalent  
100 to the examinations administered by the International Code  
101 Council.

102 (b) A standard certificate shall be issued to each  
103 applicant who successfully completes the examination, which  
104 certificate authorizes the individual named thereon to practice  
105 throughout the state as a building code administrator, plans  
106 examiner, or building code inspector within such class and level  
107 as is specified by the board.

108 (c) The board may accept proof that the applicant has  
109 passed an examination which is substantially equivalent to the  
110 board-approved examination set forth in this section.

111 ~~(7)~~(6)(a) A building code administrator, plans examiner, or  
112 building code inspector holding office on July 1, 1993, shall  
113 not be required to possess a standard certificate as a condition  
114 of tenure or continued employment, but shall be required to  
115 obtain a limited certificate as described in this subsection.

116 (b) By October 1, 1993, individuals who were employed on  
117 July 1, 1993, as building code administrators, plans examiners,  
118 or building code inspectors, who are not eligible for a standard  
119 certificate, but who wish to continue in such employment, shall  
120 submit to the board the appropriate application and  
121 certification fees and shall receive a limited certificate  
122 qualifying them to engage in building code administration, plans  
123 examination, or building code inspection in the class, at the  
124 performance level, and within the governmental jurisdiction in  
125 which such person is employed.

126 (c) The limited certificate shall be valid only as an



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127 authorization for the building code administrator, plans  
128 examiner, or building code inspector to continue in the position  
129 held, and to continue performing all functions assigned to that  
130 position, on July 1, 1993.

131 (d) A building code administrator, plans examiner, or  
132 building code inspector holding a limited certificate can be  
133 promoted to a position requiring a higher level certificate only  
134 upon issuance of a standard certificate or provisional  
135 certificate appropriate for such new position.

136 (e) By March 1, 2003, or 1 year after the Florida Building  
137 Code is implemented, whichever is later, individuals who were  
138 employed by an educational board, the Department of Education,  
139 or the State University System as building code administrators,  
140 plans examiners, or inspectors, who do not wish to apply for a  
141 standard certificate but who wish to continue in such  
142 employment, shall submit to the board the appropriate  
143 application and certification fees and shall receive a limited  
144 certificate qualifying such individuals to engage in building  
145 code administration, plans examination, or inspection in the  
146 class, at the performance level, and within the governmental  
147 jurisdiction in which such person is employed.

148 ~~(8)~~(7)(a) The board may provide for the issuance of  
149 provisional certificates valid for 1 year, as specified by board  
150 rule, to any newly employed or promoted building code inspector  
151 or plans examiner who meets the eligibility requirements  
152 described in subsection (2) and any newly employed or promoted  
153 building code administrator who meets the eligibility  
154 requirements described in subsection (4) ~~(3)~~. The provisional  
155 license may be renewed by the board for just cause; however, a



156 provisional license is not valid for a period longer than 3  
157 years.

158 (b) No building code administrator, plans examiner, or  
159 building code inspector may have a provisional certificate  
160 extended beyond the specified period by renewal or otherwise.

161 (c) The board may provide for appropriate levels of  
162 provisional certificates and may issue these certificates with  
163 such special conditions or requirements relating to the place of  
164 employment of the person holding the certificate, the  
165 supervision of such person on a consulting or advisory basis, or  
166 other matters as the board may deem necessary to protect the  
167 public safety and health.

168 (d) A newly employed or hired person may perform the duties  
169 of a plans examiner or building code inspector for 120 days if a  
170 provisional certificate application has been submitted if such  
171 person is under the direct supervision of a certified building  
172 code administrator who holds a standard certification and who  
173 has found such person qualified for a provisional certificate.  
174 Direct supervision and the determination of qualifications may  
175 also be provided by a building code administrator who holds a  
176 limited or provisional certificate in a county having a  
177 population of fewer than 75,000 and in a municipality located  
178 within such county.

179 ~~(9)-(8)~~ Any individual applying to the board may be issued a  
180 certificate valid for multiple building code inspection classes,  
181 as deemed appropriate by the board.

182 ~~(10)-(9)~~ Certification and training classes may be developed  
183 in coordination with degree career education centers, community  
184 colleges, the State University System, or other entities



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185 offering certification and training classes.

186        ~~(11)~~~~(10)~~ The board may by rule create categories of  
187 certification in addition to those defined in s. 468.603(6) and  
188 (7). Such certification categories shall not be mandatory and  
189 shall not act to diminish the scope of any certificate created  
190 by statute.

191

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

193 And the title is amended as follows:

194        Delete line 8

195 and insert:

196        provisional certificates; amending s. 468.609, F.S.;

197        authorizing a local jurisdiction to allow an

198        individual who possesses a specified certification to

199        be a residential building code inspector or plans

200        examiner within said jurisdiction; conforming a cross-

201        reference; amending ss. 468.627,