

By the Committee on Community Affairs; and Senator Perry

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1                   A bill to be entitled  
2       An act relating to construction; amending s. 377.705,  
3       F.S.; revising legislative findings and intent;  
4       authorizing solar energy systems manufactured or sold  
5       in the state to be certified by professional  
6       engineers; amending s. 471.033, F.S.; prohibiting  
7       professional engineers from contracting with customers  
8       without disclosing whether they maintain certain  
9       insurance; amending s. 489.103, F.S.; revising an  
10      exemption from construction contracting regulation for  
11      certain public utilities; deleting responsibility of  
12      the Construction Industry Licensing Board to define  
13      the term "incidental to their business" for certain  
14      purposes; amending s. 489.113, F.S.; providing that  
15      specified pool/spa contractors are not required to  
16      subcontract certain work relating to power wiring;  
17      requiring such contractors to subcontract all work  
18      requiring the installation, removal, replacement, or  
19      upgrading of a circuit breaker; providing  
20      applicability; amending s. 553.721, F.S.; requiring  
21      the Department of Business and Professional Regulation  
22      to provide certain funds allocated to the University  
23      of Florida M. E. Rinker, Sr., School of Construction  
24      Management for specified purposes; amending s. 553.73,  
25      F.S.; requiring the Florida Building Commission to use  
26      certain entities and codes for updates to the Florida  
27      Building Code; revising voting requirements for a  
28      technical advisory committee to make a favorable  
29      recommendation to the commission; providing that

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30 certain technical amendments to the Florida Building  
31 Code which are adopted by a local government are not  
32 rendered void when the code is updated; specifying  
33 that such amendments are subject to review or  
34 modification if carried forward into the next edition  
35 of the code; requiring the commission to update the  
36 Florida Building Code through a review of the most  
37 current updates of specified codes; requiring the  
38 commission to adopt specified provisions from certain  
39 codes; deleting provisions limiting how long an  
40 amendment or modification is effective; deleting a  
41 provision requiring certain amendments or  
42 modifications to be carried forward into the next  
43 edition of the code, subject to certain conditions;  
44 deleting certain requirements for the resubmission of  
45 expired amendments; deleting a provision prohibiting a  
46 proposed amendment from being included in the code if  
47 it has been addressed in the international code;  
48 conforming provisions to changes made by the act;  
49 prohibiting the commission from adopting certain  
50 provisions into the Florida Building Code; amending s.  
51 553.76, F.S.; requiring the commission to adopt the  
52 Florida Building Code, and amendments thereto, by a  
53 minimum percentage of votes; amending s. 553.79, F.S.;  
54 prohibiting a political subdivision from adopting or  
55 enforcing certain building permits or other  
56 development order requirements; providing  
57 construction; providing for preemption of certain  
58 local laws and regulations; providing for retroactive

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59 applicability; amending s. 553.791, F.S.; providing  
60 legislative intent; requiring local jurisdictions to  
61 reduce certain permit fees; amending s. 553.80, F.S.;  
62 prohibiting local enforcement agencies, independent  
63 districts, and special districts from charging certain  
64 fees; creating s. 553.9081, F.S.; requiring the  
65 Florida Building Commission to amend certain  
66 provisions of the Florida Building Code; amending s.  
67 633.208, F.S.; prohibiting a county, municipality,  
68 special taxing district, public utility, or private  
69 utility from requiring a separate water connection or  
70 charging a specified water or sewage rate under  
71 certain conditions; prohibiting a local government  
72 from requiring a permit for painting a residence;  
73 requiring the Department of Education to develop a  
74 plan for specified purposes; requiring the department  
75 to provide the plan to the Construction Industry  
76 Workforce Task Force by a specified date; requiring  
77 CareerSource Florida, Inc., to develop a plan for  
78 specified purposes; requiring CareerSource Florida,  
79 Inc., to provide the plan to the Construction Industry  
80 Workforce Task Force by a specified date; requiring  
81 the Florida Building Commission to amend specified  
82 provisions of the Florida Building Code related to  
83 door components; providing an effective date.

84

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

86

87 Section 1. Section 377.705, Florida Statutes, is amended to

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88 read:

89 377.705 Solar Energy Center; development of solar energy  
90 standards.—

91 (1) SHORT TITLE.—This act shall be known and may be cited  
92 as the Solar Energy Standards Act of 1976.

93 (2) LEGISLATIVE ~~FINDINGS AND~~ INTENT.—

94 ~~(a) Because of increases in the cost of conventional fuel,~~  
95 ~~certain applications of solar energy are becoming competitive,~~  
96 ~~particularly when life-cycle costs are considered. It is the~~  
97 ~~intent of the Legislature in formulating a sound and balanced~~  
98 ~~energy policy for the state to encourage the development of an~~  
99 ~~alternative energy capability in the form of incident solar~~  
100 ~~energy.~~

101 ~~(b) Toward this purpose,~~ The Legislature intends to provide  
102 ~~incentives for the production and sale of, and to set standards~~  
103 ~~for, solar energy systems. Such standards shall ensure that~~  
104 solar energy systems manufactured or sold within the state are  
105 effective and represent a high level of quality of materials,  
106 workmanship, and design.

107 (3) DEFINITIONS.—As used in this section, the term:

108 (a) "Center" means ~~is defined as~~ the Florida Solar Energy  
109 Center of the Board of Governors.

110 (b) "Solar energy systems" means ~~is defined as~~ equipment  
111 which provides for the collection and use of incident solar  
112 energy for water heating, space heating or cooling, or other  
113 applications which normally require or would require a  
114 conventional source of energy such as petroleum products,  
115 natural gas, or electricity and which performs primarily with  
116 solar energy. In such other systems in which solar energy is

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117 used in a supplemental way, only those components which collect  
118 and transfer solar energy shall be included in this definition.

119 (4) FLORIDA SOLAR ENERGY CENTER TO SET STANDARDS, REQUIRE  
120 DISCLOSURE, SET TESTING FEES.—

121 (a) The center shall develop and adopt ~~promulgate~~ standards  
122 for solar energy systems manufactured or sold in this state  
123 based on the best currently available information and shall  
124 consult with scientists, engineers, or persons in research  
125 centers who are engaged in the construction of, experimentation  
126 with, and research of solar energy systems to properly identify  
127 the most reliable designs and types of solar energy systems.

128 (b) The center shall establish criteria for testing  
129 performance of solar energy systems and shall maintain the  
130 necessary capability for testing or evaluating performance of  
131 solar energy systems. The center may accept results of tests on  
132 solar energy systems made by other organizations, companies, or  
133 persons if ~~when~~ such tests are conducted according to the  
134 criteria established by the center and if ~~when~~ the testing  
135 entity does not have a ~~has no~~ vested interest in the  
136 manufacture, distribution, or sale of solar energy systems.

137 (c) The center shall be entitled to receive a testing fee  
138 sufficient to cover the costs of such testing. All testing fees  
139 shall be transmitted by the center to the Chief Financial  
140 Officer to be deposited in the Solar Energy Center Testing Trust  
141 Fund, which is ~~hereby~~ created in the State Treasury, and  
142 disbursed for the payment of expenses incurred in testing solar  
143 energy systems.

144 (d) All solar energy systems manufactured or sold in the  
145 state must meet the standards established by the center and

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146 shall display accepted results of approved performance tests in  
147 a manner prescribed by the center, unless otherwise certified by  
148 an engineer licensed pursuant to chapter 471 using the standards  
149 contained in the most recent version of the Florida Building  
150 Code.

151 Section 2. Paragraph (m) is added to subsection (1) of  
152 section 471.033, Florida Statutes, to read:

153 471.033 Disciplinary proceedings.—

154 (1) The following acts constitute grounds for which the  
155 disciplinary actions in subsection (3) may be taken:

156 (m) Failing to disclose to a customer before contracting  
157 for engineering service whether the licensee maintains  
158 professional liability insurance and the policy limits if the  
159 licensee does maintain such insurance.

160 Section 3. Subsection (5) of section 489.103, Florida  
161 Statutes, is amended to read:

162 489.103 Exemptions.—This part does not apply to:

163 (5) Public utilities, including municipal gas utilities and  
164 special gas districts as defined in chapter 189,  
165 telecommunications companies as defined in s. 364.02(13), and  
166 natural gas transmission companies as defined in s. 368.103(4),  
167 on construction, maintenance, and development work performed by  
168 their employees, ~~which work, including, but not limited to, work~~  
169 ~~on bridges, roads, streets, highways, or railroads, is~~  
170 ~~incidental to their business. The board shall define, by rule,~~  
171 ~~the term "incidental to their business" for purposes of this~~  
172 ~~subsection.~~

173 Section 4. Paragraph (h) is added to subsection (3) of  
174 section 489.113, Florida Statutes, to read:

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175 489.113 Qualifications for practice; restrictions.—

176 (3) A contractor shall subcontract all electrical,  
177 mechanical, plumbing, roofing, sheet metal, swimming pool, and  
178 air-conditioning work, unless such contractor holds a state  
179 certificate or registration in the respective trade category,  
180 however:

181 (h) A pool/spa contractor, as defined in s. 489.105(3)(j),  
182 (k), or (l), is not required to subcontract electrical work for  
183 the installation, replacement, disconnection, or reconnection of  
184 power wiring on the load side of the dedicated existing  
185 electrical disconnecting means, but is required to subcontract  
186 all electrical work that requires installation, removal,  
187 replacement, or upgrading of a circuit breaker. This paragraph  
188 does not apply to other contractor classifications or  
189 professions.

190 Section 5. Section 553.721, Florida Statutes, is amended to  
191 read:

192 553.721 Surcharge.—In order for the Department of Business  
193 and Professional Regulation to administer and carry out the  
194 purposes of this part and related activities, there is created a  
195 surcharge, to be assessed at the rate of 1.5 percent of the  
196 permit fees associated with enforcement of the Florida Building  
197 Code as defined by the uniform account criteria and specifically  
198 the uniform account code for building permits adopted for local  
199 government financial reporting pursuant to s. 218.32. The  
200 minimum amount collected on any permit issued shall be \$2. The  
201 unit of government responsible for collecting a permit fee  
202 pursuant to s. 125.56(4) or s. 166.201 shall collect the  
203 surcharge and electronically remit the funds collected to the

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204 department on a quarterly calendar basis for the preceding  
205 quarter and continuing each third month thereafter. The unit of  
206 government shall retain 10 percent of the surcharge collected to  
207 fund the participation of building departments in the national  
208 and state building code adoption processes and to provide  
209 education related to enforcement of the Florida Building Code.  
210 All funds remitted to the department pursuant to this section  
211 shall be deposited in the Professional Regulation Trust Fund.  
212 Funds collected from the surcharge shall be allocated to fund  
213 the Florida Building Commission and the Florida Building Code  
214 Compliance and Mitigation Program under s. 553.841. Funds  
215 allocated to the Florida Building Code Compliance and Mitigation  
216 Program shall be \$925,000 each fiscal year. The Florida Building  
217 Code Compliance and Mitigation Program shall fund the  
218 recommendations made by the Building Code System Uniform  
219 Implementation Evaluation Workgroup, dated April 8, 2013, from  
220 existing resources, not to exceed \$30,000 in the 2016-2017  
221 fiscal year. The department shall provide \$150,000 for the 2017-  
222 2018 fiscal year from surcharge funds available to the  
223 University of Florida M. E. Rinker, Sr., School of Construction  
224 Management for the continuation of the Construction Industry  
225 Workforce Task Force. Funds collected from the surcharge shall  
226 also be used to fund Florida Fire Prevention Code informal  
227 interpretations managed by the State Fire Marshal and shall be  
228 limited to \$15,000 each fiscal year. The State Fire Marshal  
229 shall adopt rules to address the implementation and expenditure  
230 of the funds allocated to fund the Florida Fire Prevention Code  
231 informal interpretations under this section. The funds collected  
232 from the surcharge may not be used to fund research on



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233 techniques for mitigation of radon in existing buildings. Funds  
234 used by the department as well as funds to be transferred to the  
235 Department of Health and the State Fire Marshal shall be as  
236 prescribed in the annual General Appropriations Act. The  
237 department shall adopt rules governing the collection and  
238 remittance of surcharges pursuant to chapter 120.

239 Section 6. Subsection (3) of section 553.73, Florida  
240 Statutes, is amended, paragraph (d) is added to subsection (4)  
241 of that section, subsections (7) and (8) and paragraphs (a) and  
242 (b) of subsection (9) of that section are amended, and  
243 subsection (20) is added to that section, to read:

244 553.73 Florida Building Code.—

245 (3) The commission shall use the ~~International Codes~~  
246 ~~published by the~~ International Code Council, the National  
247 Electric Code (NFPA 70), or other nationally adopted model codes  
248 and standards for updates to ~~needed to develop the base code in~~  
249 ~~Florida to form the foundation for~~ the Florida Building Code.  
250 The ~~Florida Building~~ commission may approve technical amendments  
251 to the code as provided in, ~~subject to~~ subsections (8) and (9),  
252 ~~after the amendments have been~~ subject to all of the following  
253 conditions:

254 (a) The proposed amendment must have ~~has~~ been published on  
255 the commission's website for a minimum of 45 days and all the  
256 associated documentation must have ~~has~~ been made available to  
257 any interested party before ~~any~~ consideration by a technical  
258 advisory committee.†

259 (b) In order for a technical advisory committee to make a  
260 favorable recommendation to the commission, the proposal must  
261 receive a two-thirds ~~three-fourths~~ vote of the members present

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262 at the ~~technical advisory committee~~ meeting. and At least half  
263 of the regular members must be present in order to conduct a  
264 meeting.†

265 (c) After the technical advisory committee has considered  
266 and recommended ~~consideration and a recommendation for~~ approval  
267 of any proposed amendment, the proposal must be published on the  
268 commission's website for at least 45 days before any  
269 consideration by the commission.† and

270 (d) A proposal may be modified by the commission based on  
271 public testimony and evidence from a public hearing held in  
272 accordance with chapter 120.

273

274 The commission shall incorporate within ~~sections of~~ the Florida  
275 Building Code provisions that ~~which~~ address regional and local  
276 concerns and variations. The commission shall make every effort  
277 to minimize conflicts between the Florida Building Code, the  
278 Florida Fire Prevention Code, and the Life Safety Code.

279 (4)

280 (d) A technical amendment to the Florida Building Code  
281 related to water conservation practices or design criteria  
282 adopted by a local government pursuant to this subsection is not  
283 rendered void when the code is updated if the technical  
284 amendment is necessary to protect or provide for more efficient  
285 use of water resources as provided in s. 373.621. However, any  
286 such technical amendment carried forward into the next edition  
287 of the code pursuant to this paragraph is subject to review or  
288 modification as provided in this part.

289 (7) (a) The commission, ~~by rule adopted pursuant to ss.~~  
290 ~~120.536(1) and 120.54,~~ shall adopt an updated ~~update the~~ Florida

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291 Building Code every 3 years through review of. ~~When updating the~~  
292 ~~Florida Building Code, the commission shall select~~ the most  
293 current updates ~~version~~ of the International Building Code, the  
294 International Fuel Gas Code, the International Mechanical Code,  
295 the International Plumbing Code, and the International  
296 Residential Code, all of which are copyrighted and published by  
297 ~~adopted~~ by the International Code Council, and the National  
298 Electrical Code, which is copyrighted and published ~~adopted~~ by  
299 the National Fire Protection Association. At a minimum, the  
300 commission shall adopt any updates to such codes or any other  
301 code necessary to maintain eligibility for federal funding from  
302 the National Flood Insurance Program, the Federal Emergency  
303 Management Agency, and the United States Department of Housing  
304 and Urban Development, to form the foundation codes of the  
305 updated Florida Building Code, if the version has been adopted  
306 by the applicable model code entity. The commission shall also  
307 review and adopt updates based substantially on ~~select the most~~  
308 ~~current version of~~ the International Energy Conservation Code  
309 (IECC) ~~as a foundation code; however, the IECC shall be modified~~  
310 ~~by~~ the commission shall ~~to~~ maintain the efficiencies of the  
311 Florida Energy Efficiency Code for Building Construction adopted  
312 and amended pursuant to s. 553.901. The commission shall adopt  
313 updated codes by rule.

314 (b) Codes regarding noise contour lines shall be reviewed  
315 annually, and the most current federal guidelines shall be  
316 adopted.

317 (c) The commission may adopt as a technical amendment to  
318 the Florida Building Code ~~modify~~ any portion of the ~~foundation~~  
319 codes identified in paragraph (a), but only as needed to

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320 accommodate the specific needs of this state. Standards or  
321 criteria adopted from these ~~referenced by the~~ codes shall be  
322 incorporated by reference to the specific provisions adopted. If  
323 a referenced standard or criterion requires amplification or  
324 modification to be appropriate for use in this state, only the  
325 amplification or modification shall be set forth in the Florida  
326 Building Code. The commission may approve technical amendments  
327 to the updated Florida Building Code after the amendments have  
328 been subject to the conditions set forth in paragraphs (3)(a)-  
329 (d). Amendments that ~~to the foundation codes which~~ are adopted  
330 in accordance with this subsection shall be clearly marked in  
331 printed versions of the Florida Building Code so that the fact  
332 that the provisions are ~~Florida-specific~~ amendments ~~to the~~  
333 ~~foundation codes~~ is readily apparent.

334 (d) The commission shall further consider the commission's  
335 own interpretations, declaratory statements, appellate  
336 decisions, and approved statewide and local technical amendments  
337 and shall incorporate such interpretations, statements,  
338 decisions, and amendments into the updated Florida Building Code  
339 only to the extent that they are needed to ~~modify the foundation~~  
340 ~~codes~~ to accommodate the specific needs of the state. A change  
341 made by an institute or standards organization to any standard  
342 or criterion that is adopted by reference in the Florida  
343 Building Code does not become effective statewide until it has  
344 been adopted by the commission. Furthermore, the edition of the  
345 Florida Building Code which is in effect on the date of  
346 application for any permit authorized by the code governs the  
347 permitted work for the life of the permit and any extension  
348 granted to the permit.

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349 (e) A rule updating the Florida Building Code in accordance  
350 with this subsection shall take effect no sooner than 6 months  
351 after publication of the updated code. Any amendment to the  
352 Florida Building Code which is adopted upon a finding by the  
353 commission that the amendment is necessary to protect the public  
354 from immediate threat of harm takes effect immediately.

355 (f) Provisions of the Florida Building Code ~~foundation~~  
356 ~~codes~~, including those contained in referenced standards and  
357 criteria, relating to wind resistance or the prevention of water  
358 intrusion may not be modified to diminish those construction  
359 requirements; however, the commission may, subject to conditions  
360 in this subsection, modify the provisions to enhance those  
361 construction requirements.

362 ~~(g) Amendments or modifications to the foundation code~~  
363 ~~pursuant to this subsection shall remain effective only until~~  
364 ~~the effective date of a new edition of the Florida Building Code~~  
365 ~~every third year. Amendments or modifications related to state~~  
366 ~~agency regulations which are adopted and integrated into an~~  
367 ~~edition of the Florida Building Code shall be carried forward~~  
368 ~~into the next edition of the code, subject to modification as~~  
369 ~~provided in this part. Amendments or modifications related to~~  
370 ~~the wind-resistance design of buildings and structures within~~  
371 ~~the high-velocity hurricane zone of Miami-Dade and Broward~~  
372 ~~Counties which are adopted to an edition of the Florida Building~~  
373 ~~Code do not expire and shall be carried forward into the next~~  
374 ~~edition of the code, subject to review or modification as~~  
375 ~~provided in this part. If amendments that expire pursuant to~~  
376 ~~this paragraph are resubmitted through the Florida Building~~  
377 ~~commission code adoption process, the amendments must~~

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378 ~~specifically address whether:~~

379 ~~1. The provisions contained in the proposed amendment are~~  
380 ~~addressed in the applicable international code.~~

381 ~~2. The amendment demonstrates by evidence or data that the~~  
382 ~~geographical jurisdiction of Florida exhibits a need to~~  
383 ~~strengthen the foundation code beyond the needs or regional~~  
384 ~~variations addressed by the foundation code, and why the~~  
385 ~~proposed amendment applies to this state.~~

386 ~~3. The proposed amendment was submitted or attempted to be~~  
387 ~~included in the foundation codes to avoid resubmission to the~~  
388 ~~Florida Building Code amendment process.~~

389  
390 ~~If the proposed amendment has been addressed in the~~  
391 ~~international code in a substantially equivalent manner, the~~  
392 ~~Florida Building commission may not include the proposed~~  
393 ~~amendment in the foundation Code.~~

394 (8) Notwithstanding ~~the provisions of~~ subsection (3) or  
395 subsection (7), the commission may address issues identified in  
396 this subsection by amending the code pursuant ~~only~~ to the rule  
397 adoption procedures ~~contained~~ in chapter 120. ~~Provisions of The~~  
398 ~~Florida Building Code, including provisions those~~ contained in  
399 referenced standards and criteria which relate, ~~relating~~ to wind  
400 resistance or the prevention of water intrusion, may not be  
401 amended pursuant to this subsection to diminish those standards  
402 construction requirements; however, the commission may, ~~subject~~  
403 ~~to conditions in this subsection,~~ amend the Florida Building  
404 Code the provisions to enhance such standards ~~those construction~~  
405 ~~requirements.~~ Following the approval of any amendments to the  
406 Florida Building Code by the commission and publication of the

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407 amendments on the commission's website, authorities having  
408 jurisdiction to enforce the Florida Building Code may enforce  
409 the amendments. The commission may approve amendments that are  
410 needed to address:

411 (a) Conflicts within the updated code;

412 (b) Conflicts between the updated code and the Florida Fire  
413 Prevention Code adopted pursuant to chapter 633;

414 (c) Unintended results from the integration of previously  
415 adopted ~~Florida-specific~~ amendments with the model code;

416 (d) Equivalency of standards;

417 (e) Changes to or inconsistencies with federal or state  
418 law; or

419 (f) Adoption of an updated edition of the National  
420 Electrical Code if the commission finds that delay of  
421 implementing the updated edition causes undue hardship to  
422 stakeholders or otherwise threatens the public health, safety,  
423 and welfare.

424 (9) (a) The commission may approve technical amendments to  
425 the Florida Building Code once each year for statewide or  
426 regional application upon a finding that the amendment:

427 1. Is needed in order to accommodate the specific needs of  
428 this state.

429 2. Has a reasonable and substantial connection with the  
430 health, safety, and welfare of the general public.

431 3. Strengthens or improves the Florida Building Code, or in  
432 the case of innovation or new technology, will provide  
433 equivalent or better products or methods or systems of  
434 construction.

435 4. Does not discriminate against materials, products,

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436 methods, or systems of construction of demonstrated  
437 capabilities.

438 5. Does not degrade the effectiveness of the Florida  
439 Building Code.

440

441 The Florida Building Commission may approve technical amendments  
442 to the code once each year to incorporate into the Florida  
443 Building Code its own interpretations of the code which are  
444 embodied in its opinions, final orders, declaratory statements,  
445 and interpretations of hearing officer panels under s.

446 553.775(3)(c), but only to the extent that the incorporation of  
447 interpretations is needed to modify the code ~~foundation codes~~ to  
448 accommodate the specific needs of this state. Amendments  
449 approved under this paragraph shall be adopted by rule after the  
450 amendments have been subjected to subsection (3).

451 (b) A proposed amendment must include a fiscal impact  
452 statement that documents the costs and benefits of the proposed  
453 amendment. Criteria for the fiscal impact statement shall be  
454 established by rule by the commission and shall include the  
455 impact to local government relative to enforcement, the impact  
456 to property and building owners, and the impact to industry,  
457 relative to the cost of compliance. The amendment must  
458 demonstrate by evidence or data that the state's geographical  
459 jurisdiction exhibits a need to strengthen the ~~foundation~~ code  
460 beyond the needs or regional variations addressed by the  
461 ~~foundation~~ code and why the proposed amendment applies to this  
462 state.

463 (20) The Florida Building Commission may not:

464 (a) Adopt the 2016 version of the American Society of



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465 Heating, Refrigerating and Air-Conditioning Engineers Standard  
466 9.4.1.1(g).

467 (b) Adopt any provision that requires a door located in the  
468 opening between a garage and a residence to be equipped with a  
469 self-closing device.

470 Section 7. Subsection (2) of section 553.76, Florida  
471 Statutes, is amended to read:

472 553.76 General powers of the commission.—The commission is  
473 authorized to:

474 (2) Issue memoranda of procedure for its internal  
475 management and control. The commission may adopt rules related  
476 to its consensus-based decisionmaking process, including, but  
477 not limited to, super majority voting requirements ~~for~~  
478 ~~commission actions relating to the adoption of the Florida~~  
479 ~~Building Code or amendments to the code.~~ However, the commission  
480 must adopt the Florida Building Code, and amendments thereto, by  
481 at least a two-thirds vote of the members present at a meeting.

482 Section 8. Subsection (20) is added to section 553.79,  
483 Florida Statutes, to read:

484 553.79 Permits; applications; issuance; inspections.—

485 (20) A political subdivision of this state may not adopt or  
486 enforce any ordinance or impose any building permit or other  
487 development order requirement that:

488 (a)1. Contains any building, construction, or aesthetic  
489 requirement or condition that conflicts with or impairs  
490 corporate trademarks, service marks, trade dress, logos, color  
491 patterns, design scheme insignia, image standards, or other  
492 features of corporate branding identity on real property or  
493 improvements thereon used in activities conducted under chapter

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494 526 or in carrying out business activities defined as a  
495 franchise by Federal Trade Commission regulations in 16 C.F.R.  
496 ss. 436.1, et. seq.; or

497 2. Imposes any requirement on the design, construction, or  
498 location of signage advertising the retail price of gasoline in  
499 accordance with the requirements of ss. 526.111 and 526.121  
500 which prevents the signage from being clearly visible and  
501 legible to drivers of approaching motor vehicles in any lane of  
502 traffic in either direction on a roadway abutting the gas  
503 station premises and which meets height, width, and spacing  
504 standards for Series C, D, or E signs, as applicable, published  
505 in the latest edition of Standard Alphabets for Highway Signs  
506 and Pavement Markings published by the Federal Highway  
507 Administration, Office of Traffic Operations.

508 (b) This subsection does not affect any requirement for  
509 design and construction in the Florida Building Code.

510 (c) All such ordinances and requirements are hereby  
511 preempted and superseded by general law. This subsection shall  
512 apply retroactively.

513 Section 9. Subsection (2) of section 553.791, Florida  
514 Statutes, is amended to read:

515 553.791 Alternative plans review and inspection.—

516 (2) (a) Notwithstanding any other law or local government  
517 ordinance or local policy, the fee owner of a building or  
518 structure, or the fee owner's contractor upon written  
519 authorization from the fee owner, may choose to use a private  
520 provider to provide building code inspection services with  
521 regard to such building or structure and may make payment  
522 directly to the private provider for the provision of such

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523 services. All such services shall be the subject of a written  
524 contract between the private provider, or the private provider's  
525 firm, and the fee owner or the fee owner's contractor, upon  
526 written authorization of the fee owner. The fee owner may elect  
527 to use a private provider to provide plans review or required  
528 building inspections, or both. However, if the fee owner or the  
529 fee owner's contractor uses a private provider to provide plans  
530 review, the local building official, in his or her discretion  
531 and pursuant to duly adopted policies of the local enforcement  
532 agency, may require the fee owner or the fee owner's contractor  
533 to use a private provider to also provide required building  
534 inspections.

535 (b) It is the intent of the Legislature that owners and  
536 contractors not be required to pay extra costs related to  
537 building permitting requirements when hiring a private provider  
538 for plans reviews and building inspections. A local jurisdiction  
539 must calculate the cost savings to the local enforcement agency,  
540 based on a fee owner or contractor hiring a private provider to  
541 perform plans reviews and building inspections in lieu of the  
542 local building official, and reduce the permit fees accordingly.

543 Section 10. Paragraph (d) of subsection (7) of section  
544 553.80, Florida Statutes, is amended to read:

545 553.80 Enforcement.—

546 (7) The governing bodies of local governments may provide a  
547 schedule of reasonable fees, as authorized by s. 125.56(2) or s.  
548 166.222 and this section, for enforcing this part. These fees,  
549 and any fines or investment earnings related to the fees, shall  
550 be used solely for carrying out the local government's  
551 responsibilities in enforcing the Florida Building Code. When

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552 providing a schedule of reasonable fees, the total estimated  
553 annual revenue derived from fees, and the fines and investment  
554 earnings related to the fees, may not exceed the total estimated  
555 annual costs of allowable activities. Any unexpended balances  
556 shall be carried forward to future years for allowable  
557 activities or shall be refunded at the discretion of the local  
558 government. The basis for a fee structure for allowable  
559 activities shall relate to the level of service provided by the  
560 local government and shall include consideration for refunding  
561 fees due to reduced services based on services provided as  
562 prescribed by s. 553.791, but not provided by the local  
563 government. Fees charged shall be consistently applied.

564 (d) The local enforcement agency, independent district, or  
565 special district may not require at any time, including at the  
566 time of application for a permit, the payment of any additional  
567 fees, charges, or expenses associated with:

- 568 1. Providing proof of licensure pursuant to chapter 489;
- 569 2. Recording or filing a license issued pursuant to this  
570 chapter; or
- 571 3. Providing, recording, or filing evidence of workers'  
572 compensation insurance coverage as required by chapter 440.

573 Section 11. Section 553.9081, Florida Statutes, is created  
574 to read:

575 553.9081 Florida Building Code; required amendments.—The  
576 Florida Building Commission shall amend the Florida Building  
577 Code—Energy Conservation to:

578 (1) (a) Eliminate duplicative commissioning reporting  
579 requirements for HVAC and electrical systems; and

580 (b) Authorize commissioning reports to be provided by a

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581 licensed design professional, electrical engineer, or mechanical  
582 engineer.

583 (2) Prohibit the adoption of American Society of Heating,  
584 Refrigerating and Air-Conditioning Engineers Standard  
585 9.4.1.1(g).

586 Section 12. Subsection (8) of section 633.208, Florida  
587 Statutes, is amended to read:

588 633.208 Minimum firesafety standards.—

589 (8) (a) The provisions of the Life Safety Code, as contained  
590 in the Florida Fire Prevention Code, do not apply to one-family  
591 and two-family dwellings. However, fire sprinkler protection may  
592 be permitted by local government in lieu of other fire  
593 protection-related development requirements for such structures.  
594 While local governments may adopt fire sprinkler requirements  
595 for one-family ~~one-~~ and two-family dwellings under this  
596 subsection, it is the intent of the Legislature that the  
597 economic consequences of the fire sprinkler mandate on home  
598 owners be studied before the enactment of such a requirement.  
599 After the effective date of this act, any local government that  
600 desires to adopt a fire sprinkler requirement on one-family ~~one-~~  
601 or two-family dwellings must prepare an economic cost and  
602 benefit report that analyzes the application of fire sprinklers  
603 to one-family ~~one-~~ or two-family dwellings or any proposed  
604 residential subdivision. The report must consider the tradeoffs  
605 and specific cost savings and benefits of fire sprinklers for  
606 future owners of property. The report must include an assessment  
607 of the cost savings from any reduced or eliminated impact fees  
608 if applicable, the reduction in special fire district tax,  
609 insurance fees, and other taxes or fees imposed, and the waiver

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610 of certain infrastructure requirements including the reduction  
611 of roadway widths, the reduction of water line sizes, increased  
612 fire hydrant spacing, increased dead-end roadway length, and a  
613 reduction in cul-de-sac sizes relative to the costs from fire  
614 sprinkling. A failure to prepare an economic report shall result  
615 in the invalidation of the fire sprinkler requirement to any  
616 one-family ~~one-~~ or two-family dwelling or any proposed  
617 subdivision. In addition, a local jurisdiction or utility may  
618 not charge any additional fee, above what is charged to a non-  
619 fire sprinklered dwelling, on the basis that a one-family ~~one-~~  
620 or two-family dwelling unit is protected by a fire sprinkler  
621 system.

622 (b)1. A county, municipality, special taxing district,  
623 public utility, or private utility may not require a separate  
624 water connection for a one-family or two-family dwelling fire  
625 sprinkler system if the hydraulic design has proven the existing  
626 connection is capable of supplying the needed hydraulic demand.

627 2. A county, municipality, special district, public  
628 utility, or private utility may not charge a water or sewer rate  
629 to a one-family or two-family dwelling that requires a larger  
630 water meter solely due to the installation of fire sprinklers  
631 above that which is charged to a one-family and two-family  
632 dwelling with a base meter. If the installation of fire  
633 sprinklers in a one-family or two-family dwelling requires the  
634 installation of a larger water meter, only the difference in  
635 actual cost between the base water meter and the larger water  
636 meter may be charged by the water utility provider.

637 Section 13. A local government may not require an owner of  
638 a residence to obtain a permit to paint such residence,

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639 regardless of whether the residence is owned by a limited  
640 liability company.

641 Section 14. The Department of Education, in conjunction  
642 with the Department of Economic Opportunity, shall develop a  
643 plan to implement the recommendations of the Construction  
644 Industry Workforce Task Force Report dated January 20, 2017. The  
645 Department of Education shall provide the plan to the  
646 Construction Industry Workforce Task Force on or before July 1,  
647 2018.

648 Section 15. CareerSource Florida, Inc., shall develop and  
649 submit a plan to the Construction Industry Workforce Task Force  
650 on the potential opportunities for training programs to  
651 implement the recommendations of the Construction Industry  
652 Workforce Task Force Report dated January 20, 2017, using  
653 existing federal funds awarded to the corporation and using the  
654 previous statewide Florida ReBuilds program as an implementation  
655 model for such programs. CareerSource Florida, Inc., shall  
656 provide the plan to the Construction Industry Workforce Task  
657 Force on or before July 1, 2018.

658 Section 16. The Florida Building Commission shall adopt an  
659 amendment to the Florida Building Code-Residential, relating to  
660 door components, to provide that, regarding substitution of door  
661 components, such components must either:

662 (1) Comply with ANSI/WMA 100; or  
663 (2) Be evaluated by an approved product evaluation entity,  
664 certification agency, testing laboratory, or engineer and may be  
665 interchangeable in exterior door assemblies if the components  
666 provide equal or greater structural performance as demonstrated  
667 by accepted engineering practices.

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Section 17. This act shall take effect July 1, 2017.