

By Senator Brodeur

9-00831-22

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1                   A bill to be entitled  
2       An act relating to building inspection services;  
3       amending s. 468.603, F.S.; defining the term "private  
4       entity"; amending s. 468.609, F.S.; revising  
5       eligibility requirements for a person applying to  
6       become certified as a building code inspector or plans  
7       examiner; revising the special conditions or  
8       requirements that the Florida Building Code  
9       Administrators and Inspectors Board may impose on  
10      provisional certificates; revising qualifications of a  
11      building code administrator who may directly supervise  
12      certain persons performing duties of a plans examiner  
13      or building code inspector under certain  
14      circumstances; requiring the board to authorize, by  
15      rule, the transfer of a partial completion of an  
16      internship program between private entities; amending  
17      s. 553.791, F.S.; specifying a requirement for the  
18      basis of the administrative fee that a local  
19      jurisdiction may charge when an owner or a contractor  
20      hires a private provider for inspection services;  
21      requiring the local jurisdiction to provide access to  
22      certain documents to a private provider, contractor,  
23      and owner; providing that a certificate of occupancy  
24      or certificate of completion is automatically granted  
25      and issued, and the permit application closed, under  
26      certain circumstances; requiring the local building  
27      official to provide a written certificate of occupancy  
28      or certificate of completion within a specified time;  
29      providing an effective date.

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

Section 1. Subsection (9) is added to section 468.603, Florida Statutes, to read:

468.603 Definitions.—As used in this part:

(9) "Private entity" has the same meaning as in s. 553.5141(1) (f).

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

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

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

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

1. Demonstrates 4 years' combined experience in the field of construction or a related field, building code inspection, or plans review corresponding to the certification category sought;

2. Demonstrates a combination of postsecondary education in the field of construction or a related field and experience which totals 3 years, with at least 1 year of such total being experience in construction, building code inspection, or plans review;

3. Demonstrates a combination of technical education in the field of construction or a related field and experience which totals 3 years, with at least 1 year of such total being

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59 experience in construction, building code inspection, or plans  
60 review;

61 4. Currently holds a standard certificate issued by the  
62 board or a firesafety inspector license issued under ~~pursuant to~~  
63 chapter 633, with a minimum of 3 years' verifiable full-time  
64 experience in firesafety inspection or firesafety plan review,  
65 and has satisfactorily completed a building code inspector or  
66 plans examiner training program that provides at least 100 hours  
67 but not more than 200 hours of cross-training in the  
68 certification category sought. The board shall establish by rule  
69 criteria for the development and implementation of the training  
70 programs. The board must ~~shall~~ accept all classroom training  
71 offered by an approved provider if the content substantially  
72 meets the intent of the classroom component of the training  
73 program;

74 5. Demonstrates a combination of the completion of an  
75 approved training program in the field of building code  
76 inspection or plan review and a minimum of 2 years' experience  
77 in the field of building code inspection, plan review, fire code  
78 inspections and fire plans review of new buildings as a  
79 firesafety inspector certified under s. 633.216, or  
80 construction. The approved training portion of this requirement  
81 must ~~shall~~ include proof of satisfactory completion of a  
82 training program that provides at least 200 hours but not more  
83 than 300 hours of cross-training that is approved by the board  
84 in the chosen category of building code inspection or plan  
85 review in the certification category sought with at least 20  
86 hours but not more than 30 hours of instruction in state laws,  
87 rules, and ethics relating to professional standards of

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88 practice, duties, and responsibilities of a certificateholder.  
89 The board shall coordinate with the Building Officials  
90 Association of Florida, Inc., to establish by rule the  
91 development and implementation of the training program. However,  
92 the board must ~~shall~~ accept all classroom training offered by an  
93 approved provider if the content substantially meets the intent  
94 of the classroom component of the training program;

95 6. Currently holds a standard certificate issued by the  
96 board or a firesafety inspector license issued under ~~pursuant to~~  
97 chapter 633 and:

98 a. Has at least 4 years' verifiable full-time experience as  
99 an inspector or plans examiner in a standard certification  
100 category currently held or has a minimum of 4 years' verifiable  
101 full-time experience as a firesafety inspector licensed under  
102 ~~pursuant to~~ chapter 633.

103 b. Has satisfactorily completed a building code inspector  
104 or plans examiner classroom training course or program that  
105 provides at least 200 but not more than 300 hours in the  
106 certification category sought, except for residential ~~one-family~~  
107 ~~and two-family dwelling~~ training programs, which must provide at  
108 least 500 but not more than 800 hours of training as prescribed  
109 by the board. The board shall establish by rule criteria for the  
110 development and implementation of classroom training courses and  
111 programs in each certification category; or

112 7.a. Has completed a 4-year internship certification  
113 program as a building code inspector or plans examiner while  
114 also employed full-time by a municipality, county, or other  
115 governmental jurisdiction, under the direct supervision of a  
116 certified building official, or by a private entity that

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117 conducts the same or similar services as a municipality, county,  
118 or other governmental jurisdiction, while under the direct  
119 supervision of a person licensed as a building code  
120 administrator under this part. Proof of graduation with a  
121 related vocational degree or college degree or of verifiable  
122 work experience may be exchanged for the internship experience  
123 requirement year-for-year, but may reduce the requirement to no  
124 less than 1 year.

125 b. Has passed an examination administered by the  
126 International Code Council in the certification category sought.  
127 Such examination must be passed before beginning the internship  
128 certification program.

129 c. Has passed the principles and practice examination  
130 before completing the internship certification program.

131 d. Has passed a board-approved 40-hour code training course  
132 in the certification category sought before completing the  
133 internship certification program.

134 e. Has obtained a favorable recommendation from the  
135 supervising building official after completion of the internship  
136 certification program.

137 (7)

138 (c) The board shall provide for appropriate levels of  
139 provisional certificates and may issue these certificates with  
140 such special conditions or requirements ~~relating to the place of~~  
141 ~~employment of the person holding the certificate, the~~  
142 ~~supervision of such person on a consulting or advisory basis, or~~  
143 ~~other matters~~ as the board deems ~~may deem~~ necessary to protect  
144 the public safety and health. The board may not place a special  
145 condition or requirement on a provisional certificate with

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146 respect to the requirement of employment by a municipality,  
147 county, or other local government agency.

148 (d) A person may perform the duties of a plans examiner or  
149 building code inspector for 120 days if a provisional  
150 certificate application has been submitted if such person is  
151 under the direct supervision of a person licensed as a ~~certified~~  
152 building code administrator under this part ~~who holds a standard~~  
153 ~~certification~~ and who has found such person qualified for a  
154 provisional certificate. Direct supervision and the  
155 determination of qualifications may also be provided by a  
156 building code administrator who holds a limited or provisional  
157 certificate in a county having a population of fewer than 75,000  
158 and in a municipality located within such county.

159 (10)

160 (b) The board shall by rule establish:

161 1. Reciprocity of certification with any other state that  
162 requires an examination administered by the International Code  
163 Council.

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

167 3. That partial completion of an internship program may be  
168 transferred between jurisdictions or private entities on a form  
169 prescribed by the board.

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

173 5. That an applicant may apply for a standard certificate  
174 at least 30 days but ~~and~~ no more than 60 days before completing

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175 the internship certification program.

176 6. That a building code inspector or plans examiner who has  
177 standard certification may seek an additional certification in  
178 another category by completing an additional nonconcurrent 1-  
179 year internship program in the certification category sought and  
180 passing an examination administered by the International Code  
181 Council and a board-approved 40-hour code training course.

182 Section 3. Paragraph (b) of subsection (2) and subsection  
183 (13) of section 553.791, Florida Statutes, are amended, and  
184 paragraph (c) is added to subsection (2) of that section, to  
185 read:

186 553.791 Alternative plans review and inspection.—

187 (2)

188 (b) If an owner or contractor retains a private provider  
189 for purposes of plans review or building inspection services,  
190 the local jurisdiction must reduce the permit fee by the amount  
191 of cost savings realized by the local enforcement agency for not  
192 having to perform such services. Such reduction may be  
193 calculated on a flat fee or percentage basis, or any other  
194 reasonable means by which a local enforcement agency assesses  
195 the cost for its plans review or inspection services. The local  
196 jurisdiction may not charge fees for building inspections if the  
197 fee owner or contractor hires a private provider to perform such  
198 services; however, the local jurisdiction may charge a  
199 reasonable administrative fee, which shall be based on the cost  
200 that is actually incurred, including the labor cost of the  
201 personnel providing the service, by the local jurisdiction or  
202 attributable to the local jurisdiction for the clerical and  
203 supervisory assistance required, or both.

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204       (c) If an owner or a contractor retains a private provider  
205 for purposes of plans review or building inspection services,  
206 the local jurisdiction must provide equal access to all  
207 permitting and inspection documents and reports to the private  
208 provider, owner, and contractor.

209       (13) No more than 2 business days after receipt of a  
210 request for a certificate of occupancy or certificate of  
211 completion and the applicant's presentation of a certificate of  
212 compliance and approval of all other government approvals  
213 required by law, the local building official shall issue the  
214 certificate of occupancy or certificate of completion or provide  
215 a notice to the applicant identifying the specific deficiencies,  
216 as well as the specific code chapters and sections. If the local  
217 building official does not provide notice of the deficiencies  
218 within the prescribed 2-day period, the request for a  
219 certificate of occupancy or certificate of completion is  
220 automatically ~~shall be deemed~~ granted and considered the  
221 ~~certificate of occupancy or certificate of completion shall be~~  
222 issued as of ~~by the local building official on the next business~~  
223 day, and the permit is closed. The local building official must  
224 provide the applicant with the written certificate of occupancy  
225 or certificate of completion within 10 days after it is  
226 automatically granted and issued. To resolve any identified  
227 deficiencies, the applicant may elect to dispute the  
228 deficiencies pursuant to subsection (14) or to submit a  
229 corrected request for a certificate of occupancy or certificate  
230 of completion.

231       Section 4. This act shall take effect July 1, 2022.