



137454

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/25/2017	.	
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The Committee on Appropriations (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete lines 513 - 542

and insert:

Section 9. Section 468.603, Florida Statutes, is reordered and amended to read:

468.603 Definitions.—As used in this part:

(2)~~(1)~~ "Building code administrator" or "building official" means any of those employees of municipal or county governments, or any person contracted, with building construction regulation



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11 responsibilities who are charged with the responsibility for
12 direct regulatory administration or supervision of plan review,
13 enforcement, or inspection of building construction, erection,
14 repair, addition, remodeling, demolition, or alteration projects
15 that require permitting indicating compliance with building,
16 plumbing, mechanical, electrical, gas, fire prevention, energy,
17 accessibility, and other construction codes as required by state
18 law or municipal or county ordinance. This term is synonymous
19 with "building official" as used in the ~~administrative chapter~~
20 ~~of the Standard Building Code and the South Florida Building~~
21 Code. One person employed or contracted by each municipal or
22 county government as a building code administrator or building
23 official and who is so certified under this part may be
24 authorized to perform any plan review or inspection for which
25 certification is required by this part, including performing any
26 plan review or inspection as a currently designated standard-
27 certified building official under an interagency service
28 agreement with a jurisdiction having a population of 50,000 or
29 fewer.

30 (4)-(2) "Building code inspector" means any of those
31 employees of local governments or state agencies, or any person
32 contracted, with building construction regulation
33 responsibilities who themselves conduct inspections of building
34 construction, erection, repair, addition, or alteration projects
35 that require permitting indicating compliance with building,
36 plumbing, mechanical, electrical, gas, fire prevention, energy,
37 accessibility, and other construction codes as required by state
38 law or municipal or county ordinance.

39 (1)-(3) "Board" means the Florida Building Code



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40 Administrators and Inspectors Board.

41 ~~(7)~~~~(4)~~ "Department" means the Department of Business and
42 Professional Regulation.

43 ~~(6)~~~~(5)~~ "Certificate" means a certificate of qualification
44 issued by the department as provided in this part.

45 ~~(5)~~~~(6)~~ "Categories of building code inspectors" include the
46 following:

47 (a) "Building inspector" means a person who is qualified to
48 inspect and determine that buildings and structures are
49 constructed in accordance with the provisions of the governing
50 building codes and state accessibility laws.

51 (b) "Coastal construction inspector" means a person who is
52 qualified to inspect and determine that buildings and structures
53 are constructed to resist near-hurricane and hurricane velocity
54 winds in accordance with the provisions of the governing
55 building code.

56 (c) "Commercial electrical inspector" means a person who is
57 qualified to inspect and determine the electrical safety of
58 commercial buildings and structures by inspecting for compliance
59 with the provisions of the National Electrical Code.

60 ~~(h)~~~~(d)~~ "Residential electrical inspector" means a person
61 who is qualified to inspect and determine the electrical safety
62 of one and two family dwellings and accessory structures by
63 inspecting for compliance with the applicable provisions of the
64 governing electrical code.

65 (e) "Mechanical inspector" means a person who is qualified
66 to inspect and determine that the mechanical installations and
67 systems for buildings and structures are in compliance with the
68 provisions of the governing mechanical code.



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69 ~~(f)~~ (g) "Plumbing inspector" means a person who is qualified
70 to inspect and determine that the plumbing installations and
71 systems for buildings and structures are in compliance with the
72 provisions of the governing plumbing code.

73 ~~(g)~~ (f) "One and two family dwelling inspector" means a
74 person who is qualified to inspect and determine that one and
75 two family dwellings and accessory structures are constructed in
76 accordance with the provisions of the governing building,
77 plumbing, mechanical, accessibility, and electrical codes.

78 ~~(h)~~ (d) "Electrical inspector" means a person who is
79 qualified to inspect and determine the electrical safety of
80 commercial and residential buildings and accessory structures by
81 inspecting for compliance with the provisions of the National
82 Electrical Code.

83 ~~(7)~~ (8) "Plans examiner" means a person who is qualified to
84 determine that plans submitted for purposes of obtaining
85 building and other permits comply with the applicable building,
86 plumbing, mechanical, electrical, gas, fire prevention, energy,
87 accessibility, and other applicable construction codes. The term
88 includes a residential plans examiner who is qualified to
89 determine that plans submitted for purposes of obtaining
90 building and other permits comply with the applicable
91 residential building, plumbing, mechanical, electrical, gas,
92 energy, accessibility, and other applicable construction codes.

93 Categories of plans examiners include:

- 94 (a) Building plans examiner.
- 95 (b) Plumbing plans examiner.
- 96 (c) Mechanical plans examiner.
- 97 (d) Electrical plans examiner.



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98 (3)~~(8)~~ "Building code enforcement official" or "enforcement
99 official" means a licensed building code administrator, building
100 code inspector, or plans examiner.

101 Section 10. Paragraph (c) of subsection (2), paragraphs (a)
102 and (d) of subsection (7), and subsection (10) of section
103 468.609, Florida Statutes, are amended to read:

104 468.609 Administration of this part; standards for
105 certification; additional categories of certification.—

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

109 (c) Meets eligibility requirements according to one of the
110 following criteria:

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

114 2. Demonstrates a combination of postsecondary education in
115 the field of construction or a related field and experience
116 which totals 4 years, with at least 1 year of such total being
117 experience in construction, building code inspection, or plans
118 review;

119 3. Demonstrates a combination of technical education in the
120 field of construction or a related field and experience which
121 totals 4 years, with at least 1 year of such total being
122 experience in construction, building code inspection, or plans
123 review;

124 4. Currently holds a standard certificate issued by the
125 board or a firesafety inspector license issued pursuant to
126 chapter 633, has a minimum of 3 years' verifiable full-time



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127 experience in inspection or plan review, and has satisfactorily
128 completed a building code inspector or plans examiner training
129 program that provides at least 100 hours but not more than 200
130 hours of cross-training in the certification category sought.
131 The board shall establish by rule criteria for the development
132 and implementation of the training programs. The board shall
133 accept all classroom training offered by an approved provider if
134 the content substantially meets the intent of the classroom
135 component of the training program;

136 5. Demonstrates a combination of the completion of an
137 approved training program in the field of building code
138 inspection or plan review and a minimum of 2 years' experience
139 in the field of building code inspection, plan review, fire code
140 inspections and fire plans review of new buildings as a
141 firesafety inspector certified under s. 633.216, or
142 construction. The approved training portion of this requirement
143 shall include proof of satisfactory completion of a training
144 program that provides at least 200 hours but not more than 300
145 hours of cross-training that is approved by the board in the
146 chosen category of building code inspection or plan review in
147 the certification category sought with at least 20 hours but not
148 more than 30 hours of instruction in state laws, rules, and
149 ethics relating to professional standards of practice, duties,
150 and responsibilities of a certificateholder. The board shall
151 coordinate with the Building Officials Association of Florida,
152 Inc., to establish by rule the development and implementation of
153 the training program. However, the board shall accept all
154 classroom training offered by an approved provider if the
155 content substantially meets the intent of the classroom



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156 component of the training program; ~~or~~

157 6. Currently holds a standard certificate issued by the
158 board or a firesafety inspector license issued pursuant to
159 chapter 633 and:

160 a. Has at least 5 years' verifiable full-time experience as
161 an inspector or plans examiner in a standard certification
162 category currently held or has a minimum of 5 years' verifiable
163 full-time experience as a firesafety inspector licensed pursuant
164 to chapter 633.

165 b. Has satisfactorily completed a building code inspector
166 or plans examiner classroom training course or program that
167 provides at least 200 but not more than 300 hours in the
168 certification category sought, except for one-family and two-
169 family dwelling training programs, which must provide at least
170 500 but not more than 800 hours of training as prescribed by the
171 board. The board shall establish by rule criteria for the
172 development and implementation of classroom training courses and
173 programs in each certification category; or

174 7.a. Has completed a 4-year internship certification
175 program as a building code inspector or plans examiner while
176 employed full-time by a municipality, county, or other local
177 government jurisdiction, under the direct supervision of a
178 certified building official. Proof of graduation with a related
179 vocational degree or college degree or of verifiable work
180 experience may be exchanged for the internship experience
181 requirement year for year, but may reduce the requirement to no
182 less than 1 year;

183 b. Has passed an examination administered by the
184 International Code Council in the certification category sought.



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185 Such examination must be passed before beginning the internship
186 certification program;

187 c. Has passed the principles and practice examination
188 before completing the internship certification program;

189 d. Has passed a board-approved 40-hour code training course
190 in the certification category sought before completing the
191 internship certification program; and

192 e. Has obtained a favorable recommendation from the
193 supervising building official after completion of the internship
194 certification program.

195 (7) (a) The board shall provide for the issuance of
196 provisional certificates valid for 1 year, as specified by board
197 rule, to any ~~newly employed or promoted~~ building code inspector
198 or plans examiner who meets the eligibility requirements
199 described in subsection (2) and any newly employed or promoted
200 building code administrator who meets the eligibility
201 requirements described in subsection (3). The provisional
202 license may be renewed by the board for just cause; however, a
203 provisional license is not valid for longer than 3 years.

204 (d) A ~~newly employed or hired~~ person may perform the duties
205 of a plans examiner or building code inspector for 120 days if a
206 provisional certificate application has been submitted if such
207 person is under the direct supervision of a certified building
208 code administrator who holds a standard certification and who
209 has found such person qualified for a provisional certificate.
210 Direct supervision and the determination of qualifications may
211 also be provided by a building code administrator who holds a
212 limited or provisional certificate in a county having a
213 population of fewer than 75,000 and in a municipality located



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214 within such county.

215 (10) (a) The board may by rule create categories of
216 certification in addition to those defined in s. 468.603(5) and
217 (8) ~~468.603(6) and (7)~~. Such certification categories shall not
218 be mandatory and shall not act to diminish the scope of any
219 certificate created by statute.

220 (b) The board shall by rule establish:

221 1. Reciprocity of certification with any other state that
222 requires an examination administered by the International Code
223 Council.

224 2. That an applicant for certification as a building code
225 inspector or plans examiner may apply for a provisional
226 certificate valid for the duration of the internship period.

227 3. That partial completion of an internship program may be
228 transferred between jurisdictions on a form prescribed by the
229 board.

230 4. That an applicant may apply for a standard certificate
231 on a form prescribed by the board upon successful completion of
232 an internship certification program.

233 5. That an applicant may apply for a standard certificate
234 at least 30 days and no more than 60 days before completing the
235 internship certification program.

236 6. That a building code inspector or plans examiner who has
237 a standard certificate may seek an additional certification in
238 another category by completing an additional nonconcurrent 1-
239 year internship program in the certification category sought and
240 passing an examination administered by the International Code
241 Council and a board-approved 40-hour code training course.

242 Section 11. Subsection (3) of section 468.617, Florida



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243 Statutes, is amended to read:

244 468.617 Joint building code inspection department; other
245 arrangements.—

246 (3) Nothing in this part shall prohibit any county or
247 municipal government, school board, community college board,
248 state university, or state agency from entering into any
249 contract with any person or entity for the provision of building
250 code administrator, building official, or building code
251 inspection services regulated under this part, and
252 notwithstanding any other statutory provision, such county or
253 municipal governments may enter into contracts.

254 Section 12. Paragraphs (d) and (i) of subsection (1) and
255 subsection (2) of section 553.791, Florida Statutes, are amended
256 to read:

257 553.791 Alternative plans review and inspection.—

258 (1) As used in this section, the term:

259 (d) "Building code inspection services" means those
260 services described in s. 468.603(5) and (8) ~~468.603(6) and (7)~~
261 involving the review of building plans to determine compliance
262 with applicable codes and those inspections required by law of
263 each phase of construction for which permitting by a local
264 enforcement agency is required to determine compliance with
265 applicable codes.

266 (i) "Private provider" means a person licensed as a
267 building code administrator under part XII of chapter 468, as an
268 engineer under chapter 471, or as an architect under chapter
269 481. For purposes of performing inspections under this section
270 for additions and alterations that are limited to 1,000 square
271 feet or less to residential buildings, the term "private



272 provider" also includes a person who holds a standard
273 certificate under part XII of chapter 468.

274 (2) (a) Notwithstanding any other law or local government
275 ordinance or local policy, the fee owner of a building or
276 structure, or the fee owner's contractor upon written
277 authorization from the fee owner, may choose to use a private
278 provider to provide building code inspection services with
279 regard to such building or structure and may make payment
280 directly to the private provider for the provision of such
281 services. All such services shall be the subject of a written
282 contract between the private provider, or the private provider's
283 firm, and the fee owner or the fee owner's contractor, upon
284 written authorization of the fee owner. The fee owner may elect
285 to use a private provider to provide plans review or required
286 building inspections, or both. However, if the fee owner or the
287 fee owner's contractor uses a private provider to provide plans
288 review, the local building official, in his or her discretion
289 and pursuant to duly adopted policies of the local enforcement
290 agency, may require the fee owner or the fee owner's contractor
291 to use a private provider to also provide required building
292 inspections.

293 (b) It is the intent of the Legislature that owners and
294 contractors not be required to pay extra costs related to
295 building permitting requirements when hiring a private provider
296 for plans reviews and building inspections. A local jurisdiction
297 must calculate the cost savings to the local enforcement agency,
298 based on a fee owner or contractor hiring a private provider to
299 perform plans reviews and building inspections in lieu of the
300 local building official, and reduce the permit fees accordingly.



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301 Section 13. Subsection (10) of section 468.609, Florida
302 Statutes, is amended to read:

303 468.609 Administration of this part; standards for
304 certification; additional categories of certification.—

305 (10) The board may by rule create categories of
306 certification in addition to those defined in s. 468.603(5) and
307 (8) ~~468.603(6) and (7)~~. Such certification categories shall not
308 be mandatory and shall not act to diminish the scope of any
309 certificate created by statute.

310 Section 14. Section 471.045, Florida Statutes, is amended
311 to read:

312 471.045 Professional engineers performing building code
313 inspector duties.—Notwithstanding any other provision of law, a
314 person who is currently licensed under this chapter to practice
315 as a professional engineer may provide building code inspection
316 services described in s. 468.603(5) and (8) ~~468.603(6) and (7)~~
317 to a local government or state agency upon its request, without
318 being certified by the Florida Building Code Administrators and
319 Inspectors Board under part XII of chapter 468. When performing
320 these building code inspection services, the professional
321 engineer is subject to the disciplinary guidelines of this
322 chapter and s. 468.621(1)(c)-(h). Any complaint processing,
323 investigation, and discipline that arise out of a professional
324 engineer's performing building code inspection services shall be
325 conducted by the Board of Professional Engineers rather than the
326 Florida Building Code Administrators and Inspectors Board. A
327 professional engineer may not perform plans review as an
328 employee of a local government upon any job that the
329 professional engineer or the professional engineer's company



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330 designed.

331 Section 15. Section 481.222, Florida Statutes, is amended
332 to read:

333 481.222 Architects performing building code inspection
334 services.—Notwithstanding any other provision of law, a person
335 who is currently licensed to practice as an architect under this
336 part may provide building code inspection services described in
337 s. 468.603(5) and (8) ~~468.603(6) and (7)~~ to a local government
338 or state agency upon its request, without being certified by the
339 Florida Building Code Administrators and Inspectors Board under
340 part XII of chapter 468. With respect to the performance of such
341 building code inspection services, the architect is subject to
342 the disciplinary guidelines of this part and s. 468.621(1)(c)-
343 (h). Any complaint processing, investigation, and discipline
344 that arise out of an architect's performance of building code
345 inspection services shall be conducted by the Board of
346 Architecture and Interior Design rather than the Florida
347 Building Code Administrators and Inspectors Board. An architect
348 may not perform plans review as an employee of a local
349 government upon any job that the architect or the architect's
350 company designed.

351

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

353 And the title is amended as follows:

354 Delete lines 59 - 61

355 and insert:

356 applicability; amending s. 468.603, F.S.; revising
357 definitions; amending s. 468.609, F.S.; revising
358 eligibility requirements for the examination for



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359 certification as a building code inspector or plans
360 examiner to include an internship certification
361 program and other requirements; removing an
362 eligibility condition from provisions related to
363 provisional certificates; requiring the Florida
364 Building Code Administrators and Inspectors Board to
365 establish rules; amending s. 468.617, F.S.;
366 authorizing specified entities to contract for the
367 provision of building code administrator and building
368 official services; amending s. 553.791, F.S.;
369 conforming cross-references; revising the definition
370 of the term "private provider"; providing legislative
371 intent; requiring local jurisdictions to reduce
372 certain permit fees; amending ss. 468.609, 471.045,
373 and 481.222; conforming cross-references; amending s.
374 553.80, F.S.;