

1 A bill to be entitled
2 An act relating to public safety emergency
3 communications systems; amending s. 553.79, F.S.;
4 requiring a licensed contractor to submit a design for
5 a two-way radio communication enhancement system under
6 certain circumstances; prohibiting the local authority
7 having jurisdiction from withholding a temporary
8 certificate of occupancy solely on the need for a two-
9 way radio communication enhancement system; requiring
10 the installation of such a system within a certain
11 timeframe after the local authority having
12 jurisdiction approves the design; prohibiting
13 extensions of a temporary certificate of occupancy
14 from being unnecessarily withheld; amending s.
15 633.202, F.S.; requiring new and existing buildings to
16 meet certain requirements in the Florida Fire
17 Prevention Code; authorizing the local authority
18 having jurisdiction to require the installation of a
19 two-way radio communication enhancement system or an
20 assessment of a building's interior radio coverage and
21 signal strength under certain circumstances; limiting
22 the number of times that the local authority having
23 jurisdiction may require such assessment; providing
24 exceptions; requiring certain consent to be obtained
25 and maintained in a specified manner; specifying that

26 a two-way radio communication enhancement system and a
 27 minimum radio strength assessment are not required
 28 under certain circumstances; requiring the local
 29 authority having jurisdiction to give certain owners a
 30 specified amount of time to complete certain
 31 modifications or retrofitting; specifying when such
 32 time period begins; providing exceptions; providing
 33 applicability; prohibiting the local authority having
 34 jurisdiction from enforcing certain requirements;
 35 requiring the State Fire Marshal to incorporate the
 36 changes made by this act into the Florida Fire
 37 Prevention Code; authorizing the State Fire Marshal to
 38 adopt rules; amending s. 843.16, F.S.; exempting
 39 certain installations of two-way radio communication
 40 enhancement systems from a certain prohibition;
 41 amending s. 440.103, F.S.; conforming a cross-
 42 reference; providing an effective date.

43
 44 Be It Enacted by the Legislature of the State of Florida:

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 46 Section 1. Subsections (23), (24), and (25) of section
 47 553.79, Florida Statutes, are renumbered as subsections (24),
 48 (25), and (26), respectively, and a new subsection (23) is added
 49 to that section to read:

50 553.79 Permits; applications; issuance; inspections.—

51 (23) If an assessment of a new building's interior radio
52 coverage and signal strength under the Florida Fire Prevention
53 Code determines that installation of a two-way radio
54 communication enhancement system is required, a contractor
55 having the appropriate license issued by the department must
56 submit a design to the local authority having jurisdiction for a
57 two-way radio communication enhancement system to correct
58 noncompliant radio coverage. The local authority having
59 jurisdiction may not withhold issuance of a temporary
60 certificate of occupancy for the building based solely on the
61 need for a two-way radio communication enhancement system. Upon
62 approval of the design by the local authority having
63 jurisdiction, the jurisdiction must require the installation of
64 the two-way radio communication enhancement system within 12
65 months after the issuance of a temporary certificate of
66 occupancy. An extension for a temporary certificate of occupancy
67 may not be unnecessarily withheld.

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

70 633.202 Florida Fire Prevention Code.—

71 (18) (a) The local authority having jurisdiction shall
72 determine the minimum radio signal strength for fire department
73 communications in all new and existing buildings. Two-way radio
74 communication enhancement systems or equivalent systems may be
75 used to comply with the minimum radio signal strength

76 requirements. However, two-way radio communication enhancement
77 systems or equivalent systems are not required in apartment
78 buildings 75 feet or less in height that are constructed using
79 wood framing, provided that the building has less than 150
80 dwelling units and that all dwelling units discharge to the
81 exterior or to a corridor that leads directly to an exit as
82 defined by the Florida Building Code. Evidence of wood frame
83 construction shall be shown by the owner providing building
84 permit documentation which identifies the construction type as
85 wood frame. Existing high-rise buildings as defined by the
86 Florida Building Code are not required to comply with minimum
87 radio strength for fire department communications and two-way
88 radio communication enhancement systems as required by the
89 Florida Fire Prevention Code until January 1, 2025. However, by
90 January 1, 2024, an existing high-rise building that is not in
91 compliance with the requirements for minimum radio strength for
92 fire department communications must apply for an appropriate
93 permit for the required installation with the local government
94 agency having jurisdiction and must demonstrate that the
95 building will become compliant by January 1, 2025. Existing
96 high-rise apartment buildings are not required to comply until
97 January 1, 2025. However, existing high-rise apartment buildings
98 are required to apply for the appropriate permit for the
99 required communications installation by January 1, 2024.

100 (b) Except as provided in this subsection, all new and

101 existing buildings must meet the minimum radio signal strength
 102 requirements for public safety agency communications as provided
 103 in the Florida Fire Prevention Code.

104 (c) The local authority having jurisdiction as defined in
 105 the Florida Fire Prevention Code may require:

106 1. The installation of a two-way radio communication
 107 enhancement system in a new or existing building if the interior
 108 of the building does not meet the minimum radio signal strength
 109 as required in the Florida Fire Prevention Code.

110 2. An assessment of a new or existing building's interior
 111 radio coverage and signal strength, for purposes of determining
 112 the need for a two-way radio communication enhancement system
 113 within the building, not more frequently than once every 3 years
 114 for an existing high-rise building and an existing building
 115 having more than 12,000 total gross square feet and once every 5
 116 years for all other existing buildings, unless:

117 a. Such building undergoes Level III building alteration
 118 or rehabilitation as defined in the Florida Building Code;

119 b. Such building undergoes reconstruction as determined by
 120 the Florida Fire Prevention Code;

121 c. A public safety agency reports to the local authority
 122 having jurisdiction that the agency's communication devices
 123 failed to function correctly inside a building due to poor
 124 signal coverage; or

125 d. A building is determined to be an imminent life safety

126 threat to first responders.

127 (d) Any modification to an existing system or any
128 installation of a new system must have the express consent of
129 the frequency licenseholder of the frequencies for which the
130 system is intended to amplify. The consent must be maintained in
131 a recordable format that can be presented to a Federal
132 Communications Commission representative or other relevant
133 agency investigating radio interference.

134 (e) If public safety agency communications signal strength
135 or delivered audio quality, as defined in the Florida Fire
136 Prevention Code, is determined by the local authority having
137 jurisdiction to be inadequate at the exterior of the building, a
138 two-way radio communication enhancement system or minimum radio
139 strength assessment is not required.

140 (f) If a local authority having jurisdiction modifies its
141 public safety emergency communication system such that
142 modifications to existing two-way radio communication
143 enhancement system installations are required, the local
144 authority having jurisdiction must give owners of the existing
145 two-way radio communication enhancement systems at least 180
146 days' notice before requiring any modification.

147 (g) Notwithstanding paragraph (f), a local authority
148 having jurisdiction that requires an existing building to
149 retrofit its two-way radio communication enhancement system
150 after the effective dates in paragraph (a) must give the

151 building owner at least 1 year to complete the retrofit. The 1-
152 year period begins when the local authority having jurisdiction
153 cites the building owner with a notice of code violation in
154 accordance with chapter 162.

155 (h) The following occupancies or buildings are not
156 required to meet minimum radio signal strength requirements or
157 have a radio signal strength assessment for public safety agency
158 communications:

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

160 2. Buildings having less than 12,000 total gross square
161 feet with no underground areas.

162 3. Apartments and transient public lodging establishments
163 that are less than three stories high and that have direct
164 access from the apartment or guest area to an exterior means of
165 egress.

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

169 (i) The provisions of s. 633.208 and this section which
170 authorize local adoption of more stringent requirements than
171 those specified in the Florida Fire Prevention Code and minimum
172 firesafety codes do not apply to the requirements in this
173 subsection. The local authority having jurisdiction may not
174 enforce requirements that are more stringent than those
175 specified in the Florida Fire Prevention Code and this

176 subsection with respect to the requirement for, design of, or
 177 installation of a two-way radio communication enhancement
 178 system.

179 (j) The State Fire Marshal shall incorporate this
 180 subsection into the Florida Fire Prevention Code and may adopt
 181 rules to implement, interpret, and enforce this subsection.

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

184 843.16 Unlawful to install or transport radio equipment
 185 using assigned frequency of state or law enforcement officers;
 186 definitions; exceptions; penalties.-

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

188 (f) The installation of a two-way radio communication
 189 enhancement system to comply with the requirements of s.
 190 633.202(18).

191 Section 4. Section 440.103, Florida Statutes, is amended
 192 to read:

193 440.103 Building permits; identification of minimum
 194 premium policy.-Every employer shall, as a condition to applying
 195 for and receiving a building permit, show proof and certify to
 196 the permit issuer that it has secured compensation for its
 197 employees under this chapter as provided in ss. 440.10 and
 198 440.38. Such proof of compensation must be evidenced by a
 199 certificate of coverage issued by the carrier, a valid exemption
 200 certificate approved by the department, or a copy of the

201 employer's authority to self-insure and shall be presented,
202 electronically or physically, each time the employer applies for
203 a building permit. As provided in s. 553.79(24) ~~s. 553.79(23)~~,
204 for the purpose of inspection and record retention, site plans
205 or building permits may be maintained at the worksite in the
206 original form or in the form of an electronic copy. These plans
207 and permits must be open to inspection by the building official
208 or a duly authorized representative, as required by the Florida
209 Building Code. As provided in s. 627.413(5), each certificate of
210 coverage must show, on its face, whether or not coverage is
211 secured under the minimum premium provisions of rules adopted by
212 rating organizations licensed pursuant to s. 627.221. The words
213 "minimum premium policy" or equivalent language shall be typed,
214 printed, stamped, or legibly handwritten.

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