

By the Committee on Community Affairs; and Senators Brandes and Lee

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1 A bill to be entitled
2 An act relating to the Florida Building Code; amending
3 s. 468.603, F.S.; revising and defining terms;
4 amending s. 468.609, F.S.; creating an internship path
5 to certification as an inspector or plans examiner;
6 specifying requirements for the internship periods;
7 requiring the board to authorize specified candidates
8 for certification as building code inspectors or plans
9 examiners to perform duties during a specified period
10 after initial application, to apply for a 1-year
11 provisional certificate under certain circumstances,
12 and to apply for standard certification within a
13 certain time before completing the internship period;
14 deleting being newly hired or promoted as a condition
15 for eligibility to qualify for a provisional
16 certificate; requiring rulemaking; requiring the board
17 to develop a form to transfer internship periods
18 completed in other jurisdictions under certain
19 circumstances; requiring the board to develop an
20 electronic application for standard certification for
21 certain persons; authorizing persons to seek
22 additional certifications if they meet certain
23 requirements; conforming cross-references; amending s.
24 468.617, F.S.; specifying that a county or municipal
25 government, school board, community college board,
26 state university, or state agency is not prohibited
27 from entering into a contract for the services of a
28 building code administrator or building code official;
29 amending s. 468.8313, F.S.; providing conditions for

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30 the department to review and approve certain
31 examinations; amending s. 553.73, F.S.; requiring the
32 Florida Building Commission to use the 6th and
33 subsequent editions of the Florida Building Code as
34 the foundation for the development of and updates to
35 the code; requiring the commission to review, rather
36 than update, the Florida Building Code every 3 years;
37 deleting a provision that specifies how long
38 amendments or modifications to the foundation remain
39 effective; deleting provisions limiting the length of
40 time that an amendment or modification is effective;
41 deleting a 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
47 foundation code if it has been addressed in the
48 international code; conforming provisions to changes
49 made by the act; amending s. 553.76, F.S.; requiring
50 the commission to adopt the Florida Building Code, and
51 amendments thereto, by a minimum percentage of votes;
52 amending s. 553.791, F.S.; revising the definition of
53 the term "private provider"; conforming cross-
54 references; amending ss. 471.045 and 481.222, F.S.;
55 conforming cross-references; providing an effective
56 date.

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

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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 under contract with building construction regulation responsibilities who are charged with the responsibility for direct regulatory administration or supervision of plan review, enforcement, or inspection of building construction, erection, repair, addition, remodeling, demolition, or alteration projects that require permitting indicating compliance with building, plumbing, mechanical, electrical, gas, fire prevention, energy, accessibility, and other construction codes as required by state law or municipal or county ordinance. This term is synonymous with "building official" as used in ~~the administrative chapter of the Standard Building Code and~~ the South Florida Building Code. One person employed or under contract by each municipal or county government as a building code administrator or building official and who is so certified under this part may be authorized to perform any plan review or inspection for which certification is required by this part.

(4)~~(2)~~ "Building code inspector" means any of those employees of local governments or state agencies or any person under contract with building construction regulation responsibilities who themselves conduct inspections of building construction, erection, repair, addition, or alteration projects that require permitting indicating compliance with building,

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88 plumbing, mechanical, electrical, gas, fire prevention, energy,
89 accessibility, and other construction codes as required by state
90 law or municipal or county ordinance.

91 (1)~~(3)~~ "Board" means the Florida Building Code
92 Administrators and Inspectors Board.

93 (7)~~(4)~~ "Department" means the Department of Business and
94 Professional Regulation.

95 (6)~~(5)~~ "Certificate" means a certificate of qualification
96 issued by the department as provided in this part.

97 (5)~~(6)~~ "Categories of building code inspectors" include the
98 following:

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

103 (b) "Coastal construction inspector" means a person who is
104 qualified to inspect and determine that buildings and structures
105 are constructed to resist near-hurricane and hurricane velocity
106 winds in accordance with the provisions of the governing
107 building code.

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

112 (d) "Residential electrical inspector" means a person who
113 is qualified to inspect and determine the electrical safety of
114 one and two family dwellings and accessory structures by
115 inspecting for compliance with the applicable provisions of the
116 governing electrical code.

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

121 (f) "Plumbing inspector" means a person who is qualified to
122 inspect and determine that the plumbing installations and
123 systems for buildings and structures are in compliance with the
124 provisions of the governing plumbing code.

125 (g) "One and two family dwelling inspector" means a person
126 who is qualified to inspect and determine that one and two
127 family dwellings and accessory structures are constructed in
128 accordance with the provisions of the governing building,
129 plumbing, mechanical, accessibility, and electrical codes.

130 (h) "Electrical inspector" means a person who is qualified
131 to inspect and determine the electrical safety of commercial and
132 residential buildings and accessory structures by inspecting for
133 compliance with the provisions of the National Electrical Code.

134 (8)~~(7)~~ "Plans examiner" means a person who is qualified to
135 determine that plans submitted for purposes of obtaining
136 building and other permits comply with the applicable building,
137 plumbing, mechanical, electrical, gas, fire prevention, energy,
138 accessibility, and other applicable construction codes.

139 Categories of plans examiners include:

140 (a) Building plans examiner.

141 (b) Plumbing plans examiner.

142 (c) Mechanical plans examiner.

143 (d) Electrical plans examiner.

144 (3)~~(8)~~ "Building code enforcement official" or "enforcement
145 official" means a licensed building code administrator, building

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146 code inspector, or plans examiner.

147 (9) "Residential plans examiner" means a person who is
148 qualified to determine whether plans submitted for purposes of
149 obtaining building and other permits comply with the applicable
150 residential building, plumbing, mechanical, electrical, gas,
151 energy, accessibility, and other construction codes.

152 Section 2. Paragraph (c) of subsection (2), paragraphs (a)
153 and (d) of subsection (7), and subsection (10) of section
154 468.609, Florida Statutes, are amended, and subsections (11) and
155 (12) are added to that section, to read:

156 468.609 Administration of this part; standards for
157 certification; additional categories of certification.—

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

161 (c) Meets eligibility requirements according to one of the
162 following criteria:

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

166 2. Demonstrates a combination of postsecondary education in
167 the field of construction or a related field and experience
168 which totals 4 years, with at least 1 year of such total being
169 experience in construction, building code inspection, or plans
170 review;

171 3. Demonstrates a combination of technical education in the
172 field of construction or a related field and experience which
173 totals 4 years, with at least 1 year of such total being
174 experience in construction, building code inspection, or plans

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175 review;

176 4. Currently holds a standard certificate issued by the
177 board or a firesafety inspector license issued pursuant to
178 chapter 633, has a minimum of 3 years' verifiable full-time
179 experience in inspection or plan review, and has satisfactorily
180 completed a building code inspector or plans examiner training
181 program that provides at least 100 hours but not more than 200
182 hours of cross-training in the certification category sought.
183 The board shall establish by rule criteria for the development
184 and implementation of the training programs. The board shall
185 accept all classroom training offered by an approved provider if
186 the content substantially meets the intent of the classroom
187 component of the training program;

188 5. Demonstrates a combination of the completion of an
189 approved training program in the field of building code
190 inspection or plan review and a minimum of 2 years' experience
191 in the field of building code inspection, plan review, fire code
192 inspections and fire plans review of new buildings as a
193 firesafety inspector certified under s. 633.216, or
194 construction. The approved training portion of this requirement
195 shall include proof of satisfactory completion of a training
196 program that provides at least 200 hours but not more than 300
197 hours of cross-training that is approved by the board in the
198 chosen category of building code inspection or plan review in
199 the certification category sought with at least 20 hours but not
200 more than 30 hours of instruction in state laws, rules, and
201 ethics relating to professional standards of practice, duties,
202 and responsibilities of a certificateholder. The board shall
203 coordinate with the Building Officials Association of Florida,

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204 Inc., to establish by rule the development and implementation of
205 the training program. However, the board shall accept all
206 classroom training offered by an approved provider if the
207 content substantially meets the intent of the classroom
208 component of the training program; ~~or~~

209 6. Currently holds a standard certificate issued by the
210 board or a firesafety inspector license issued pursuant to
211 chapter 633 and:

212 a. Has at least 5 years' verifiable full-time experience as
213 an inspector or plans examiner in a standard certification
214 category currently held or has a minimum of 5 years' verifiable
215 full-time experience as a firesafety inspector licensed pursuant
216 to chapter 633.

217 b. Has satisfactorily completed a building code inspector
218 or plans examiner classroom training course or program that
219 provides at least 200 but not more than 300 hours in the
220 certification category sought, except for one-family and two-
221 family dwelling training programs, which must provide at least
222 500 but not more than 800 hours of training as prescribed by the
223 board. The board shall establish by rule criteria for the
224 development and implementation of classroom training courses and
225 programs in each certification category; or-

226 7. Completes an inspector or plans examiner internship
227 certification program that includes all of the following:

228 a. Passing an International Code Council (ICC) administered
229 examination in the category sought before beginning a 4-year
230 internship while employed full time by a Florida municipality,
231 county, or other governmental jurisdiction under the direct
232 supervision of a standard certified, government employed,

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233 sponsoring building official. A related vocational or college
234 degree attained or verifiable on-the-job experience may reduce
235 the internship period year-for-year to no less than 1 year.

236 b. Passing the Florida Principles and Practice exam before
237 completing the internship period.

238 c. Passing a board-approved 40-hour code training course in
239 the category sought before completing the internship period.

240 d. Obtaining a favorable recommendation from the sponsoring
241 building official upon completion of the internship period.

242 (7) (a) The board shall provide for the issuance of
243 provisional certificates valid for 1 year, as specified by board
244 rule, to any ~~newly employed or promoted~~ building code inspector
245 or plans examiner who meets the eligibility requirements
246 described in subsection (2) and any newly employed or promoted
247 building code administrator who meets the eligibility
248 requirements described in subsection (3). The provisional
249 license may be renewed by the board for just cause; however, a
250 provisional license is not valid for longer than 3 years.

251 (d) A ~~newly employed or hired~~ person may perform the duties
252 of a plans examiner or building code inspector for 120 days if a
253 provisional certificate application has been submitted if such
254 person is under the direct supervision of a certified building
255 code administrator who holds a standard certification and who
256 has found such person qualified for a provisional certificate.
257 Direct supervision and the determination of qualifications may
258 also be provided by a building code administrator who holds a
259 limited or provisional certificate in a county having a
260 population of fewer than 75,000 and in a municipality located
261 within such county.

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262 (10) The board may by rule create categories of
263 certification in addition to those defined in s. 468.603(5) ~~s.~~
264 ~~468.603(6)~~ and (8) ~~(7)~~. Such certification categories shall not
265 be mandatory and shall not act to diminish the scope of any
266 certificate created by statute.

267 (11) The board shall by rule:

268 (a) Establish a procedure to determine reciprocity for an
269 ICC examination administered by another state.

270 (b) Authorize candidates under subparagraph (2)(c)7. to:

271 1. Perform duties during the first 120 days after initial
272 application submittal to the board.

273 2. Apply for a 1-year provisional certificate before
274 completing the internship period if the candidate has not passed
275 the Florida Principles and Practice exam or 40-hour code
276 training course.

277 3. Apply for standard certification at least 30 days but
278 not more than 60 days before completing the internship period.

279 (c) Develop a form to authorize candidates under
280 subparagraph (2)(c)7. to transfer approved partial internship
281 periods completed in other jurisdictions.

282 (d) Develop an electronic application for standard
283 certification of interns who successfully complete the program
284 described in subparagraph (2)(c)7.

285 (e) Establish minimum standards for, and a procedure to
286 determine the eligibility of, internships for candidates to
287 obtain certification under subparagraph (2)(c)7.

288 (12) After achieving initial standard certification, a
289 person may seek additional certifications in other categories by
290 completing additional nonconcurrent internship programs when

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291 passing an ICC examination, passing a board-approved 40-hour
292 code training course, and completing an additional 1-year, full-
293 time internship in the respective category sought. Any person
294 holding a standard certification may seek additional
295 certifications.

296 Section 3. Subsection (3) of section 468.617, Florida
297 Statutes, is amended to read:

298 468.617 Joint building code inspection department; other
299 arrangements.—

300 (3) Nothing in this part shall prohibit any county or
301 municipal government, school board, community college board,
302 state university, or state agency from entering into any
303 contract with any person or entity for the provision of building
304 code administrator, building code official, or building code
305 inspection services regulated under this part, and
306 notwithstanding any other statutory provision, such county or
307 municipal governments may enter into contracts.

308 Section 4. Subsection (4) of section 468.8313, Florida
309 Statutes, is amended to read:

310 468.8313 Examinations.—

311 (4) The department may review and approve examinations by a
312 nationally recognized entity that offers programs or sets
313 standards that ensure competence as a home inspector, provided
314 that only examinations meeting the standards of a national
315 examination as defined by rule and certified by the department
316 may be approved.

317 Section 5. Subsections (3), (7), and (8) of section 553.73,
318 Florida Statutes, and paragraphs (a) and (b) of subsection (9)
319 of that section, are amended to read:

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320 553.73 Florida Building Code.—

321 (3) The commission shall use the 6th edition, and
322 subsequent editions, of the Florida Building Code as the
323 ~~International Codes published by the International Code Council,~~
324 ~~the National Electric Code (NFPA 70), or other nationally~~
325 ~~adopted model codes and standards needed to develop the base~~
326 ~~code in Florida to form the foundation for~~ the development of
327 and updates to the Florida Building Code. The ~~Florida Building~~
328 commission may approve technical amendments to the code as
329 provided in, ~~subject to~~ subsections (8) and (9), ~~after the~~
330 ~~amendments have been~~ subject to all of the following conditions:

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

336 (b) In order for a technical advisory committee to make a
337 favorable recommendation to the commission, the proposal must
338 receive a three-fourths vote of the members present at the
339 ~~technical advisory committee meeting.~~ and At least half of the
340 regular members must be present in order to conduct a meeting.†

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

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

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350 The commission shall incorporate within ~~sections of~~ the Florida
351 Building Code provisions that ~~which~~ address regional and local
352 concerns and variations. The commission shall make every effort
353 to minimize conflicts between the Florida Building Code, the
354 Florida Fire Prevention Code, and the Life Safety Code.

355 (7) (a) The commission, by rule ~~adopted pursuant to ss.~~
356 ~~120.536(1) and 120.54~~, shall review ~~update~~ the Florida Building
357 Code every 3 years to consider whether it needs to be revised.
358 The commission shall adopt code revisions by rule. When
359 evaluating potential revisions to ~~updating~~ the Florida Building
360 Code, the commission shall review ~~select~~ the most current
361 version of the International Building Code, the International
362 Fuel Gas Code, the International Mechanical Code, the
363 International Plumbing Code, and the International Residential
364 Code, all of which are adopted by the International Code
365 Council, and the National Electrical Code, which is adopted by
366 the National Fire Protection Association, ~~to form the foundation~~
367 ~~codes of the updated Florida Building Code, if the version has~~
368 ~~been adopted by the applicable model code entity.~~ The commission
369 shall also review ~~select~~ the most current version of the
370 International Energy Conservation Code (IECC) ~~as a foundation~~
371 ~~code; however, the IECC shall be modified by the commission~~ must
372 ~~to~~ maintain the efficiencies of the Florida Energy Efficiency
373 Code for Building Construction adopted and amended pursuant to
374 s. 553.901.

375 (b) Codes regarding noise contour lines shall be reviewed
376 annually, and the most current federal guidelines shall be
377 adopted.

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378 (c) The commission may adopt as a technical amendment to
379 the Florida Building Code ~~modify~~ any portion of the ~~foundation~~
380 codes identified in paragraph (a) only as needed to accommodate
381 the specific needs of this state. Standards or criteria adopted
382 from such ~~referenced by the~~ codes shall be incorporated by
383 reference to the specific provisions of such codes which are
384 adopted. If a referenced standard or criterion requires
385 amplification or modification to be appropriate for use in this
386 state, only the amplification or modification shall be set forth
387 in the Florida Building Code. The commission may approve
388 technical amendments to the updated Florida Building Code after
389 the amendments have been subject to the conditions set forth in
390 paragraphs (3) (a)-(d). Amendments that ~~to the foundation codes~~
391 ~~which~~ are adopted in accordance with this subsection shall be
392 clearly marked in printed versions of the Florida Building Code
393 so that the fact that the provisions are ~~Florida-specific~~
394 amendments ~~to the foundation codes~~ is readily apparent.

395 (d) The commission shall further consider the commission's
396 own interpretations, declaratory statements, appellate
397 decisions, and approved statewide and local technical amendments
398 and shall incorporate such interpretations, statements,
399 decisions, and amendments into the updated Florida Building Code
400 only to the extent that they are needed to ~~modify the foundation~~
401 ~~codes~~ ~~to~~ accommodate the specific needs of the state. A change
402 made by an institute or standards organization to any standard
403 or criterion that is adopted by reference in the Florida
404 Building Code does not become effective statewide until it has
405 been adopted by the commission. Furthermore, the edition of the
406 Florida Building Code which is in effect on the date of

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407 application for any permit authorized by the code governs the
408 permitted work for the life of the permit and any extension
409 granted to the permit.

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

416 (f) Provisions of the Florida Building Code ~~foundation~~
417 ~~codes~~, including those contained in referenced standards and
418 criteria, relating to wind resistance or the prevention of water
419 intrusion may not be modified to diminish those construction
420 requirements; however, the commission may, subject to conditions
421 in this subsection, modify the provisions to enhance those
422 construction requirements.

423 ~~(g) Amendments or modifications to the foundation code~~
424 ~~pursuant to this subsection shall remain effective only until~~
425 ~~the effective date of a new edition of the Florida Building Code~~
426 ~~every third year. Amendments or modifications related to state~~
427 ~~agency regulations which are adopted and integrated into an~~
428 ~~edition of the Florida Building Code shall be carried forward~~
429 ~~into the next edition of the code, subject to modification as~~
430 ~~provided in this part. Amendments or modifications related to~~
431 ~~the wind-resistance design of buildings and structures within~~
432 ~~the high-velocity hurricane zone of Miami-Dade and Broward~~
433 ~~Counties which are adopted to an edition of the Florida Building~~
434 ~~Code do not expire and shall be carried forward into the next~~
435 ~~edition of the code, subject to review or modification as~~

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436 ~~provided in this part. If amendments that expire pursuant to~~
437 ~~this paragraph are resubmitted through the Florida Building~~
438 ~~commission code adoption process, the amendments must~~
439 ~~specifically address whether:~~

440 ~~1. The provisions contained in the proposed amendment are~~
441 ~~addressed in the applicable international code.~~

442 ~~2. The amendment demonstrates by evidence or data that the~~
443 ~~geographical jurisdiction of Florida exhibits a need to~~
444 ~~strengthen the foundation code beyond the needs or regional~~
445 ~~variations addressed by the foundation code, and why the~~
446 ~~proposed amendment applies to this state.~~

447 ~~3. The proposed amendment was submitted or attempted to be~~
448 ~~included in the foundation codes to avoid resubmission to the~~
449 ~~Florida Building Code amendment process.~~

450

451 ~~If the proposed amendment has been addressed in the~~
452 ~~international code in a substantially equivalent manner, the~~
453 ~~Florida Building commission may not include the proposed~~
454 ~~amendment in the foundation Code.~~

455 ~~(8) Notwithstanding the provisions of subsection (3) or~~
456 ~~subsection (7), the commission may address issues identified in~~
457 ~~this subsection by amending the code pursuant only to the rule~~
458 ~~adoption procedures contained in chapter 120. Provisions of The~~
459 ~~Florida Building Code, including provisions ~~those~~ contained in~~
460 ~~referenced standards and criteria which relate, relating to wind~~
461 ~~resistance or the prevention of water intrusion, may not be~~
462 ~~amended pursuant to this subsection to diminish those standards~~
463 ~~construction requirements; however, the commission may, subject~~
464 ~~to conditions in this subsection, amend the Florida Building~~

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465 ~~Code the provisions~~ to enhance such standards ~~those construction~~
466 ~~requirements~~. Following the approval of any amendments to the
467 Florida Building Code by the commission and publication of the
468 amendments on the commission's website, authorities having
469 jurisdiction to enforce the Florida Building Code may enforce
470 the amendments. The commission may approve amendments that are
471 needed to address:

- 472 (a) Conflicts within the updated code;
- 473 (b) Conflicts between the updated code and the Florida Fire
474 Prevention Code adopted pursuant to chapter 633;
- 475 (c) Unintended results from the integration of previously
476 adopted ~~Florida-specific~~ amendments with the model code;
- 477 (d) Equivalency of standards;
- 478 (e) Changes to or inconsistencies with federal or state
479 law; or
- 480 (f) Adoption of an updated edition of the National
481 Electrical Code if the commission finds that delay of
482 implementing the updated edition causes undue hardship to
483 stakeholders or otherwise threatens the public health, safety,
484 and welfare.

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

- 488 1. Is needed in order to accommodate the specific needs of
489 this state.
- 490 2. Has a reasonable and substantial connection with the
491 health, safety, and welfare of the general public.
- 492 3. Strengthens or improves the Florida Building Code, or in
493 the case of innovation or new technology, will provide

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494 equivalent or better products or methods or systems of
495 construction.

496 4. Does not discriminate against materials, products,
497 methods, or systems of construction of demonstrated
498 capabilities.

499 5. Does not degrade the effectiveness of the Florida
500 Building Code.

501

502 The Florida Building Commission may approve technical amendments
503 to the code once each year to incorporate into the Florida
504 Building Code its own interpretations of the code which are
505 embodied in its opinions, final orders, declaratory statements,
506 and interpretations of hearing officer panels under s.

507 553.775(3)(c), but only to the extent that the incorporation of
508 interpretations is needed to modify the code ~~foundation codes~~ to
509 accommodate the specific needs of this state. Amendments
510 approved under this paragraph shall be adopted by rule after the
511 amendments have been subjected to subsection (3).

512 (b) A proposed amendment must include a fiscal impact
513 statement that documents the costs and benefits of the proposed
514 amendment. Criteria for the fiscal impact statement shall be
515 established by rule by the commission and shall include the
516 impact to local government relative to enforcement, the impact
517 to property and building owners, and the impact to industry,
518 relative to the cost of compliance. The amendment must
519 demonstrate by evidence or data that the state's geographical
520 jurisdiction exhibits a need to strengthen the ~~foundation~~ code
521 beyond the needs or regional variations addressed by the
522 ~~foundation~~ code and why the proposed amendment applies to this

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523 state.

524 Section 6. Subsection (2) of section 553.76, Florida
525 Statutes, is amended to read:

526 553.76 General powers of the commission.—The commission is
527 authorized to:

528 (2) Issue memoranda of procedure for its internal
529 management and control. The commission may adopt rules related
530 to its consensus-based decisionmaking process, including, but
531 not limited to, super majority voting requirements ~~for~~
532 ~~commission actions relating to the adoption of the Florida~~
533 ~~Building Code or amendments to the code.~~ However, the commission
534 must adopt the Florida Building Code, and amendments thereto, by
535 at least a three-fourths vote of the members present at a
536 meeting.

537 Section 7. Paragraphs (d) and (i) of subsection (1) of
538 section 553.791, Florida Statutes, are amended to read:

539 553.791 Alternative plans review and inspection.—

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

541 (d) "Building code inspection services" means those
542 services described in s. 468.603(5) ~~s. 468.603(6)~~ and (8) ~~(7)~~
543 involving the review of building plans to determine compliance
544 with applicable codes and those inspections required by law of
545 each phase of construction for which permitting by a local
546 enforcement agency is required to determine compliance with
547 applicable codes.

548 (i) "Private provider" means a person licensed as a
549 building code administrator under part XII of chapter 468, as an
550 engineer under chapter 471, or as an architect under chapter
551 481. For purposes of performing inspections under this section

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552 for additions and alterations that are limited to 1,000 square
553 feet or less to residential buildings, the term "private
554 provider" also includes a person who holds a standard
555 certificate under part XII of chapter 468.

556 Section 8. Section 471.045, Florida Statutes, is amended to
557 read:

558 471.045 Professional engineers performing building code
559 inspector duties.—Notwithstanding any other provision of law, a
560 person who is currently licensed under this chapter to practice
561 as a professional engineer may provide building code inspection
562 services described in s. 468.603(5) ~~s. 468.603(6)~~ and (8) ~~(7)~~ to
563 a local government or state agency upon its request, without
564 being certified by the Florida Building Code Administrators and
565 Inspectors Board under part XII of chapter 468. When performing
566 these building code inspection services, the professional
567 engineer is subject to the disciplinary guidelines of this
568 chapter and s. 468.621(1)(c)-(h). Any complaint processing,
569 investigation, and discipline that arise out of a professional
570 engineer's performing building code inspection services shall be
571 conducted by the Board of Professional Engineers rather than the
572 Florida Building Code Administrators and Inspectors Board. A
573 professional engineer may not perform plans review as an
574 employee of a local government upon any job that the
575 professional engineer or the professional engineer's company
576 designed.

577 Section 9. Section 481.222, Florida Statutes, is amended to
578 read:

579 481.222 Architects performing building code inspection
580 services.—Notwithstanding any other provision of law, a person

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581 who is currently licensed to practice as an architect under this
582 part may provide building code inspection services described in
583 s. 468.603(5) ~~s. 468.603(6)~~ and (8) ~~(7)~~ to a local government or
584 state agency upon its request, without being certified by the
585 Florida Building Code Administrators and Inspectors Board under
586 part XII of chapter 468. With respect to the performance of such
587 building code inspection services, the architect is subject to
588 the disciplinary guidelines of this part and s. 468.621(1)(c)-
589 (h). Any complaint processing, investigation, and discipline
590 that arise out of an architect's performance of building code
591 inspection services shall be conducted by the Board of
592 Architecture and Interior Design rather than the Florida
593 Building Code Administrators and Inspectors Board. An architect
594 may not perform plans review as an employee of a local
595 government upon any job that the architect or the architect's
596 company designed.

597 Section 10. This act shall take effect October 1, 2017.