

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Commerce Committee
 2 Representative Brackett offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

6 Section 1. Present subsections (23), (24), and (25) of
 7 section 553.79, Florida Statutes, are redesignated as
 8 subsections (24), (25), and (26), respectively, and a new
 9 subsection (23) is added to that section, to read:

553.79 Permits; applications; issuance; inspections.—

11 (23) If an assessment of a new building's interior radio
 12 coverage and signal strength under the Florida Fire Prevention
 13 Code determines that installation of a two-way radio
 14 communications enhancement system is required, a contractor
 15 having the appropriate license issued by the department must
 16 submit a design for a two-way radio communications enhancement

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17 system to correct noncompliant radio coverage. The local
18 jurisdiction may not withhold issuance of a temporary
19 certificate of occupancy for the building based solely on the
20 need for a two-way radio communications enhancement system. Upon
21 approval of the design by the local authority having
22 jurisdiction, the jurisdiction must require the installation of
23 the two-way radio communications enhancement system within 180
24 days after the issuance of a temporary certificate of occupancy.
25 A temporary certificate of occupancy extension may not be
26 unnecessarily withheld.

27 Section 2. Subsection (18) of section 633.202, Florida
28 Statutes, is amended to read:

29 633.202 Florida Fire Prevention Code.—

30 (18) (a) The authority having jurisdiction shall determine
31 the minimum radio signal strength for fire department
32 communications in all new and existing buildings. Two-way radio
33 communication enhancement systems or equivalent systems may be
34 used to comply with the minimum radio signal strength
35 requirements. However, two-way radio communication enhancement
36 systems or equivalent systems are not required in apartment
37 buildings 75 feet or less in height that are constructed using
38 wood framing, provided that the building has less than 150
39 dwelling units and that all dwelling units discharge to the
40 exterior or to a corridor that leads directly to an exit as
41 defined by the Florida Building Code. Evidence of wood frame

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42 construction shall be shown by the owner providing building
43 permit documentation which identifies the construction type as
44 wood frame. Existing high-rise buildings as defined by the
45 Florida Building Code are not required to comply with minimum
46 radio strength for fire department communications and two-way
47 radio communication enhancement systems as required by the
48 Florida Fire Prevention Code until January 1, 2025. However, by
49 January 1, 2024, an existing high-rise building that is not in
50 compliance with the requirements for minimum radio strength for
51 fire department communications must apply for an appropriate
52 permit for the required installation with the local government
53 agency having jurisdiction and must demonstrate that the
54 building will become compliant by January 1, 2025. Existing
55 high-rise apartment buildings are not required to comply until
56 January 1, 2025. However, existing high-rise apartment buildings
57 are required to apply for the appropriate permit for the
58 required communications installation by January 1, 2024.

59 (b) Except as modified in this subsection, all new and
60 existing buildings must meet the minimum radio signal strength
61 requirements for public safety agency communications as provided
62 in the Florida Fire Prevention Code.

63 (c) The local authority having jurisdiction as defined in
64 the Florida Fire Prevention Code may:

65 1. Require the installation of a two-way radio
66 communications enhancement system in a new or existing building

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67 if the interior of the building does not meet the minimum radio
68 signal strength as required in the Florida Fire Prevention Code.

69 2. Require assessment of a new or existing building's
70 interior radio coverage and signal strength, for purposes of
71 determining the need for a two-way radio communications
72 enhancement system within the building, not more frequently than
73 once every 3 years for existing high-rise buildings and existing
74 buildings over 12,000 total gross square feet and once every 5
75 years for all other existing buildings, unless such building
76 undergoes Level III building alteration or rehabilitation as
77 defined in the Florida Building Code or reconstruction as
78 determined by the Florida Fire Prevention Code or if a public
79 safety agency reports to the local authority having jurisdiction
80 that the agency's communications devices failed to function
81 correctly inside a building due to poor signal coverage or upon
82 determination of an imminent life safety threat to responders.

83 (d) Any modification to an existing system or any new
84 installation must have the express consent of the frequency
85 license holder of the frequencies for which the device or system
86 is intended to amplify. The consent must be maintained in a
87 recordable format that can be presented to a Federal
88 Communications Commission representative or other relevant
89 agency investigating radio interference.

90 (e) Where public safety agency communications signal
91 strength or delivered audio quality, as defined in the Florida

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92 Fire Prevention Code, is determined by the authority having
93 jurisdiction to be inadequate at the exterior of the building, a
94 two-way radio communications enhancement system or minimum radio
95 strength assessment shall not be required.

96 (f) If a jurisdiction modifies its public safety emergency
97 communications system such that modifications to existing two-
98 way radio communications enhancement system installations are
99 required, the local authority having jurisdiction must give
100 owners of the two-way radio communications enhancement systems
101 at least 180 days' notice before requiring any modification.

102 (g) Notwithstanding paragraph (f), a local authority
103 having jurisdiction which requires an existing building to
104 retrofit its two-way radio communications enhancement system
105 after the effective dates in paragraph (a) must give the
106 building owner at least 1 year to complete the retrofit. The 1-
107 year period begins when the local authority having jurisdiction
108 cites the building owner with a notice of code violation in
109 accordance with chapter 162.

110 (h) The following occupancies or buildings are not
111 required to meet minimum radio signal strength requirements or
112 have a radio signal strength assessment for public safety agency
113 communications:

114 1. One- and two-family dwellings and townhouses.

115 2. Buildings less than 12,000 square feet with no
116 underground areas.

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117 3. Apartments and transient public lodging establishments
118 that are less than three stories and that have direct access
119 from the apartment or guest area to an exterior means of egress.

120 4. Wood frame apartment buildings that are not required to
121 install two-way radio communication enhancement systems or
122 equivalent systems pursuant to paragraph (a).

123 (i) The provisions of s. 633.208 and this section which
124 authorize local adoption of more stringent requirements than
125 those specified in the Florida Fire Prevention Code and minimum
126 firesafety codes do not apply to the requirements of this
127 subsection. The local authority having jurisdiction may not
128 enforce requirements that are more stringent than those
129 specified in the Florida Fire Prevention Code and the provisions
130 of this subsection with respect to the requirement for, design
131 of, or installation of a two-way radio communications
132 enhancement system.

133 (j) The State Fire Marshal shall incorporate this
134 subsection in the Florida Fire Prevention Code and may adopt
135 rules to implement, interpret, and enforce this subsection.

136 Section 3. Paragraph (f) is added to subsection (3) of
137 section 843.16, Florida Statutes, to read:

138 843.16 Unlawful to install or transport radio equipment
139 using assigned frequency of state or law enforcement officers;
140 definitions; exceptions; penalties.-

141 (3) This section does not apply to the following:

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142 (f) The installation of a two-way radio communications
143 enhancement system to comply with the requirements of s.
144 633.202(18).

145 Section 4. Section 440.103, Florida Statutes, is amended
146 to read:

147 440.103 Building permits; identification of minimum
148 premium policy.—Every employer shall, as a condition to applying
149 for and receiving a building permit, show proof and certify to
150 the permit issuer that it has secured compensation for its
151 employees under this chapter as provided in ss. 440.10 and
152 440.38. Such proof of compensation must be evidenced by a
153 certificate of coverage issued by the carrier, a valid exemption
154 certificate approved by the department, or a copy of the
155 employer's authority to self-insure and shall be presented,
156 electronically or physically, each time the employer applies for
157 a building permit. As provided in s. 553.79(24) ~~s. 553.79(23)~~,
158 for the purpose of inspection and record retention, site plans
159 or building permits may be maintained at the worksite in the
160 original form or in the form of an electronic copy. These plans
161 and permits must be open to inspection by the building official
162 or a duly authorized representative, as required by the Florida
163 Building Code. As provided in s. 627.413(5), each certificate of
164 coverage must show, on its face, whether or not coverage is
165 secured under the minimum premium provisions of rules adopted by
166 rating organizations licensed pursuant to s. 627.221. The words

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167 "minimum premium policy" or equivalent language shall be typed,
168 printed, stamped, or legibly handwritten.

169 Section 5. This act shall take effect July 1, 2023.

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T I T L E A M E N D M E N T

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Remove everything before the enacting clause and insert:

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An act relating to public safety emergency communications

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systems; amending s. 553.79, F.S.; requiring a licensed

177

contractor to submit a certain design if an interior radio

178

coverage and signal strength assessment of a new building

179

determines a two-way radio communications enhancement system

180

installation is required; specifying restrictions on a local

181

jurisdiction's withholding issuance of a temporary certificate

182

of occupancy for the building; requiring the local jurisdiction

183

to require installation of such a system within a certain

184

timeframe; amending s. 633.202, F.S.; requiring new and existing

185

buildings to meet certain minimum radio signal strength

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requirements, except under certain circumstances; specifying the

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authority of local authorities having jurisdiction relating to

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two-way radio communications enhancement systems; specifying

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requirements for, and restrictions on, such authorities;

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providing requirements for obtaining and maintaining the consent

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of frequency license holders; exempting certain occupancies and

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1575 (2023)

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192 buildings from certain signal strength and assessment
193 requirements; providing applicability and construction;
194 requiring the State Fire Marshal to incorporate provisions in
195 the Florida Fire Prevention Code; authorizing the State Fire
196 Marshal to adopt rules; amending s. 843.16, F.S.; exempting
197 certain installations of two-way radio communications
198 enhancement systems from prohibitions against the installation
199 or transportation of certain radio equipment; amending s.
200 440.103, F.S.; conforming a cross-reference; providing an
201 effective date.

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