

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WITHDRAWN	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 Esposito offered the following:

3
 4 **Amendment (with title amendment)**

5 Remove lines 37-147 and insert:
 6 Section 1. Paragraph (b) of subsection (1) of section
 7 399.035, Florida Statutes, is amended to read:

8 399.035 Elevator accessibility requirements for the
 9 physically handicapped.—

10 (1) Each elevator, the installation of which is begun
 11 after October 1, 1990, must be made accessible to physically
 12 handicapped persons with the following requirements:

13 (b) Each elevator car interior must have a support rail on
 14 at least one wall. All support rails must be smooth and have no
 15 sharp edges and must not be more than 1 1/2 inches thick or 2
 16 1/2 inches in diameter. At least one support rail ~~Support rails~~

Amendment No. 1

17 must be continuous and a minimum length of 42 inches overall.
18 The inside surface of support rails must be 1 1/2 inches clear
19 of the car wall. The distance from the top of the support rail
20 to the finished car floor must be at least 31 inches and not
21 more than 33 inches. Padded or tufted material or decorative
22 materials such as wallpaper, vinyl, cloth, or the like may not
23 be used on support rails.

24 Section 2. Paragraph (c) of subsection (2) of section
25 468.609, Florida Statutes, is amended to read:

26 468.609 Administration of this part; standards for
27 certification; additional categories of certification.—

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

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

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

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

Amendment No. 1

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

46 4. Currently holds a standard certificate issued by the
47 board or a firesafety inspector license issued under chapter
48 633, with a minimum of 3 years' verifiable full-time experience
49 in firesafety inspection or firesafety plan review, and has
50 satisfactorily completed a building code inspector or plans
51 examiner training program that provides at least 100 hours but
52 not more than 200 hours of cross-training in the certification
53 category sought. The board shall establish by rule criteria for
54 the development and implementation of the training programs. The
55 board must accept all classroom training offered by an approved
56 provider if the content substantially meets the intent of the
57 classroom component of the training program;

58 5. Demonstrates a combination of the completion of an
59 approved training program in the field of building code
60 inspection or plan review and a minimum of 2 years' experience
61 in the field of building code inspection, plan review, fire code
62 inspections and fire plans review of new buildings as a
63 firesafety inspector certified under s. 633.216, or
64 construction. The approved training portion of this requirement
65 must include proof of satisfactory completion of a training

Amendment No. 1

66 program that provides at least 200 hours but not more than 300
67 hours of cross-training that is approved by the board in the
68 chosen category of building code inspection or plan review in
69 the certification category sought with at least 20 hours but not
70 more than 30 hours of instruction in state laws, rules, and
71 ethics relating to professional standards of practice, duties,
72 and responsibilities of a certificateholder. The board shall
73 coordinate with the Building Officials Association of Florida,
74 Inc., to establish by rule the development and implementation of
75 the training program. However, the board must accept all
76 classroom training offered by an approved provider if the
77 content substantially meets the intent of the classroom
78 component of the training program;

79 6. Currently holds a standard certificate issued by the
80 board or a firesafety inspector license issued under chapter 633
81 and:

82 a. Has at least 4 years' verifiable full-time experience
83 as an inspector or plans examiner in a standard certification
84 category currently held or has a minimum of 4 years' verifiable
85 full-time experience as a firesafety inspector licensed under
86 chapter 633.

87 b. Has satisfactorily completed a building code inspector
88 or plans examiner classroom training course or program that
89 provides at least 200 but not more than 300 hours in the
90 certification category sought, except for residential training

Amendment No. 1

91 programs, which must provide at least 500 but not more than 800
92 hours of training as prescribed by the board. The board shall
93 establish by rule criteria for the development and
94 implementation of classroom training courses and programs in
95 each certification category; or

96 7.a. Has completed a 4-year internship certification
97 program as a building code inspector or plans examiner, including an internship program for residential inspectors,
98 while also employed full-time by a municipality, county, or
99 other governmental jurisdiction, under the direct supervision of
100 a certified building official. A person may also complete the
101 internship certification program, including an internship
102 program for residential inspectors, while employed full time by
103 a private provider or a private provider's firm that performs
104 the services of a building code inspector or plans examiner,
105 while under the direct supervision of a certified building
106 official. Proof of graduation with a related vocational degree
107 or college degree or of verifiable work experience may be
108 exchanged for the internship experience requirement year-for-
109 year, but may reduce the requirement to no less than 1 year.

111 b. Has passed an examination administered by the
112 International Code Council in the certification category sought.
113 Such examination must be passed before beginning the internship
114 certification program.

Amendment No. 1

115 c. Has passed the principles and practice examination
116 before completing the internship certification program.

117 d. Has passed a board-approved 40-hour code training
118 course in the certification category sought before completing
119 the internship certification program.

120 e. Has obtained a favorable recommendation from the
121 supervising building official after completion of the internship
122 certification program.

123 Section 3. Section 1. Paragraphs (g) and (h) are added to
124 subsection (7) of section 553.73, Florida Statutes, to read:

125 553.73 Florida Building Code.—

126 (7)

127 (g) The commission shall modify the Florida Building Code
128 to state that sealed drawings by a design professional are not
129 required for the replacement of windows, doors, or garage doors
130 in an existing one- or two-family dwelling or townhouse if all
131 of the following conditions are met:

132 1. The replacement windows, doors, or garage doors are
133 installed in accordance with the manufacturer's instructions for
134 the appropriate wind zone.

135 2. The replacement windows, doors, or garage doors meet
136 the design pressure requirements in the most recent version of
137 the Florida Building Code, Residential.

138 3. A copy of the manufacturer's instructions is submitted
139 with the permit application in a printed or digital format.

Amendment No. 1

140 4. The replacement windows, doors, or garage doors are the
141 same existing size and installed in the same existing opening.

142 (h) The term "windborne debris region" has the same
143 meaning as in the Florida Building Code, 7th Edition (2020)
144 Residential, until the adoption of the 9th Edition of the
145 Florida Building Code.

146 Section 4. Subsection (16) of section 553.79, Florida
147 Statutes, is amended to read:

148 553.79 Permits; applications; issuance; inspections.—

149 ~~(16) Except as provided in paragraph (e), a building~~
150 ~~permit for a single-family residential dwelling must be issued~~
151 ~~within 30 business days after receiving the permit application~~
152 ~~unless the permit application fails to satisfy the Florida~~
153 ~~Building Code or the enforcing agency's laws or ordinances.~~

154 ~~(a) If a local enforcement agency fails to issue a~~
155 ~~building permit for a single-family residential dwelling within~~
156 ~~30 business days after receiving the permit application, it must~~
157 ~~reduce the building permit fee by 10 percent for each business~~
158 ~~day that it fails to meet the deadline. Each 10-percent~~
159 ~~reduction shall be based on the original amount of the building~~
160 ~~permit fee.~~

161 ~~(b) A local enforcement agency does not have to reduce the~~
162 ~~building permit fee if it provides written notice to the~~
163 ~~applicant, by e-mail or United States Postal Service, within 30~~
164 ~~business days after receiving the permit application, that~~

969843 - h267-line 37.docx

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Amendment No. 1

165 ~~specifically states the reasons the permit application fails to~~
166 ~~satisfy the Florida Building Code or the enforcing agency's laws~~
167 ~~or ordinances. The written notice must also state that the~~
168 ~~applicant has 10 business days after receiving the written~~
169 ~~notice to submit revisions to correct the permit application and~~
170 ~~that failure to correct the application within 10 business days~~
171 ~~will result in a denial of the application.~~

172 ~~(c) The applicant has 10 business days after receiving the~~
173 ~~written notice to address the reasons specified by the local~~
174 ~~enforcement agency and submit revisions to correct the permit~~
175 ~~application. If the applicant submits revisions within 10~~
176 ~~business days after receiving the written notice, the local~~
177 ~~enforcement agency has 10 business days after receiving such~~
178 ~~revisions to approve or deny the building permit unless the~~
179 ~~applicant agrees to a longer period in writing. If the local~~
180 ~~enforcement agency fails to issue or deny the building permit~~
181 ~~within 10 business days after receiving the revisions, it must~~
182 ~~reduce the building permit fee by 20 percent for the first~~
183 ~~business day that it fails to meet the deadline unless the~~
184 ~~applicant agrees to a longer period in writing. For each~~
185 ~~additional business day, but not to exceed 5 business days, that~~
186 ~~the local enforcement agency fails to meet the deadline, the~~
187 ~~building permit fee must be reduced by an additional 10 percent.~~
188 ~~Each reduction shall be based on the original amount of the~~
189 ~~building permit fee.~~

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Amendment No. 1

190 ~~(d) If any building permit fees are refunded under this~~
191 ~~subsection, the surcharges provided in s. 468.631 or s. 553.721~~
192 ~~must be recalculated based on the amount of the building permit~~
193 ~~fees after the refund.~~

194 ~~(e) A building permit for a single-family residential~~
195 ~~dwelling applied for by a contractor licensed in this state on~~
196 ~~behalf of a property owner who participates in a Community~~
197 ~~Development Block Grant-Disaster Recovery program administered~~
198 ~~by the Department of Economic Opportunity must be issued within~~
199 ~~15 working days after receipt of the application unless the~~
200 ~~permit application fails to satisfy the Florida Building Code or~~
201 ~~the enforcing agency's laws or ordinances.~~

202 Section 5. Paragraphs (a), (b) and (c) of subsection (7)
203 of section 553.791, Florida Statutes, are amended to read:

204 553.791 Alternative plans review and inspection.—

205 (7)(a)1. No more than 20 business days after receipt of a
206 permit application and the affidavit from the private provider
207 required pursuant to subsection (6), the local building official
208 shall issue the requested permit or provide a written notice to
209 the permit applicant identifying the specific plan features that
210 do not comply with the applicable codes, as well as the specific
211 code chapters and sections. If the local building official does
212 not provide a written notice of the plan deficiencies within the
213 prescribed 20-day period, the permit application shall be deemed

Amendment No. 1

214 approved as a matter of law, and the permit shall be issued by
215 the local building official on the next business day.

216 2. Where the private provider is a person licensed as a
217 professional engineer under Chapter 471 or as an architect under
218 chapter 481 and affixes his or her industry seal to the
219 affidavit required under subsection (6), the local building
220 official must issue the requested permit or provide a written
221 notice to the permit applicant identifying the specific plan
222 features that do not comply with the applicable codes, as well
223 as the specific code chapters and sections, within 10 business
224 days after receipt of the permit application and affidavit. The
225 local building official must provide with specificity the plan's
226 deficiencies, the reasons the permit application failed, and the
227 applicable codes being violated in such written notice. If the
228 local building official does not provide specific written notice
229 to the permit applicant within the prescribed 10-day period, the
230 permit application is deemed approved as a matter of law, and
231 the permit must be issued by the local building official on the
232 next business day.

233 (b) If the local building official provides a written
234 notice of plan deficiencies to the permit applicant within the
235 prescribed time period in paragraph (a) ~~20-day period~~, the time
236 ~~20-day~~ period shall be tolled pending resolution of the matter.
237 To resolve the plan deficiencies, the permit applicant may elect

Amendment No. 1

238 to dispute the deficiencies pursuant to subsection (14) or to
239 submit revisions to correct the deficiencies.

240 (c) If the permit applicant submits revisions, the local
241 building official has the remainder of the tolled time 20-day
242 period plus 5 business days from the date of resubmittal to
243 issue the requested permit or to provide a second written notice
244 to the permit applicant stating which of the previously
245 identified plan features remain in noncompliance with the
246 applicable codes, with specific reference to the relevant code
247 chapters and sections. Any subsequent review by the local
248 building official is limited to the deficiencies cited in the
249 written notice. If the local building official does not provide
250 the second written notice within the prescribed time period, the
251 permit shall be deemed approved as a matter of law, and the
252 local building official must issue the permit on the next
253 business day.

254 Section 6. Subsections (1) and (2) of section 553.792,
255 Florida Statutes, are amended and subsection (4) is added to
256 that section, to read:

257 553.792 Building permit application to local government.-

258 (1)(a) A local government must approve, approve with
259 conditions, or deny a building permit application after receipt
260 of a completed and sufficient application within the following
261 timeframes, unless the applicant waives such timeframes in
262 writing:

Amendment No. 1

263 1. For an applicant using a local government plans
264 reviewer to obtain a building permit, within 30 business days
265 after receiving a complete and sufficient application.

266 2. For an applicant using a private provider consistent
267 with s. 553.791 to obtain a building permit, within 15 business
268 days after receiving a complete and sufficient application.

269 3. For an applicant for a master plan permit, within 10
270 business days after receiving a complete and sufficient
271 application.

272 4. For an applicant for a single-family residential
273 dwelling applied for by a contractor licensed in this state on
274 behalf of a property owner who participates in a Community
275 Development Block Grant-Disaster Recovery program administered
276 by the Department of Commerce, within 10 business days after
277 receipt of the application unless the permit application fails
278 to satisfy the Florida Building Code or the enforcing agency's
279 laws or ordinances.

280 5. For an applicant for a multifamily residential unit,
281 within 60 business days after receiving a complete and
282 sufficient application.

283
284 If the local government does not approve, approve with
285 conditions, or deny the completed and sufficient application
286 within the required timeframes in this paragraph, the
287 application is deemed or determined to be approved. A local

Amendment No. 1

288 government may not require a waiver of the timeframes as a
289 condition to review an application for a building permit.

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

293 Remove lines 3-10 and insert:

294 309.035, F.S.; changing requirements for handrails; s. 468.609,
295 F.S.; allowing use of an internship program as a basis for a
296 license; s. 553.73, F.S.; requiring the Florida Building
297 Commission to modify provisions in the Florida Building Code
298 relating to replacement windows, doors, or garage doors in an
299 existing building; providing requirements for such
300 modifications; defining the term "windborne debris region";
301 amending s. 553.79, F.S.; removing provisions relating to
302 acquiring building permits for certain residential dwellings;
303 amending s. 553.791, F.S.; relating to permit time frames for
304 certain private providers; amending s.