

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WITHDRAWN	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: Regulatory Reform &
2 Economic Development Subcommittee
3 Representative Maggard offered the following:

Amendment

Remove lines 35-153 and insert:

Section 1. Paragraphs (f) and (i) of subsection (3) of section 489.105, Florida Statutes, is amended to read:

489.105 Definitions.—As used in this part:

(3) "Contractor" means the person who is qualified for, and is only responsible for, the project contracted for and means, except as exempted in this part, the person who, for compensation, undertakes to, submits a bid to, or does himself or herself or by others construct, repair, alter, remodel, add to, demolish, subtract from, or improve any building or structure, including related improvements to real estate, for

Amendment No. 1

17 others or for resale to others; and whose job scope is
18 substantially similar to the job scope described in one of the
19 paragraphs of this subsection. For the purposes of regulation
20 under this part, the term "demolish" applies only to demolition
21 of steel tanks more than 50 feet in height; towers more than 50
22 feet in height; other structures more than 50 feet in height;
23 and all buildings or residences. Contractors are subdivided into
24 two divisions, Division I, consisting of those contractors
25 defined in paragraphs (a)-(c), and Division II, consisting of
26 those contractors defined in paragraphs (d)-(q):

27 (f) "Class A air-conditioning contractor" means a
28 contractor whose services are unlimited in the execution of
29 contracts requiring the experience, knowledge, and skill to
30 install, maintain, repair, fabricate, alter, extend, or design,
31 if not prohibited by law, central air-conditioning,
32 refrigeration, heating, and ventilating systems, including duct
33 work in connection with a complete system if such duct work is
34 performed by the contractor as necessary to complete an air-
35 distribution system, boiler and unfired pressure vessel systems,
36 and all appurtenances, apparatus, or equipment used in
37 connection therewith, and any duct cleaning and equipment
38 sanitizing that requires at least a partial disassembling of the
39 system; to install, maintain, repair, fabricate, alter, extend,
40 or design, if not prohibited by law, piping, insulation of
41 pipes, vessels and ducts, pressure and process piping, and

597655 - h0089-line35.docx

Published On: 3/8/2023 5:24:24 PM

Amendment No. 1

42 pneumatic control piping; to replace, disconnect, or reconnect
43 power wiring, breakers, or fuses on the load side of the
44 dedicated existing electrical circuit disconnect switch; to
45 replace, disconnect, or reconnect power wiring, breakers, or
46 fuses on the line side directly connected to the dedicated
47 existing electrical circuit disconnect switch and not the main
48 breaker; to replace, disconnect, or reconnect air-conditioning
49 disconnect switches and boxes; to install, disconnect, and
50 reconnect low voltage heating, ventilating, and air-conditioning
51 control wiring; and to install a condensate drain from an air-
52 conditioning unit to an existing safe waste or other approved
53 disposal other than a direct connection to a sanitary system.
54 The scope of work for such contractor also includes any
55 excavation work incidental thereto, but does not include any
56 work such as liquefied petroleum or natural gas fuel lines
57 within buildings, except for disconnecting or reconnecting
58 changeouts of liquefied petroleum or natural gas appliances
59 within buildings; potable water lines or connections thereto;
60 sanitary sewer lines; swimming pool piping and filters; or
61 electrical power wiring. A Class A air-conditioning contractor
62 may test and evaluate central air-conditioning, refrigeration,
63 heating, and ventilating systems, including duct work; however,
64 a mandatory licensing requirement is not established for the
65 performance of these specific services.

597655 - h0089-line35.docx

Published On: 3/8/2023 5:24:24 PM

Amendment No. 1

66 (i) "Mechanical contractor" means a contractor whose
67 services are unlimited in the execution of contracts requiring
68 the experience, knowledge, and skill to install, maintain,
69 repair, fabricate, alter, extend, or design, if not prohibited
70 by law, central air-conditioning, refrigeration, heating, and
71 ventilating systems, including duct work in connection with a
72 complete system if such duct work is performed by the contractor
73 as necessary to complete an air-distribution system, boiler and
74 unfired pressure vessel systems, lift station equipment and
75 piping, and all appurtenances, apparatus, or equipment used in
76 connection therewith, and any duct cleaning and equipment
77 sanitizing that requires at least a partial disassembling of the
78 system; to install, maintain, repair, fabricate, alter, extend,
79 or design, if not prohibited by law, piping, insulation of
80 pipes, vessels and ducts, pressure and process piping, pneumatic
81 control piping, gasoline tanks and pump installations and piping
82 for same, standpipes, air piping, vacuum line piping, oxygen
83 lines, nitrous oxide piping, ink and chemical lines, fuel
84 transmission lines, liquefied petroleum gas lines within
85 buildings, and natural gas fuel lines within buildings; to
86 replace, disconnect, or reconnect power wiring, breakers, or
87 fuses on the load side of the dedicated existing electrical
88 circuit disconnect switch; to replace, disconnect, or reconnect
89 power wiring, breakers, or fuses on the line side directly
90 connected to the dedicated existing electrical circuit

597655 - h0089-line35.docx

Published On: 3/8/2023 5:24:24 PM

Amendment No. 1

91 disconnect switch and not the main breaker; to replace,
92 disconnect, or reconnect air-conditioning disconnect switches
93 and boxes; to install, disconnect, and reconnect low voltage
94 heating, ventilating, and air-conditioning control wiring; and
95 to install a condensate drain from an air-conditioning unit to
96 an existing safe waste or other approved disposal other than a
97 direct connection to a sanitary system. The scope of work for
98 such contractor also includes any excavation work incidental
99 thereto, but does not include any work such as potable water
100 lines or connections thereto, sanitary sewer lines, swimming
101 pool piping and filters, or electrical power wiring. A
102 mechanical contractor may test and evaluate central air-
103 conditioning, refrigeration, heating, and ventilating systems,
104 including duct work; however, a mandatory licensing requirement
105 is not established for the performance of these specific
106 services.

107 Section 2. Subsection (2) of section 553.79, Florida
108 Statutes, is amended to read:

109 553.79 Permits; applications; issuance; inspections.—

110 (2) (a)1. Except as provided in subsection (8), an
111 enforcing agency may not issue any permit for construction,
112 erection, alteration, modification, repair, or demolition of any
113 building or structure until the local building code
114 administrator or inspector has reviewed the plans and
115 specifications required by the Florida Building Code, or local

Amendment No. 1

116 amendment thereto, for such proposal and found the plans to be
117 in compliance with the Florida Building Code. If the local
118 building code administrator or inspector finds that the plans
119 are not in compliance with the Florida Building Code, the local
120 building code administrator or inspector shall identify the
121 specific plan features that do not comply with the applicable
122 codes, identify the specific code chapters and sections upon
123 which the finding is based, and provide this information to the
124 local enforcing agency. If the building code administrator,
125 plans examiner, or inspector requests another local enforcing
126 agency employee or a person contracted by the local enforcement
127 agency to review the plans and such employee or person
128 identifies specific plan features that do not comply with the
129 applicable codes, the building code administrator, plans
130 examiner, or inspector, must provide this information to the
131 local enforcing agency. The local enforcing agency shall provide
132 this information to the permit applicant.

133 2. In addition, An enforcing agency may not issue any
134 permit for construction, erection, alteration, modification,
135 repair, or demolition of any building until the appropriate
136 firesafety inspector certified pursuant to s. 633.216 has
137 reviewed the plans and specifications required by the Florida
138 Building Code, or local amendment thereto, for such proposal and
139 found that the plans comply with the Florida Fire Prevention
140 Code and the Life Safety Code. Any building or structure which

597655 - h0089-line35.docx

Published On: 3/8/2023 5:24:24 PM

Amendment No. 1

141 is not subject to a firesafety code shall not be required to
142 have its plans reviewed by the firesafety inspector.

143 3. Any building or structure that is exempt from the local
144 building permit process may not be required to have its plans
145 reviewed by the local building code administrator. Industrial
146 construction on sites where design, construction, and firesafety
147 are supervised by appropriate design and inspection
148 professionals and which contain adequate in-house fire
149 departments and rescue squads is exempt, subject to local
150 government option, from review of plans and inspections,
151 providing owners certify that applicable codes and standards
152 have been met and supply appropriate approved drawings to local
153 building and firesafety inspectors.

154 4. The enforcing agency shall issue a permit to construct,
155 erect, alter, modify, repair, or demolish any building or
156 structure when the plans and specifications for such proposal
157 comply with the Florida Building Code and the Florida Fire
158 Prevention Code and the Life Safety Code as determined by the
159 local authority in accordance with this chapter and chapter 633.

160 (b) After the local enforcing agency issues a permit, the
161 local enforcing agency may not make or require any substantive
162 changes to the plans or specifications except changes required
163 for compliance with the Florida Building Code, the Florida Fire
164 Prevention Code, or the Life Safety Code, or local amendments
165 thereto. If a local enforcing agency makes or requires

597655 - h0089-line35.docx

Published On: 3/8/2023 5:24:24 PM

Amendment No. 1

166 substantive changes to the plans or specifications after a
167 permit is issued, the local enforcing agency must identify the
168 specific plan features that do not comply with the applicable
169 codes, identify the specific code chapters and sections upon
170 which the finding is based, and provide the information to the
171 permitholder in writing.