

1 A bill to be entitled
2 An act relating to building construction procedures;
3 amending s. 468.609, F.S.; extending the length of
4 time a provisional certificate is valid; revising
5 categories of certification the Florida Building Code
6 Administrators and Inspectors Board shall by rule
7 establish; providing requirements; amending ss.
8 468.8312 and 468.8313, F.S.; revising the examination
9 fee and requirements for home inspector licensure;
10 amending s. 489.1195, F.S.; revising notification
11 requirements for qualifying agents; requiring
12 qualifying agents to submit certain orders within a
13 specified time; requiring qualifying agents to close
14 active permits that have expired; authorizing a
15 qualifying agent to sign certain orders; authorizing a
16 project owner to submit certain orders under certain
17 circumstances; providing a new qualifying agent is not
18 to be held liable for certain work; providing an
19 exception; amending s. 553.73, F.S.; authorizing the
20 Florida Building Commission to approve certain
21 amendments to the Florida Building Code every 3 years;
22 providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:
25

26 Section 1. Paragraph (a) of subsection (7) and paragraph
 27 (b) of subsection (10) of section 468.609, Florida Statutes, are
 28 amended to read:

29 468.609 Administration of this part; standards for
 30 certification; additional categories of certification.—

31 (7) (a) The board shall provide for the issuance of
 32 provisional certificates valid for 2 years ~~1 year~~, as specified
 33 by board rule, to any building code inspector or plans examiner
 34 who meets the eligibility requirements described in subsection
 35 (2) and any newly employed or promoted building code
 36 administrator who meets the eligibility requirements described
 37 in subsection (3). The provisional certificate ~~license~~ may be
 38 renewed by the board for just cause; however, a provisional
 39 certificate ~~license~~ is not valid for longer than 3 years.

40 (10)

41 (b) The board shall by rule establish:

42 1. Reciprocity of certification with any other state that
 43 requires an examination administered by the International Code
 44 Council.

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

48 3. That partial completion of an internship program may be
 49 transferred between jurisdictions on a form prescribed by the
 50 board.

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

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

57 6. That a building code inspector or plans examiner who
58 has standard certification may seek an additional certification
59 in another category by completing an additional nonconcurrent 1-
60 year internship program in the certification category sought and
61 passing an examination administered by the International Code
62 Council and a board-approved 40-hour code training course.

63 7. A one and two-family dwelling inspector internship
64 program for an applicant who meets the following criteria:

65 a. Holds an International Code Council (ICC) Certification
66 as a residential or commercial inspector in building,
67 electrical, plumbing, or mechanical prior to entering the
68 program.

69 b. Completes a 4-year internship program with 1 year on-
70 the-job training in building, electrical, plumbing, and
71 mechanical categories under the supervision of a standard
72 certified inspector. The 4-year internship program may be
73 reduced to no less than 2 years using verifiable experience or
74 education with at least 6 months on-the-job training under the
75 supervision of a standard certified inspector in a category of

76 building code inspectors which include building, electrical,
77 plumbing, mechanical, or residential; or

78 c. Holds a standard certification as an inspector under s.
79 468.603(5), plus an internship program of not less than 6 months
80 on-the-job training in each of the following categories in which
81 the applicant does not hold standard certification: building,
82 electrical, plumbing, mechanical, and residential under the
83 supervision of a standard certified inspector.

84 d. Completes a 40-hour one and two-family dwelling
85 inspector code training course.

86 8. A one and two-family dwelling plans examiner internship
87 program for an applicant who meets the following criteria:

88 a. Holds an International Code Council (ICC) Certification
89 as a one and two-family dwelling plans examiner prior to
90 entering the internship program.

91 b. Completes a 4-year internship program under the
92 supervision of a standard certified plans examiner.

93 c. The 4-year internship program must include at least 2
94 years using verifiable experience or education according to rule
95 61G19-6.017, Florida Administrative Code.

96 d. Complete a 40-hour one and two-family plans examiner
97 code training course.

98 9. A roofing inspector internship program that meets for
99 an applicant who meets following criteria:

100 a. Holds an ICC Certification as a Florida Roofing

101 Inspector prior to entering the internship program.

102 b. Completes a 1-year internship program with on-the-job
103 training as a roofing inspector under the supervision of a
104 standard certified commercial building inspector or roofing
105 inspector; or

106 c. Holds a standard certificate as a residential building
107 inspector and completes an internship program of at least 200
108 hours under the supervision of a standard certified commercial
109 building inspector or roofing inspector.

110 d. Completes a 40-hour roofing inspector training course.

111 10. To be eligible for a one and two-family dwelling
112 inspector certification, an applicant must complete the
113 following:

114 a. A one and two-family inspector internship program.

115 b. A one and two-family plans examiner internship program.

116 11. The categories of residential plans listed in s.
117 468.603(8), amend the necessary forms, and provide the
118 appropriate examinations in each category.

119 Section 2. Subsection (2) of section 468.8312, Florida
120 Statutes, is amended to read:

121 468.8312 Fees.—

122 (2) The initial application and examination fee shall not
123 exceed \$125 plus the actual per applicant cost to the department
124 to purchase an examination, if the department chooses to
125 purchase the examination. The examination fee shall be in an

126 amount that covers the cost of obtaining and administering the
127 examination but may not exceed \$200 and shall be refunded if the
128 applicant is found ineligible to sit for the examination. The
129 application fee shall be nonrefundable.

130 Section 3. Subsection (4) of section 468.8313, Florida
131 Statutes, is amended to read:

132 468.8313 Examinations.—

133 (4) The department may review and approve examinations
134 pursuant to s. 455.217(1)(d) ~~by a nationally recognized entity~~
135 ~~that offers programs or sets standards that ensure competence as~~
136 ~~a home inspector.~~

137 Section 4. Paragraph (e) is added to subsection (3) of
138 section 489.1195, Florida Statutes, to read:

139 489.1195 Responsibilities.—

140 (3)

141 (e) A newly designated qualifying agent shall submit a
142 change of contractor order within 60 days in each jurisdiction
143 in which an active permit is held by the previous qualifying
144 agent.

145 1. Qualifying agents may not allow active permits to
146 expire without properly closing them. The building official may
147 limit the number of new permits obtained by a qualifying agent
148 with open or expired permits.

149 2. A previous qualifying agent may sign a change of
150 contractor order provided by the jurisdiction. If such

151 qualifying agent declines, is unavailable, or is deceased, the
152 owner of the project shall serve notice to the qualifying
153 agent's corporate address. The project owner shall then submit a
154 change contractor order along with a written statement and issue
155 a hold harmless affidavit to the jurisdiction. Upon receipt of
156 such statement and affidavit, the jurisdiction shall process a
157 change of contractor order to a new qualifying agent without any
158 further notification.

159 3. When a permit expires and remains open, the project
160 owner may submit a change of contractor order and a hold
161 harmless affidavit without any further notification to the
162 previous qualifying agent.

163 4. A new qualifying agent, as a result of a change of
164 contractor under this paragraph is not liable for any work of
165 his or her predecessor but is responsible for any corrective and
166 new work performed.

167 Section 5. Paragraphs (a) and (c) of subsection (7) of
168 section 553.73, Florida Statutes, are amended to read:

169 553.73 Florida Building Code.—

170 (7) (a) The commission shall adopt an updated Florida
171 Building Code every 3 years through review of the most current
172 updates of the International Building Code, the International
173 Fuel Gas Code, International Existing Building Code, the
174 International Mechanical Code, the International Plumbing Code,
175 and the International Residential Code, all of which are

176 copyrighted and published by the International Code Council, and
177 the National Electrical Code, which is copyrighted and published
178 by the National Fire Protection Association. At a minimum, the
179 commission shall adopt any updates to such codes or any other
180 code necessary to maintain eligibility for federal funding and
181 discounts from the National Flood Insurance Program, the Federal
182 Emergency Management Agency, and the United States Department of
183 Housing and Urban Development. The commission shall also review
184 and adopt updates based on the International Energy Conservation
185 Code (IECC); however, the commission shall maintain the
186 efficiencies of the Florida Energy Efficiency Code for Building
187 Construction adopted and amended pursuant to s. 553.901. Every 3
188 years, the commission may approve technical amendments to the
189 Florida Building Code without a finding that the amendment is
190 needed in order to accommodate the specific needs of this state.
191 The commission shall adopt updated codes by rule.

192 (c) The commission may also adopt as a technical amendment
193 to the Florida Building Code any portion of the codes identified
194 in paragraph (a), but only as needed to accommodate the specific
195 needs of this state. Standards or criteria adopted from these
196 codes shall be incorporated by reference to the specific
197 provisions adopted. If a referenced standard or criterion
198 requires amplification or modification to be appropriate for use
199 in this state, only the amplification or modification shall be
200 set forth in the Florida Building Code. The commission may

201 | approve technical amendments to the updated Florida Building
202 | Code after the amendments have been subject to the conditions
203 | set forth in paragraphs (3)(a)-(d). Amendments that are adopted
204 | in accordance with this subsection shall be clearly marked in
205 | printed versions of the Florida Building Code so that the fact
206 | that the provisions are amendments is readily apparent.

207 | Section 6. This act shall take effect July 1, 2019.