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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
05/01/2017	.	
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The Committee on Appropriations (Brandes) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 39 and 40  
insert:

Section 1. 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 less.

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 2. 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



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;~~or~~

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  
177 governmental 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. 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. Partial completion of an internship program may be  
228 transferred between jurisdictions on a form prescribed by the  
229 board.

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

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

236       6. A building code inspector or plans examiner who has  
237 standard certification 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 3. 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 4. Paragraphs (d) and (i) of subsection (1) of  
255 section 553.791, Florida Statutes, are amended to read:

256 553.791 Alternative plans review and inspection.—

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

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

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



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272 certificate under part XII of chapter 468.

273 Section 5. Subsection (10) of section 468.609, Florida  
274 Statutes, is amended to read:

275 468.609 Administration of this part; standards for  
276 certification; additional categories of certification.—

277 (10) The board may by rule create categories of  
278 certification in addition to those defined in s. 468.603(5) and  
279 (8) ~~468.603(6) and (7)~~. Such certification categories shall not  
280 be mandatory and shall not act to diminish the scope of any  
281 certificate created by statute.

282 Section 6. Section 471.045, Florida Statutes, is amended to  
283 read:

284 471.045 Professional engineers performing building code  
285 inspector duties.—Notwithstanding any other provision of law, a  
286 person who is currently licensed under this chapter to practice  
287 as a professional engineer may provide building code inspection  
288 services described in s. 468.603(5) and (8) ~~468.603(6) and (7)~~  
289 to a local government or state agency upon its request, without  
290 being certified by the Florida Building Code Administrators and  
291 Inspectors Board under part XII of chapter 468. When performing  
292 these building code inspection services, the professional  
293 engineer is subject to the disciplinary guidelines of this  
294 chapter and s. 468.621(1)(c)-(h). Any complaint processing,  
295 investigation, and discipline that arise out of a professional  
296 engineer's performing building code inspection services shall be  
297 conducted by the Board of Professional Engineers rather than the  
298 Florida Building Code Administrators and Inspectors Board. A  
299 professional engineer may not perform plans review as an  
300 employee of a local government upon any job that the



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301 professional engineer or the professional engineer's company  
302 designed.

303 Section 7. Section 481.222, Florida Statutes, is amended to  
304 read:

305 481.222 Architects performing building code inspection  
306 services.—Notwithstanding any other provision of law, a person  
307 who is currently licensed to practice as an architect under this  
308 part may provide building code inspection services described in  
309 s. 468.603(5) and (8) ~~468.603(6) and (7)~~ to a local government  
310 or state agency upon its request, without being certified by the  
311 Florida Building Code Administrators and Inspectors Board under  
312 part XII of chapter 468. With respect to the performance of such  
313 building code inspection services, the architect is subject to  
314 the disciplinary guidelines of this part and s. 468.621(1)(c)-  
315 (h). Any complaint processing, investigation, and discipline  
316 that arise out of an architect's performance of building code  
317 inspection services shall be conducted by the Board of  
318 Architecture and Interior Design rather than the Florida  
319 Building Code Administrators and Inspectors Board. An architect  
320 may not perform plans review as an employee of a local  
321 government upon any job that the architect or the architect's  
322 company designed.

323  
324 ===== T I T L E A M E N D M E N T =====

325 And the title is amended as follows:

326 Delete line 2

327 and insert:

328 An act relating to building-related contracting;  
329 amending s. 468.603, F.S.; revising definitions;



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330 amending s. 468.609, F.S.; revising eligibility  
331 requirements for the examination for certification as  
332 a building code inspector or plans examiner to include  
333 an internship certification program; removing an  
334 eligibility condition from provisions related to  
335 provisional certificates; requiring the Florida  
336 Building Code Administrators and Inspectors Board to  
337 establish rules; amending s. 468.617, F.S.;  
338 authorizing specified entities to contract for the  
339 provision of building code administrator and building  
340 official services; amending s. 553.791, F.S.;  
341 conforming provisions to changes made by the act;  
342 revising a definition; amending ss. 468.609, 471.045,  
343 and 481.222, F.S.; conforming cross-references;